

February 9, 2021
9:30am

**BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA**

ADDITIONS, DELETIONS, & SUBSTITUTIONS

FEBRUARY 9, 2021

PAGE **ITEM**

NOTE: Items that were revised, added, deleted, or backup submitted and were not listed on the preliminary addition/deletion sheet distributed to the Board the prior day are noted with an asterisk (*).

**ORDER OF BUSINESS
BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA**

FEBRUARY 9, 2021

**TUESDAY
9:30 A.M.**

**COMMISSION
CHAMBERS**

- 1. CALL TO ORDER**
 - A. Roll Call
 - B. Invocation
 - C. Pledge of Allegiance
- 2. AGENDA APPROVAL**
 - A. Additions, Deletions, Substitutions
 - B. Adoption
- 3. CONSENT AGENDA (Pages 6-30)**
- 4. SPECIAL PRESENTATIONS (Page 31)**
- 5. PUBLIC HEARINGS - 9:30 A.M. (Page 32)**
- 6. REGULAR AGENDA (Pages 33-38)**
- 7. BOARD APPOINTMENTS (Page 39)**
- 8. STAFF COMMENTS (Page 40)**
- 9. BCC COMMENTS (Page 41)**
- 10. ADJOURNMENT (Page 42)**

* * * * *

TABLE OF CONTENTS

CONSENT AGENDA

A. ADMINISTRATION

Page 6

- 3A-1 Task order to contract with W.F. Baird & Associates Ltd. Incorporated related to FEMA coordination and Flood Insurance Rate Maps

B. CLERK OF THE CIRCUIT COURT & COMPTROLLER

Page 6

- 3B-1 Warrant list
- 3B-2 Minutes
- 3B-3 Contracts and claims settlements list

C. ENGINEERING & PUBLIC WORKS

Page 6

- 3C-1 Contract with Hardrives of Delray, Inc. for the Palmetto Park Road, SW 7th Avenue to SW 5th Avenue project

Page 7

- 3C-2 Work order to contract with Ranger Construction Industries, Inc. for the Woolbright Road from Hagen Ranch Road to Military Trail project
- 3C-3 Work order to contract with Ranger Construction Industries, Inc. for the Hypoluxo Road from Jog Road to Military Trail project

Page 8

- 3C-4 Work order to contract with Ranger Construction Industries, Inc. for the Kimberly Boulevard from State Road 7 to Lyons Road project
- 3C-5 Work order to contract with Ranger Construction Industries, Inc. for the Northlake Boulevard from Alternate A1A to US 1 project

Page 9

- 3C-6 Work order to contract with Ranger Construction Industries, Inc. for the Alexander Run from Randolph Siding Road to Indiantown Road project
- 3C-7 Change order to contract with Hardrives of Delray, Inc. for a time extension for the Roebuck Road from Jog Road to Haverhill Road, project

Page 10

- 3C-8 Work task order to contract with Propel Engineering, Inc. for the Haverhill Road from south of Cecele Avenue to north of Century Boulevard project
- 3C-9 Agreement with Colors Le Palais of Boynton Beach Homeowners Association, Inc. for enforcement of traffic laws by the Palm Beach County Sheriff's Office
- 3C-10 Resolution approving the Local Agency Program agreement with the State of Florida Department of Transportation for services related to the Belvedere Heights Phase I project

Page 11

- 3C-11 Contract with CDM Smith Inc. for the Stormwater Geographic Information System Mapping and Infrastructure Database Development project

E. COMMUNITY SERVICES

Page 11

- 3E-1 Ratify the Mayor's signature on the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. State General Revenue Program Service Provider Application for various services to seniors

Page 12

- 3E-2 Amendment to agreement with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. for the Emergency Home Energy Assistance Program for various services to seniors

Page 13

- 3E-3 Contract with The Arc of Palm Beach County, Inc. for services for people with intellectual and developmental disabilities to explore careers
- 3E-4 Interlocal agreement with The School Board of Palm Beach County for services in the economic stability service category

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

F. AIRPORTS

Page 13

3F-1 Resolution delegating authority to the County Administrator or designee to execute Supplemental Joint Participation Agreements and Termination Agreements with the Florida Department of Transportation

Page 14

3F-2 Amendment to agreement with AECOM Technical Services, Inc. for planning and design services related to the Palm Beach County Airports Capital Improvement Program

H. FACILITIES DEVELOPMENT & OPERATIONS

Page 15

3H-1 Mortgagee's Joinder and Consent to a Public Access Sidewalk Easement in favor of the City of West Palm Beach related to The Raymond F. Kravis Center for the Performing Arts, Inc.

3H-2 Contract with Song & Associates, Inc. for services related to the new Mosquito Control Division Compound project

Page 16

3H-3 Receive and file five executed documents received during the months of October and December 2020

I. HOUSING AND ECONOMIC SUSTAINABILITY

Page 17

3I-1 Impact Fee Affordable Housing Assistance Program funding to BLP Homes, LLC

3I-2 Impact Fee Affordable Housing Assistance Program funding to The W. 30th Riviera Land Trust, HRY Development

Page 18

3I-3 Impact Fee Affordable Housing Assistance Program funding to Riviera Hankinhomes Land Trust, HRY Development

Page 19

3I-4 Impact Fee Affordable Housing Assistance Program funding to Riviera Hankinhomes 2 Land Trust, HRY Development

Page 20

3I-5 Impact Fee Affordable Housing Assistance Program funding to Wells Landing Apartments, LLC

Page 21

3I-6 Impact Fee Affordable Housing Assistance Program funding to ME-ST, LLC

3I-7 Budget transfer from the Cares Act Relief Fund to the U.S. Department of Housing and Urban Development Loan Repayment Account for small business assistance

K. WATER UTILITIES

Page 22

3K-1 Three Partial Release of Utility Easements

3K-2 Contract with CDM Smith Inc. for System-Wide Force Main Evaluation

Page 23

3K-3 Receive and file Standard Potable Water and Wastewater Development Agreement and Renewal Agreement received during the months of September, October and November, 2020

3K-4 Consultant Services Authorization to contract with Stantec Consulting Services Inc. for the Capital Improvement Plan Program Management

TABLE OF CONTENTS
CONSENT AGENDA CONTINUED

L. ENVIRONMENTAL RESOURCES MANAGEMENT

- Page 24
3L-1 Appointment of Commissioner Maria G. Marino as Palm Beach County's representative for voting at the landowner's meeting of the Palm Mar Water Control District

M. PARKS & RECREATION

- Page 24
3M-1 Receive and file two Independent Contractor Agreements
- Page 25
3M-2 Budget transfers to Okeeheelee Park Parking Expansion and Special Events Area projects
3M-3 Standard Independent Contractor Agreement for use when contracting with recreation instructors and sports officials

X. PUBLIC SAFETY

- Page 26
3X-1 Receive and file purchase order from the Florida Department of Corrections for adult reentry services
3X-2 Receive and file contract with Barry University, Inc. for services related to human trafficking

Z. RISK MANAGEMENT

- Page 27
3Z-1 Receive and file contract with Diagnostic Centers of American, LLC for provision of certain medical services

AA. PALM TRAN

- Page 27
3AA-1 Resolution approving a FY2021 Public Transportation Grant Agreement for urbanized public transportation
- Page 28
3AA-2 Resolution approving a FY2021 Public Transportation Grant Agreement for non-urbanized area public transportation
3AA-3 Agreement with the Lakes of Delray, Inc. for provision of transportation services

CC. SHERIFF

- Page 29
3CC-1 Budget transfer from the Law Enforcement Trust Fund

DD. TOURIST DEVELOPMENT COUNCIL

- Page 30
3DD-1 Receive and file FY 2021 Covid Recovery Grant Agreement for the promotion of The Tim Rand Invite

SPECIAL PRESENTATIONS

- Page 31
4A COVID-19 Update by Dr. Alonso and County Staff

TABLE OF CONTENTS
PUBLIC HEARINGS – 9:30 A.M.

NONE

REGULAR AGENDA

A. HOUSING AND ECONOMIC SUSTAINABILITY

Page 33

6A-1 HOME Investment Partnerships Program funding increase to New Urban Community Development Corporation, Inc. for the Henrietta Townhomes project

B. FACILITIES DEVELOPMENT AND OPERATIONS

Page 34

6B-1 Quit Claim Deed in favor of Judith A. Hoover release county interest in a strip of right of way within The Palm Beach Farms Co. Plat No. 3

Page 35

6B-2 Extension of deadline for LJL Food Management, Inc. to complete construction of improvements of restaurant space within the Governmental Center Parking Garage

C. ENVIRONMENTAL RESOURCES MANAGEMENT

Page 36

6C-1 Resolution supporting the State of Florida’s activities to monitor, analyze, protect and restore the quality of water resources

D. AIRPORTS

Page 36

6D-1 Corrective Action Plan required by Federal Aviation Administration

Page 37

6D-2 Airport Medical Testing Center Agreement with Helix Virtual, Inc. for COVID-19 testing to airport passengers and employees

E. ADMINISTRATION

Page 38

6E-1 Direction regarding a resolution opposing elimination of statutory authorization for regional planning councils in Florida as proposed in Senate Bill 62 or similar proposed legislation

BOARD APPOINTMENTS

Page 39

7A-1 Appointments to the Commission on Affordable Housing

STAFF COMMENTS (Page 40)

COMMISSIONER COMMENTS (Page 41)

ADJOURNMENT (Page 42)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to approve:** Task Order No. 1778-05 to a continuing Contract (R2019-1778) (Contract) with W.F. Baird & Associates Ltd Incorporated (Consultant) for professional engineering services to develop technical information for use during future Federal Emergency Management Agency (FEMA) coordination and to support the future submittal of a formal appeal of the FEMA preliminary Flood Insurance Rate Maps (FIRMs) for eastern Palm Beach County (Project) for a total amount of \$111,790. **SUMMARY:** On November 19, 2019, the Board of County Commissioners (BCC) approved the Consultants' Competitive Negotiation Act Contract (R2019-1778) with the Consultant, a Palm Beach County company, for professional coastal and marine engineering services. Task Order No. 1778-05 provides for professional engineering services in support of the development of technical information for use during future FEMA coordination and to support the submittal of a formal appeal, if directed by the BCC, of proposed changes to flood hazard information within FEMA's preliminary FIRMs and Flood Insurance Study for eastern Palm Beach County, published in December 2019. This Contract was procured under the requirements of the Equal Business Opportunity Ordinance and requires the Consultant to adhere to a 20% mandatory Small Business Enterprise (SBE) subcontracting goal as the Affirmative Procurement Initiative. The Consultant agreed to 25% SBE participation. Task Order No. 1778-05 includes 0% SBE participation due to the highly specialized nature of the work which will be performed by the Consultant. The cumulative SBE participation including Task Order No. 1778-05 is 11.3%. The Project is included in the Fiscal Year 2021 Budget. Districts 1, 2, 3, 4, 5 & 7 (MJ)

B. CLERK OF THE CIRCUIT COURT & COMPTROLLER

1. **Staff recommends motion to receive and file:** Warrant List – Backup information can be viewed in the Clerk & Comptroller's Office.
2. **Staff recommends motion to approve:** the following final minutes of the Board of County Commissioners' meetings:

<u>Meeting Date</u>	<u>Meeting Type</u>
September 15, 2020	Regular
October 20, 2020	Regular
October 22, 2020	Zoning

3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** a contract with Hardrives of Delray, Inc. (HDI) in the amount of \$4,337,120.16 for the construction of Palmetto Park Road, SW 7th Avenue to SW 5th Avenue (Project). **SUMMARY:** Approval of this contract will provide the construction services necessary to undertake the Project. Work will include replacing the bridge, widening the roadway, adding sidewalk and installing drainage improvements. The Affirmative Procurement Initiative selected for this contract on September 17, 2020 by the Goal Setting Committee is a 20% minimum mandatory Small Business Enterprise (SBE) participation. HDI agreed to 20.3% SBE participation. The City of Boca Raton shall be responsible for operation and maintenance of their requested utility work upon completion of the Project. HDI was the lowest responsive bidder of three. The contract time for the Project is 400 calendar days. HDI is a Palm Beach County based company. **This Project is included in the Five-Year Road Program.** District 4 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

2. **Staff recommends motion to approve:** Work Order 2018051-151 in the amount of \$1,062,000 to mill and resurface Woolbright Road from Hagen Ranch Road to Military Trail utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2018-1533 (Contract) with Ranger Construction Industries, Inc. (Ranger). **SUMMARY:** Per County PPM CW-F-050, this work order exceeds the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners (BCC). Approval of this work order will allow the contractual services necessary to construct the improvements. Prior to this meeting date, approximately \$36 million of Ranger's \$48.5 million Contract has been spent or encumbered. On October 16, 2018, the BCC approved the Contract with Ranger to provide milling and resurfacing of County roadways for countywide projects. The Contract was renewed on October 22, 2019 with a 15% mandatory Small Business Enterprise (SBE) goal set as the Affirmative Procurement Initiative. Due to the limited availability of qualified certified SBE subcontractors, the Office of Equal Business Opportunity issued a waiver on January 17, 2020 that reduced the mandatory SBE participation to 5%. On June 2, 2020 the second renewal was approved, and continued with the reduced mandatory SBE participation of 5%. Ranger agreed to 5% SBE participation for this work order. Work orders approved on this meeting date will result in a cumulative SBE participation of 8.8% for all the work orders issued under the Contract. District 5 (YBH)

3. **Staff recommends motion to approve:** Work Order 2018051-152 in the amount of \$1,173,000 to mill and resurface Hypoluxo Road from Jog Road to Military Trail utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2018-1533 (Contract) with Ranger Construction Industries, Inc. (Ranger). **SUMMARY:** Per County PPM CW-F-050, this work order exceeds the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners (BCC). Approval of this work order will allow the contractual services necessary to construct the improvements. Prior to this meeting date, approximately \$36 million of Ranger's \$48.5 million Contract has been spent or encumbered. On October 16, 2018, the BCC approved the Contract with Ranger to provide milling and resurfacing of County roadways for countywide projects. The Contract was renewed on October 22, 2019 with a 15% mandatory Small Business Enterprise (SBE) goal set as the Affirmative Procurement Initiative. Due to the limited availability of qualified certified SBE subcontractors, the Office of Equal Business Opportunity issued a waiver on January 17, 2020 that reduced the mandatory SBE participation to 5%. On June 2, 2020 the second renewal was approved, and continued with the reduced mandatory SBE participation of 5%. Ranger agreed to 5% SBE participation for this work order. Work orders approved on this meeting date will result in a cumulative SBE participation of 8.8% for all the work orders issued under the Contract. District 3 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

4. **Staff recommends motion to approve:** Work Order 2018051-153 in the amount of \$365,000 to mill and resurface Kimberly Boulevard from State Road 7 to Lyons Road utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2018-1533 (Contract) with Ranger Construction Industries, Inc. (Ranger). **SUMMARY:** Per County PPM CW-F-050, this work order exceeds the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners (BCC). Approval of this work order will allow the contractual services necessary to construct the improvements. Prior to this meeting date, approximately \$36 million of Ranger's \$48.5 million Contract has been spent or encumbered. On October 16, 2018, the BCC approved the Contract with Ranger to provide milling and resurfacing of County roadways for countywide projects. The Contract was renewed on October 22, 2019 with a 15% mandatory Small Business Enterprise (SBE) goal set as the Affirmative Procurement Initiative. Due to the limited availability of qualified certified SBE subcontractors, the Office of Equal Business Opportunity issued a waiver on January 17, 2020 that reduced the mandatory SBE participation to 5%. On June 2, 2020 the second renewal was approved, and continued with the reduced mandatory SBE participation of 5%. Ranger agreed to 5% SBE participation for this work order. Work orders approved on this meeting date will result in a cumulative SBE participation of 8.8% for all the work orders issued under the Contract. District 5 (YBH)

5. **Staff recommends motion to approve:** Work Order 2018051-154 in the amount of \$588,000 to mill and resurface Northlake Boulevard from Alternate A1A to US 1 utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2018-1533 (Contract) with Ranger Construction Industries, Inc. (Ranger). **SUMMARY:** Per County PPM CW-F-050, this work order exceeds the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners (BCC). Approval of this work order will allow the contractual services necessary to construct the improvements. Prior to this meeting date, approximately \$36 million of Ranger's \$48.5 million Contract has been spent or encumbered. On October 16, 2018, the BCC approved the Contract with Ranger to provide milling and resurfacing of County roadways for countywide projects. The Contract was renewed on October 22, 2019 with a 15% mandatory Small Business Enterprise (SBE) goal set as the Affirmative Procurement Initiative. Due to the limited availability of qualified certified SBE subcontractors, the Office of Equal Business Opportunity issued a waiver on January 17, 2020 that reduced the mandatory SBE participation to 5%. On June 2, 2020 the second renewal was approved, and continued with the reduced mandatory SBE participation of 5%. Ranger agreed to 5% SBE participation for this work order. Work orders approved on this meeting date will result in a cumulative SBE participation of 8.8% for all the work orders issued under the Contract. District 1 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

6. Staff recommends motion to approve: Work Order 2018051-155 in the amount of \$260,000 to mill and resurface Alexander Run from Randolph Siding Road to Indiantown Road utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2018-1533 (Contract) with Ranger Construction Industries, Inc. (Ranger). **SUMMARY:** Per County PPM CW-F-050, this work order exceeds the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners (BCC). Approval of this work order will allow the contractual services necessary to construct the improvements. Prior to this meeting date, approximately \$36 million of Ranger's \$48.5 million Contract has been spent or encumbered. On October 16, 2018, the BCC approved the Contract with Ranger to provide milling and resurfacing of County roadways for countywide projects. The Contract was renewed on October 22, 2019 with a 15% mandatory Small Business Enterprise (SBE) goal set as the Affirmative Procurement Initiative. Due to the limited availability of qualified certified SBE subcontractors, the Office of Equal Business Opportunity issued a waiver on January 17, 2020 that reduced the mandatory SBE participation to 5%. On June 2, 2020 the second renewal was approved, and continued with the reduced mandatory SBE participation of 5%. Ranger agreed to 5% SBE participation for this work order. Work orders approved on this meeting date will result in a cumulative SBE participation of 8.8% for all the work orders issued under the Contract. **This project is included in the infrastructure sales tax.** On September 15, 2020, the BCC advanced the funding for this infrastructure sales tax project from FY2023 to FY2020. District 1 (YBH)

7. Staff recommends motion to approve:

A) Change Order No. 11 to the contract (R2017-1196) with Hardrives of Delray, Inc. (Hardrives) in the amount of \$35,872.40 and a contract time extension of 45 days to remove and replace 791 linear feet of Type F Curb on Roebuck Road from Jog Road to Haverhill Road, and at the Roebuck Road/Jog Road Intersection (Project); and

B) Change Order No. 12 with Hardrives in the amount of \$39,615.03 and a contract time extension of 20 days to adjust valve boxes and manholes in unforeseen excessively thick asphalt pavement for the Project.

SUMMARY: Per PPM CW-F-050, the total of these change orders exceeds the threshold of \$100,000 and allowable time extensions relating to staff approvals of change orders to contracts, and requires the Board of County Commissioners approval. Approval of these change orders will compensate Hardrives for unforeseen additional work deemed necessary for the Project. The time extension of 65 days changed the completion date to January 10, 2020. The contract was approved on September 26, 2017, prior to the effective date of the Equal Business Opportunity Ordinance and pursuant to the Small Business Enterprise (SBE) Ordinance at the time. The SBE goal for all contracts was 15%. Hardrives committed to 16% SBE participation. The SBE participation for Change Order 11 is 28%, and the SBE participation for Change Order 12 is 0%. Their cumulative SBE participation for this project, including these change orders, is 13.8%. Based on pending change orders, Hardrives expects to achieve the 16% SBE participation by final payment. The contract work is complete and the final inspection was done on October 9, 2020. Districts 2 & 7 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

8. Staff recommends motion to approve:

A) a Work Task Order (WTO) to the Annual Intersection Professional Services Contract (R2020-0542) dated June 2, 2020 (Contract) with Propel Engineering, Inc. (PEI) in the amount of \$209,694.31 for Haverhill Road from south of Ceceile Avenue to north of Century Boulevard (Project); and

B) a budget transfer of \$267,200 in the Road Impact Fee Fund – Zone 2 from reserves to appropriate developer contribution funding received from Haverhill Commons to the Project.

SUMMARY: Approval of this WTO and budget transfer will provide the professional services necessary to widen Haverhill Road and provide a northbound right turn lane north of the Haverhill Road and Ceceile Avenue intersection. The Affirmative Procurement Initiatives selected for this Contract on May 1, 2019 by the Goal Setting Committee are a 20% minimum mandatory Small Business Enterprise (SBE) participation and an SBE Evaluation Preference. PEI agreed to 89% SBE participation for the Contract and the SBE participation for this WTO met that goal. The cumulative SBE participation to date including this WTO is 90.51%. PEI is a Palm Beach County based company and a certified SBE company. **This Project is included in the Five-Year Road Program. Districts 2 & 7 (YBH)**

9. Staff recommends motion to approve: an agreement with Colors Le Palais of Boynton Beach Homeowners Association, Inc. (Community) for enforcement of the traffic laws of the state to be performed by the Palm Beach County Sheriff's Office (PBSO). **SUMMARY:** Approval of this agreement will authorize PBSO to provide enforcement of the traffic laws of the state upon the private roadways during normal patrol hours within the Community. District 3 (YBH)

10. Staff recommends motion to:

A) adopt a resolution to approve the Local Agency Program (LAP) agreement with the State of Florida Department of Transportation (FDOT) in the amount of \$1,334,856 for both construction and construction engineering inspection (CEI) of Belvedere Heights Phase I (Project);

B) approve the LAP agreement with FDOT which provides a federally funded grant in the amount of \$1,334,856 for both construction and CEI of the Project with an expiration date of December 31, 2022;

C) approve an Interlocal Agreement with Westgate Belvedere Homes Community Redevelopment Agency (Westgate CRA); and

D) approve a budget amendment of \$1,827,866 in the Capital Outlay Fund to recognize the LAP agreement funding from FDOT and reimbursement funding from Westgate CRA and appropriate it to the Project.

SUMMARY: Approval of this agreement will allow Palm Beach County (County) to receive a grant of \$1,334,856 for the Project with a current estimated construction and CEI cost of \$1,827,866. The local match of 26.97% is \$493,010. The Project will provide streetlights, sidewalks and sodding along County roads in the Westgate CRA area. Approval of the Interlocal Agreement will recognize that the Westgate CRA will be responsible for all costs above the grant amount and maintenance of the improvements after construction is complete. The Code of Federal Domestic Assistance (CFDA) number for this agreement is 20.205 Highway Planning and Construction. District 2 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

11. Staff recommends motion to approve: a contract with CDM Smith Inc. (CDM) in the amount of \$774,385.56 for professional engineering services for Stormwater Geographic Information System (GIS) Mapping and Infrastructure Database Development (Project). **SUMMARY:** Approval of this contract will provide the professional services necessary to prepare a GIS mapping and database development work plan that will recommend and initiate the implementation of best practices for data acquisition and management of Palm Beach County stormwater infrastructure. This Project will ensure compliance with state-issued permits and enable relevant stormwater infrastructure data and information to be acquired, organized, mapped and analyzed to assist in the identification of water quality, stormwater, and flooding problems. The Project will provide a framework for future asset management and replacement, vulnerability assessments and comprehensive water resources management planning. An additional deliverable will include the creation of a map of historical projects which will assist in the mapping of drainage facilities. The Affirmative Procurement Initiatives selected for this contract on February 5, 2020 by the Goal Setting Committee are a 15% minimum mandatory Small Business Enterprise (SBE) participation and an SBE evaluation preference. CDM contractually agreed to 18% SBE participation during selection for the contract and the SBE participation during negotiation exceeded that goal. CDM is a Palm Beach County based company. Countywide (YBH)

E. COMMUNITY SERVICES

1. Staff recommends motion to ratify: the Mayor's signature on the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), State General Revenue Program Service Provider Application, for the period July 1, 2021 through June 30, 2022, for State funds, through AAA totaling \$3,043,592, for various services to seniors:

A) Community Care for the Elderly (CCE) Grant, in the amount of \$1,700,484, to assist seniors and caregivers by providing in-home services to help seniors live independently;

B) Alzheimer's Disease Initiative (ADI) Grant, in the amount of \$1,154,821, to assist seniors and caregivers by providing in-home services to help seniors live independently; and

C) Home Care for the Elderly (HCE) Grant, in the amount \$188,287, to assist seniors and caregivers with the provision of care in a family-type living arrangement as an alternative to institutional care.

SUMMARY: As a Lead Agency, the Community Services Department's Division of Senior Services (DOSS) provides case management, adult day care services, and contracts with vendors to provide a variety of in-home services to assist functionally impaired seniors living independently at home. The CCE grant requires a 10% County match funding in the amount of \$176,821, as well as a County over match of \$1,258,157 for the three grants to cover staff salaries and administrative costs not covered by the grants. Sufficient funding is available in the FY 2021 budget to meet program needs. County match and additional funding required to meet FY 2021 obligations has been appropriated in the adopted FY 2021 budget. In FY 2020, the CCE, ADI and HCE programs collectively provided 266,431 hours of services to seniors and caregivers. The application was submitted through the emergency signature process due to the fact there was insufficient time to submit it through the regular agenda process. DOSS is responsible for providing services north of Hypoluxo Road, including all of the districts, excluding District 3, 4, 5 and 7 south of Hypoluxo Road. The Mae Volen Center, Inc. is responsible for providing services in the areas south of Hypoluxo Road. (DOSS) Countywide except for portions of Districts 3, 4, 5, & 7 south of Hypoluxo Road (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. Staff recommends motion to approve:

A) Amendment 001 to Standard Agreement No. IPC20-9500 (R2020-1429) (CFDA# 93.568) for the Emergency Home Energy Assistance Program (EHEAP) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), for the period June 1, 2020 through August 31, 2021, to revise, amend, and replace portions of the standard agreement, and to decrease the total outreach budget and increase crisis assistance by \$19,194, with a spending authority in the amount of \$127,957, for services, to provide home energy assistance to seniors through the Coronavirus Aid, Relief and Economic Security (CARES) Act;

B) Amendment 003 to Standard Agreement No. IA020-9500 (R2020-0296) (CFDA# 93.044) for the Older Americans Act (OAA) with AAA, for the period January 1, 2020 through December 31, 2020, to revise, amend, and replace portions of the standard agreement and to increase the overall funding by \$232,307.30, to provide in-home and community-based services to seniors;

C) Standard Agreement No. IA021-9500 (CFDA# 93.044) for OAA with AAA, for the period January 1, 2021 through December 31, 2021, in an amount not to exceed \$2,712,188 to provide in-home and community based services to seniors; and

D) a budget amendment of \$2,422,032 in FY 2021 in the Division of Senior Services (DOSS) Administration Fund to align the budget to the actual grant award.

SUMMARY: Staff recommends approval of the agreements to allow DOSS to provide services to seniors and their caregivers. EHEAP Amendment 001 allows DOSS to be responsible for the programmatic and operational management of EHEAP CARES Act services to seniors. CARES Act funding assists seniors aged 60 and older, adversely impacted by COVID-19, and experiencing a home energy emergency. This amendment allows DOSS's eligible seniors to receive multiple crisis assistance benefit(s) combined; not to exceed \$3,500 during the term of this agreement. In 2020, 419 crisis payments were made for seniors experiencing a home energy emergency. OAA Amendment 003 allows DOSS to provide in-home and community-based services to seniors. In FY 2020, the congregate meal program served 17,557 seniors. Seniors receiving home delivered meals prior and during the COVID-19 pandemic are continuing to do so without interruption in services. Due to the temporary closure of congregate meal sites during the COVID-19 pandemic, congregate meals are currently being managed in two ways: 1) through home delivery meals for those seniors who do not have transportation to pick up their meals and 2) through grab and go at one of DOSS's two meal distribution sites. The OAA Standard Agreement IA021-9500 allows DOSS to continue providing services to seniors and their caregivers that preserve the independence of seniors and defer the need for more costly institutions. The budget amendment is necessary to align the County budget with the actual grant award. DOSS is responsible for providing services north of Hypoluxo Road. OAA 3B CFDA 93.044 required match is \$133,842. OAA C1 & C2 CFDA 93.045 required match is \$148,932. OAA 3E CFDA 93.052 required match is \$18,602. The areas of service include all of the districts, excluding District 3, 4, 5 and 7 south of Hypoluxo Road. The Mae Volen Center, Inc. is responsible for providing services in the areas south of Hypoluxo Road. (DOSS) Countywide except for portions of Districts 3, 4, 5, & 7 south of Hypoluxo Road (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. **Staff recommends motion to approve:** the contract for Provision of Financial Assistance with The ARC of Palm Beach County, Inc. (ARC), for the two period October 1, 2020 through September 30, 2022, in an amount not-to-exceed \$167,690, of which \$83,845 is budgeted in FY 2021 with an anticipated annual allocation of \$83,845 in FY 2022, contingent upon a budgetary appropriation by the Board of County Commissioners, for the term of the contract, for the provision of services for people with intellectual and developmental disabilities to explore possible careers, participate in career and life skill training, prepare for employment, and ultimately, gain more independence. **SUMMARY:** On July 14, 2020, the Board of County Commissioners approved funding allocations for the Financially Assisted Agencies (FAA) Program. The contract being recommended in this item reflects dollar amounts included in the FY 2021 budget. The finalization of the contract was delayed due to competing staff assignments and an extended review of the agency's scope of work and budget. This contract represents \$83,845 of the total FAA funding allocation of \$12,976,690 in FY 2021. In FY 2019, the ARC served 53 clients in the adult learning and support program and under this new contract will serve approximately 65 clients in each fiscal year. (Financially Assisted Agencies) Countywide (HH)

4. **Staff recommends motion to approve:** an Interlocal Agreement with The School Board of Palm Beach County (PBC Schools), for a three year period beginning October 1, 2020 through September 30, 2023, in an amount totaling \$45,000, of which \$15,000 is budgeted for Grant Year 2020 with an anticipated annual allocation of \$15,000 in each subsequent grant year for the term of this agreement, to provide services in the economic stability service category. **SUMMARY:** The Community Action Program (CAP) received an award from the Florida Department of Economic Opportunity Community Services Block Grant to provide services to Palm Beach County's low-income residents. CAP selected PBC Schools to provide 985 instructional hours of vocational training and skill set building services, including trades and work readiness training, to a minimum of four clients. Qualified clients must be residents of Palm Beach County and meet the federal poverty level guidelines. **No County funds are required.** (Community Action Program) Countywide (HH)

F. AIRPORTS

1. **Staff recommends motion to adopt:** a resolution delegating authority to the County Administrator or designee to execute Supplemental Joint Participation Agreements (SJPA) and Termination Agreements (TA) with the Florida Department of Transportation (FDOT) in order to transfer grant funds from existing Joint Participation Agreements (JPA) to new Public Transportation Grant Agreements (PTGA); providing for severability; and providing for an effective date. **SUMMARY:** The FDOT has updated and replaced the JPA grant form with a new standard form PTGA. As a result, the old JPAs need to be modified and/or terminated in order for the funds to be transferred to new PTGAs. This resolution authorizes the County Administrator or designee to execute standard form SJPA and TAs to facilitate the timely transfer of the grant funds to new PTGAs. The County Administrator or designee has been delegated the authority to execute the standard form PTGAs (R2020-1017) on behalf of the Board. Time is of the essence in processing these agreements; therefore, the Department of Airports is recommending a delegation of authority to ensure compliance with FDOT processing timeframes. SJPA and TAs executed pursuant to the resolution will be received and filed with the Board in accordance with County policy CW-O-051. The Director of the Department of Airports will be considered a designee for purposes of this resolution. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

2. Staff recommends motion to approve: Amendment No. 5 to the General Consulting Agreement with AECOM Technical Services, Inc. (AECOM) for Consulting/ Professional Services, to exercise the first one year renewal option for the continued performance of professional planning and design services related to the approved Palm Beach County Airports Capital Improvement Program. **SUMMARY:** The Consulting Agreement with AECOM for general airport planning and design was approved by the Board on March 12, 2019 (R2019-0301) in the amount of \$828,984.74 in order to carry out the approved Capital Improvement Programs for the County's Airports. Amendment No. 1 was approved by the Board on August 20, 2019 (R2019-1160) increasing the amount of the contract by \$1,032,651.29. Amendment No. 2 was approved by the Board on February 4, 2020 (R2020-0079) increasing the amount of the contract by \$1,753,356.78. Amendment No. 3 was approved by the Board on June 16, 2020 (R2020-0639) increasing the amount of the contract by \$885,789.10. Amendment No. 4 was approved by the Board on October 6, 2020 (R2020-1514) increasing the amount of the contract by \$1,789,325. Approval of Amendment No. 5 will allow the County, at its sole discretion, to exercise the first one-year renewal option for the continuation of services provided under this agreement. AECOM is a Los Angeles, California based firm; however, the majority of the work to be completed in this agreement will be completed and/or managed through their West Palm Beach and Tampa, Florida offices in conjunction with several Palm Beach County-based sub-consultants and firms. A Disadvantaged Business Enterprise (DBE) goal of 18% was set for this contract. AECOM committed to 18% in its proposal. The anticipated DBE participation based upon the approved tasks is approximately 37%. The current paid to date DBE participation is approximately 19%. The DBE participation for this amendment is 0% as no new tasks are being proposed. Countywide (AH)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:** a Mortgagee's Joinder and Consent to a Public Access Sidewalk Easement, pursuant to the Mortgage by The Raymond F. Kravis Center for the Performing Arts, Inc. (Center) dated December 6, 1989 (R89-1537-D) in favor of the City of West Palm Beach (City) and the County. **SUMMARY:** The Kravis Center recently completed its expansion project. As a condition of issuing the final Certificate of Occupancy for the project, the City requires the Kravis Center to provide the City with a sidewalk easement for the realignment of the sidewalk within the Kravis Center expansion project. The County has a security interest in said property pursuant to the Mortgage, as affected by a Partial Release of Mortgage; therefore, the Center has requested that the County execute the Mortgagee's Joinder and Consent to join in and subordinate the County's interest as mortgagee, to the granting of the Public Access Sidewalk Easement. On December 11, 2020, the Center granted the City a Public Access Sidewalk Easement, which was recorded by the City on December 16, 2020, in Official Record Book 32011, Page 1480, in the public records of Palm Beach County, Florida, without the inclusion of Mortgagee's Joinder and Consent for the County. The County's Mortgagee's Joinder and Consent, will be recorded into the public records as a separate instrument and will make reference to the recorded Public Access Sidewalk Easement recently granted. (Property & Real Estate Management) District 7 (HJF)

2. **Staff recommends motion to approve:** a contract with Song & Associates, Inc. in the amount of \$355,288.10 to provide professional architectural/engineering (A/E) design, programming, site plan approval, permitting, and construction administration services for phase 1 of the new Mosquito Control Division Compound project for a period of three years and four months or until the construction achieves final completion. **SUMMARY:** The Mosquito Control Division Compound project is to be located on an approximately 5.86 acre site at the intersection of Lantana Road and 95th Avenue South in unincorporated Lantana. The project entails a new chemical storage building, office/lab building, a fuel island and surface parking for deliveries, visitors and employees. Site clearing and infrastructure improvements are also required in order to add the new buildings and required site amenities, which will be completed in phases. This contract authorizes the initial phase of the project and a Consultant Service Authorization will be issued to authorize each subsequent phase. Phase 1 includes, but is not limited to, professional A/E design services for the construction of the chemical storage facility, and a fuel island with a canopy and control kiosk, as well as site development and improvements. The solicitation for design professionals was advertised on January 12, 2020 according to the Equal Business Opportunity Ordinance, with the final selection on September 17, 2020. The project was presented to the Goal Setting Committee on November 6, 2019. The Committee established Affirmative Procurement Initiatives of a Small Business Enterprise (SBE) participation evaluation preference of up to 15 points for the selection of the consultant and a minimum mandatory contract goal of 20% SBE participation. Song & Associates, Inc. is not a SBE, but will be utilizing three SBE and Minority Business Enterprise sub-consultants on this project. The consultant has committed to 82% SBE participation for this contract. SBE participation for Phase 1 of the project is 48.3%. Song & Associates, Inc. has engaged Alan Gerwig & Associates, Inc., as a sub-consultant on this project. Anne Gerwig is a 1% owner of Alan Gerwig & Associates; Ms. Gerwig serves on the Citizens Advisory Committee on Health and Human Services, which is a purely advisory committee of the Board of County Commissioners. The Citizens Advisory Committee provides no regulation, oversight or policy setting recommendations regarding this contract, which was procured competitively. This disclosure is made pursuant to Section 2-443(d) of the Palm Beach County Ethics Code. The consultant is not a Palm Beach County Business. Funding for this project is from the Public Building Improvement fund. (Capital Improvements Division) Countywide/District 3 (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to receive and file: the executed documents received during the months of October and December 2020.

A) An emergency purchase order agreement with Chestnut Ridge Foam, Inc. for mattresses and bedsprings for the Royal Palm Lakes Apartments Pahokee Renovation project in the amount of \$21,438.18;

B) An emergency purchase order agreement with Family Furniture of America Enterprises, LLC for office furniture for the Royal Palm Lakes Apartments Pahokee Renovation project in the amount of \$79,149.73;

C) An emergency purchase order agreement with Everglades Trading & Office Supply, LLC for cabinets for the Royal Palm Lakes Apartments Pahokee Renovation project in the amount of \$19,992.44;

D) An emergency purchase order agreement Wabash Valley Mfg, Inc. for receptacles with liner dome lid for the Royal Palm Lake Apartment Pahokee Renovation project in the amount of \$4,851.05; and

E) Supplement No. 1 to Consultant Services Authorization (CSA) No. 1 to the professional services emergency contract with Partner Assessment Corporation d/b/a Partner Engineering & Science, Inc. for the Royal Palm Lakes Property in the amount of \$2,215 to collect ten (10) additional drinking water samples for laboratory analysis of lead. These samples will further evaluate the lead found in the previous samples of drinking water.

SUMMARY: On April 6, 2020, the Board of County Commissioners (Board) received authorization from the Federal Emergency Management Agency (FEMA) to conduct non-congregate sheltering activities under the Public Assistance Program as part of the response to the coronavirus emergency. On June 2, 2020, the Board authorized the County Administrator or designee, which in this case was the Director of Facilities Development and Operations (FDO), to execute emergency design and construction contracts to renovate the Pahokee and Belle Glade Facilities as part of the County's Non-Congregate Sheltering Strategy for the Western Communities. The emergency purchase agreements include the furniture, fixtures and equipment required to finalize the project. These contracts were fully executed on behalf of the Board by the Director of FDO. In accordance with the County Policy and Procedures Manual (PPM) CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating department as a receive and file agenda item. Pursuant to Section 2-80.22 of the Equal Business Opportunity (EBO) Ordinance and the County PPM CW-O-043, this project is exempt from the EBO requirements. The funding source for these contracts is from the CARES Act Relief fund. (Capital Improvements Division) Countywide/District 6 (LDC)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to:

A) approve an Impact Fee Affordable Housing Assistance Program (IFAHAP) funding award in the amount of \$24,555 to BLP Homes, LLC;

B) authorize the Mayor to execute Certificates of Award to be released to the recipient pursuant to IFAHAP Guidelines;

C) approve a budget transfer of \$23,585 in Impact Fee Assistance Program – Roads Zone 1 to appropriate funds for BLP Homes, LLC; and

D) approve a budget transfer of \$970 in Impact Fee Assistance Program – Public Building to appropriate funds for BLP Homes, LLC.

SUMMARY: On July 27, 2020, the Department of Housing and Economic Sustainability issued a Notice of Funding Availability (NOFA) making \$2,172,279 in IFAHAP funding available from Palm Beach County's Fiscal Year 2019 funding cycle. BLP Homes, LLC submitted an application in response to the NOFA. Staff recommends that up to \$24,555 be provided as a credit for impact fees associated with the construction of five affordable single-family housing units to be located on scattered sites in Riviera Beach (the Project). BLP Homes will be given credits for Roads Zone 1 Impact Fees (\$23,585) and Public Building Impact Fees (\$970) for the construction of the Project. BLP Homes will pay impact fees above the allocated \$24,555. According to IFAHAP requirements, all units will be sold to persons with incomes no greater than 140% of Area Median Income. The assisted units will be restricted to remain affordable for 15 years. **These funds are from interest earned by the Impact Fee Fund.** District 7 (HJF)

2. Staff recommends motion to:

A) approve an Impact Fee Affordable Housing Assistance Program (IFAHAP) funding award in the amount of \$4,911 to The W. 30th Riviera Land Trust, HRY Development as Trustee;

B) authorize the Mayor to execute a Certificate of Award to be released to the recipient pursuant to IFAHAP Guidelines;

C) approve a budget transfer of \$4,717 in Impact Fee Assistance Program – Roads Zone 1 to appropriate funds for The W. 30th Riviera Land Trust, HRY Development as Trustee; and

D) approve a budget transfer of \$194 in Impact Fee Assistance Program – Public Building to appropriate funds for The W. 30th Riviera Land Trust, HRY Development as Trustee.

SUMMARY: On July 27, 2020, the Department of Housing and Economic Sustainability issued a Notice of Funding Availability (NOFA) making \$2,172,279 in IFAHAP funding available from Palm Beach County's Fiscal Year 2019 funding cycle. The W. 30th Riviera Land Trust submitted an application in response to the NOFA. Staff recommends that up to \$4,911 be provided as a credit for impact fees associated with the construction of an affordable single family housing unit to be located at W. 30th Street in Riviera Beach (the Project). The W. 30th Riviera Land Trust will be given credits for Roads Zone 1 Impact Fees (\$4,717) and Public Building Impact Fees (\$194) for the construction of the Project. The W. 30th Riviera Land Trust will pay impact fees above the allocated \$4,911. According to IFAHAP requirements, the unit will be sold to persons with incomes no greater than 140% of Area Median Income. The assisted unit will be restricted to remain affordable for 15 years. **These funds are from interest earned by the Impact Fee Fund.** District 7 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

3. Staff recommends motion to:

A) approve an Impact Fee Affordable Housing Assistance Program (IFAHAP) funding award in the amount of \$49,110 to Riviera Hankinhomes Land Trust, HRY Development as Trustee;

B) authorize the Mayor to execute Certificates of Award to be released to the recipient pursuant to IFAHAP Guidelines;

C) approve a budget transfer of \$47,170 in Impact Fee Assistance Program – Roads Zone 1 to appropriate funds for Riviera Hankinhomes Land Trust, HRY Development as Trustee; and

D) approve a budget transfer of \$1,940 in Impact Fee Assistance Program – Public Building to appropriate funds for Riviera Hankinhomes Land Trust, HRY Development as Trustee.

SUMMARY: On July 27, 2020, the Department of Housing and Economic Sustainability issued a Notice of Funding Availability (NOFA) making \$2,172,279 in IFAHAP funding available from Palm Beach County's Fiscal Year 2019 funding cycle. Riviera Hankinhomes Land Trust submitted an application in response to the NOFA. Staff recommends that up to \$49,110 be provided as a credit for impact fees associated with the construction of ten affordable single family housing units to be located on scattered sites in Riviera Beach (the Project). Riviera Hankinhomes Land Trust will be given credits for Roads Zone 1 Impact Fees (\$47,170) and Public Building Impact Fees (\$1,940) for the construction of the Project. Riviera Hankinhomes Land Trust will pay impact fees above the allocated \$49,110. According to IFAHAP requirements, all units will be sold to persons with incomes no greater than 140% of Area Median Income. The assisted units will be restricted to remain affordable for 15 years. **These funds are from interest earned by the Impact Fee Fund.** District 7 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

4. Staff recommends motion to:

A) approve an Impact Fee Affordable Housing Assistance Program (IFAHAP) funding award in the amount of \$19,644 to Riviera Hankinhomes2 Land Trust, HRY Development as Trustee;

B) authorize the Mayor to execute Certificates of Award to be released to the recipient pursuant to IFAHAP Guidelines;

C) approve a budget transfer of \$18,868 in Impact Fee Assistance Program – Roads Zone 1 to appropriate funds for Riviera Hankinhomes2 Land Trust, HRY Development as Trustee; and

D) approve a budget transfer of \$776 in Impact Fee Assistance Program – Public Building to appropriate funds for Riviera Hankinhomes2 Land Trust, HRY Development as Trustee.

SUMMARY: On July 27, 2020, the Department of Housing and Economic Sustainability issued a Notice of Funding Availability (NOFA) making \$2,172,279 in IFAHAP funding available from Palm Beach County's Fiscal Year 2019 funding cycle. Riviera Hankinhomes2 Land Trust submitted an application in response to the NOFA. Staff recommends that up to \$19,644 be provided as a credit for impact fees associated with the construction of four affordable single-family housing units to be located on scattered sites in Riviera Beach (the Project). Riviera Hankinhomes2 Land Trust will be given credits for Roads Zone 1 Impact Fees (\$18,868) and Public Building Impact Fees (\$776) for the construction of the Project. Riviera Hankinhomes2 Land Trust will pay impact fees above the allocated \$19,644. According to IFAHAP requirements, all units will be sold to persons with incomes no greater than 140% of Area Median Income. The assisted units will be restricted to remain affordable for 15 years. **These funds are from interest earned by the Impact Fee Fund.** District 7 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

5. Staff recommends motion to:

A) approve an Impact Fee Affordable Housing Assistance Program (IFAHAP) funding award in the amount of \$280,052 to Wells Landing Apartments, LLC for the Wells Landing Apartments project;

B) authorize the Mayor to execute a Certificate of Award to be released to the recipient pursuant to IFAHAP Guidelines;

C) approve a budget transfer of \$230,764 in Impact Fee Assistance Program – Roads Zone 4 to appropriate funds for Wells Landing Apartments, LLC;

D) approve a budget transfer of \$29,926 in Impact Fee Assistance Program – Parks Zone 2 to appropriate funds for Wells Landing Apartments, LLC; and

E) approve a budget transfer of \$19,362 in Impact Fee Assistance Program – Public Building to appropriate funds for Wells Landing Apartments, LLC.

SUMMARY: On July 27, 2020, the Department of Housing and Economic Sustainability issued a Notice of Funding Availability (NOFA) making \$2,172,279 in IFAHAP funding available from Palm Beach County's Fiscal Year 2019 funding cycle. Wells Landing Apartments, LLC submitted an application in response to the NOFA. Staff recommends that up to \$280,052 be provided as a credit for impact fees associated with the Wells Landing project (Project). Wells Landing Apartments, LLC will be given credits for Roads Zone 4 Impact Fees (\$230,764), Parks Zone 2 (\$29,926), and Public Building Impact Fees (\$19,362) for the construction of the Project. Wells Landing Apartments, LLC will pay impact fees above the allocated \$280,052. The Project entails construction of a 124-unit multifamily housing development located on East Martin Luther King Blvd in Boynton Beach. According to IFAHAP requirements, all units will be for rent to persons with incomes no greater than 140% of Area Median Income. The assisted units will be restricted to remain affordable for 15 years. **These funds are from interest earned by the Impact Fee Fund.** District 7 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

6. Staff recommends motion to:

A) approve an Impact Fee Affordable Housing Assistance Program (IFAHAP) funding award in the amount of \$1,973 to ME-ST, LLC for the 4825 Maine Street project;

B) authorize the Mayor to execute a Certificate of Award to be released to the recipient pursuant to IFAHAP Guidelines; and

C) approve a budget transfer of \$1,973 in Impact Fee Assistance Program – Public Building to appropriate funds for ME-ST, LLC (ME-ST).

SUMMARY: On July 27, 2020, the Department of Housing and Economic Sustainability issued a Notice of Funding Availability (NOFA) making \$2,172,279 in IFAHAP funding available from Palm Beach County's Fiscal Year 2019 funding cycle. ME-ST submitted an application in response to the NOFA. Staff recommends that up to \$1,973 be provided as a credit for impact fees associated with the 4825 Maine Street project (Project). ME-ST will be given credit for Public Building Impact Fees (\$1,973) for the construction of the Project. ME-ST will pay impact fees above the allocated \$1,973. The Project entails construction of a 14-unit affordable rental building for single homeless veterans located at 4825 Maine Street in unincorporated Palm Beach County. According to IFAHAP requirements, all units will be for rent to persons with incomes no greater than 140% of Area Median Income. The assisted units will be restricted to remain affordable for 15 years. **These funds are from interest earned by the Impact Fee Fund.** District 3 (HJF)

7. Staff recommends motion to approve:

A) a budget transfer of \$418,656 from the Cares Act Relief Fund to the U.S. Department of Housing and Urban Development (HUD) Loan Repayment Account to appropriate funding for Section 108 small business assistance;

B) a budget transfer of \$418,656 in the HUD Loan Repayment Account to recognize the funds from the Cares Act Relief Fund for Section 108 small business assistance;

C) a budget transfer of \$1,469 from the Cares Act Relief Fund to the Housing and Community Development (HCD) Fund to appropriate funding for Community Development Block Grant Coronavirus (CDBG) Micro-Loan small business assistance; and

D) a budget transfer of \$1,469 in the HCD Fund to recognize the funds from the Cares Act Relief Fund for CDBG Micro-Loan small business assistance.

SUMMARY: On April 2, 2020, HUD notified Palm Beach County of the award of \$3,935,468 Community Development Block Grant Coronavirus (CDBG–CV) to assist with the impact of the Coronavirus pandemic. On May 5, 2020 the Board of County Commissioners approved \$470,000 of the funding to provide small business assistance by way of the deferment of all existing HUD funded Palm Beach County business loans. The deferment was in the form of five months (March thru July 2020) of monthly payments made on current borrowers' accounts. These loans comprised of 29 Section 108 business loans in the amount of \$418,656 and one CDBG Micro Loan in the amount of \$1,469. The budget transfers are necessary to appropriate the required budget. These are Federal CDBG-CV grant funds which require no local match. Countywide (HJF)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. Staff recommends motion to approve:

A) Partial Release of Utility Easement for that easement recorded in the Official Records of Palm Beach County, ORB 25684, Page 1587;

B) Partial Release of Utility Easement for that easement recorded in the Official Records of Palm Beach County, ORB 25684, Page 1587; and

C) Partial Release of Utility Easement for that easement recorded in the Official Records of Palm Beach County, ORB 24069, Page 225.

SUMMARY: Palm Beach County Water Utilities Department (PBCWUD) is seeking the release of the County's interest in the utility easements recorded in the Official Records of Palm Beach County as noted above. Two Property Owners now own the property encumbered by the easement recorded in ORB 25684, Page 1587 therefore two Partial Release of Utility Easements are required. The Property Owners are requesting release of the portion of the easement that is no longer associated with any public potable water, reclaimed water and wastewater facilities. As a result of site development for Sherbrooke Center, these portions of the existing utility easements are no longer required. PBCWUD has determined that the release of these easements will not affect existing or new public potable water, reclaimed water and wastewater facilities and therefore recommends approval of the release. District 3 (MJ)

2. Staff recommends motion to approve:

A) a contract for Consulting/Professional Services System-Wide Force Main Evaluation with CDM Smith Inc., (CDM); and

B) Consultant Services Authorization (CSA) No. 1 for System-Wide Force Main Evaluation Phase I (Project) for a not to exceed amount of \$4,873,810.88.

SUMMARY: The contract will provide consulting/professional engineering, surveying, field testing, condition assessment, and related services for Palm Beach County Water Utilities Department (PBCWUD). The contract has a term of three years with two, one year renewal options. Under CSA No. 1, CDM shall conduct the initial phase of condition assessments along with possible repair and maintenance of wastewater force main pipes, including but not limited to, membrane concentrate pipes, within the service area. The contract with CDM was procured under the requirements of the Equal Business Opportunity (EBO) Ordinance. The contract was presented to the Goal Setting Committee on March 4, 2020, and a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting goal and an evaluation preference for up to 15 points based upon the relative level of dollar participation by certified African American owned firms were the Affirmative Procurement Initiatives (API) applied to this contract. CDM has met the established API for this contract. The contract with CDM provides for 22% SBE participation, which includes 22% M/WBE participation, 14% MBE (B) and 8% MBE (A). CSA No. 1 includes 13.29% SBE participation, which includes 11.24% M/WBE participation, 10.42% MBE (B) and 0.82% MBE (A). While CDM is headquartered in Boston, Massachusetts, they maintain an office in Palm Beach County from which the majority of the work under this contract will be performed. The Project is included in the PBCWUD FY21 Budget. (PBCWUD Project No. 20-015 contract and PBCWUD Project No. 21-012 CSA No. 1) Countywide (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

3. **Staff recommends motion to receive and file:** an executed Standard Potable Water and Wastewater Development Agreement and a Standard Potable Water and Wastewater Development Renewal Agreement for the months of September and October 2020, and one executed Contract received during the month of November 2020.

A) Standard Potable Water and Wastewater Development Agreement with Jeff Greene SDA #01-01269-000 (District 2), Recorded in OR BK 31826 PG 1382;

B) Standard Potable Water and Wastewater Development Renewal Agreement with Mattamy Palm Beach, LLC, SDRA #01-01233-001 (District 2), Recorded in OR BK 31826 PG 1373; and

C) contract with Layne Christensen Company for the Mechanical Integrity Testing of the Southern Region Pumping Facility, Water Treatment Plant No. 11 and Southern Region Operations Center Deep Injection Wells (Project) (PBCWUD Project No. 20-025) (Districts 5 & 6)

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants/procurement items must be submitted by the initiating Department as a receive and file agenda item and are attached unless the documents have been recorded in the Public Records of Palm Beach County. The documents have been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Palm Beach County Water Utilities Department in accordance with Resolutions R93-1619, R96-0228, and R2003-0539 and are now being submitted to the BCC to receive and file. Districts 2, 5 & 6 (MJ)

4. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 2 to the Consulting/Professional Services Capital Improvement Plan Program Management Contract (Contract) with Stantec Consulting Services Inc., (Consultant) for Program Management and Implementation Services (Project) for a not to exceed amount of \$3,886,714.94. **SUMMARY:** On February 11, 2020, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2020-0161) with Consultant. CSA No. 2 provides for the resources needed to support the implementation of Capital Improvement Plan projects for one year. The Consultant will provide services throughout the project life cycle of water, wastewater and reclaimed water treatment and transmission projects in the areas of delivery, controls, permitting, communications, and asset management. This Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On March 20, 2019, the Goal Setting Committee applied an Affirmative Procurement Initiative of a mandatory 20% Small Business Enterprise (SBE) subcontracting participation and an evaluation preference for up to 15 points based upon the relative level of dollar participation by certified African American owned firms. The Contract provides for 25% SBE participation which includes 25% M/WBE participation, 22% MBE (B) and 3% WBE. CSA No. 2 includes 40.51% SBE participation which includes 37.75% MBE (B) and 2.76% WBE. The cumulative SBE participation including CSA No. 2 is 33.25% SBE, which includes 30.95% MBE (B) and 2.30% WBE. Consultant is a New York registered U.S. company whose parent company is domiciled in Canada. Most members of the Consultant project team will be co-located with PBCWUD staff at the Central Region Operations Center from which the majority of the work under CSA No. 2 will be undertaken. The Project is included in the PBCWUD FY21 Budget. (PBCWUD Project No. 20-010) Countywide (MJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to approve: a continuing proxy appointing Commissioner Maria G. Marino as Palm Beach County's representative for the purpose of voting at the June 3, 2021 Landowners' Annual Meeting and any subsequent landowner's meetings of the Pal Mar Water Control District. **SUMMARY:** This proxy authorizes Commissioner Maria G. Marino to vote on behalf of the County at the annual landowner's meeting on June 3, 2021, and thereafter until revoked. The number of acres now owned by Palm Beach County in the Pal Mar Water Control District is 270.14. There is no cost to the County. District 1 (AH)

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: the following executed Independent Contractor Agreements:

A) M. Regina Rodrigues, Gentle Yoga and/or Body Flexibility at PBC Parks indoor and outdoor locations, for the period of November 2, 2020 to September 30, 2021 in an amount not to exceed \$13,800; and

B) Dynamic Livity, LLC, Outdoor Yoga at PBC Parks in various park locations, for the period of November 30, 2020 to September 30, 2021 in an amount not to exceed \$4,410.

SUMMARY: These Independent Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (BCC) by the County Administrator and Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 2002-2103, 2007-0409, 2012-0168 and 2017-0822. The Department is now submitting these agreements in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a receive and file agenda item. Countywide (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

2. Staff recommends motion to approve:

A) a budget transfer of \$200,000 within Zone 2 Impact Fee Reserves to Okeeheelee Park Parking Expansion Project; and

B) a budget transfer of \$50,000 within Zone 2 Impact Fee Reserves to Okeeheelee Park Special Events Area Project.

SUMMARY: This funding will be used to assist in the expansion of two parking areas within Okeeheelee Park and includes the expansion of the paved parking area servicing the existing tennis and pickleball courts and the development of stabilized grass parking adjacent to the Micanopy pavilion. Funding for this budget transfer is from Zone 2 Impact Fee reserves. Reserve funding was accumulated through new fees and residual balances from completed impact fee eligible projects. District 2 (AH)

3. Staff recommends motion to approve: a revised Standard Independent Contractor Agreement to be used by the Parks and Recreation Department when contracting with recreation instructors and sports officials. **SUMMARY:** On April 5, 1994, the Board of County Commissioners (BCC) approved Resolution 94-422, as amended by Resolutions 2002-2103, 2007-0409, 2012-0168, and 2017-0822 delegating authority to execute a standard Independent Contractor Agreement form and amendments for recreation instructors and sports officials on behalf of the County to the County Administrator and the Director and Assistant Director of Parks and Recreation. The use of independent contractors for recreation programs and sports officiating has been a standard industry practice in the field of Parks and Recreation for a number of years. Where applicable, staff will issue a request for services to secure the services of the most qualified contractor. Such qualifications include, but are not limited to experience in their area of professional expertise, certifications, and recent professional references. This resolution amends Resolution 2017-0822, by revising the standard Independent Contractor Agreement form to update existing exhibits and clarify language regarding approval of fees charged to participants that are collected by the contractor. Countywide (AH)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to:

A) receive and file Purchase Order for \$470,000 for contractual adult reentry services from the Florida Department of Corrections (FDC) for the service period of October 1, 2020 through June 30, 2021; and

B) approve a budget amendment of \$220,000 in the Justice Service Grant Fund to adjust the budget to the actual grant award.

SUMMARY: The FY20-FY21 General Appropriations Act, Specific Appropriations 715 provides \$470,000 (CSFA#70.011) in non-recurring general revenue funds to the Palm Beach County Board of County Commissioners. The funding allocation increased from \$250,000 in FY20 to \$470,000 for FY21. The funding is for Adult Reentry Services (case management and client support services). The target population will be eligible program participants who are housed and recently released from a FDC facility and returning to Palm Beach County through the Regional and State Transitional Offender Reentry (RESTORE) Initiative. Services will be provided contractually by three agencies, The Lords Place, Inc., City of Riviera Beach Reentry Center, and Gulfstream Goodwill Industries, Inc. Contract negotiations with the three agencies have caused a delay in the processing of this item. No County matching funds are required for this grant. Countywide (SF)

2. Staff recommends motion to receive and file: contract for Consulting/Professional Services with Barry University, Inc. (Barry) for the period November 1, 2020 through September 30, 2022 for a not-to-exceed contract amount of \$54,999. **SUMMARY:** The Palm Beach County Human Trafficking (HT) Task Force formed in January of 2017, as part of a 2016 Enhanced Collaborative Model to combat Human Trafficking grant award from the Bureau of Justice Administration (BJA), Office on Victims of Crime (OVC), in direct response to the growing epidemic of HT in Palm Beach County and surrounding areas. The primary grant awardees for the original funding were the Palm Beach County Sheriff's Office (PBSO) and Catholic Charities Diocese of Palm Beach, with Barry assigned as research partner. In 2019, when the ECM grant expired, the OVC and BJA released separate grant awards for law enforcement and victim services. Palm Beach County Division of Victim Services (PBCVS) applied for and was awarded funding under the FY 2019 Direct Services to Support Victims of Human Trafficking Program (CFDA# 16.320) from the U.S. Department of Justice, OVC in the amount of \$900,000 to provide direct services to victims of human trafficking and to co-lead the HT Task Force. PBSO applied for and awarded the FY 2019 Enhanced Collaborative Model (ECM) Task Force to Combat Human Trafficking grant, through the BJA. PBSO's grant focuses on law enforcement activities and their role as co-lead of the HT Task Force with PBCVS. Although these two grants have different focus areas, there are many areas that overlap. Barry University will be performing project evaluation and on-going research to assess project performance and establish data collection guidelines for project activities for both PBSO and PBCVS. Due to the nature of the project, PBSO and the PBCVS will be splitting the cost to fund this multi-agency research project for this grant cycle. R2019-1931 authorized the County Administrator or designee to execute future contracts and amendments utilizing funding from the OVC on behalf of the Board of County Commissioners. Countywide (JW)

3. CONSENT AGENDA APPROVAL

Z. RISK MANAGEMENT

1. Staff recommends motion to receive and file: an executed contract for Consulting/Professional Services by and between Palm Beach County and Diagnostic Centers of America, LLC, for the provision of certain medical services, with a not-to-exceed annual cost of \$15,000 for each year of the term beginning January 1, 2021 through December 31, 2023. **SUMMARY:** The purpose of the contract is to provide chest x-ray examination and evaluation services for prospective and current County and Palm Tran personnel as part of the County's occupational health and workers' compensation program. This exempt contract for professional medical services has been fully executed on behalf of the Board of County Commissioners by the Director of Purchasing, through delegated authority, for a three-year term with two annual options to renew. The attached executed Contract is submitted to be received and filed in accordance with County Policy #PPM-CW-O-051. Countywide (HH)

AA. PALM TRAN

1. Staff recommends motion to:
 - A) **adopt** a Resolution of the Board of County Commissioners, of Palm Beach County, Florida, approving a FY2021 Public Transportation Grant Agreement (PTGA) in Block Grant funding for urbanized public transportation operating assistance (FM No. 407188-3-84-01) with the State of Florida Department of Transportation (FDOT), providing a grant in the amount of \$5,826,074, to offset the operating costs of providing fixed route services to the public in Palm Beach County;
 - B) **approve** a budget transfer of \$481,974 in the Palm Tran Operating Fund 1340 to reconcile the revenue budget to the actual grant award and reduce the transfer from the General Fund 0001; and
 - C) **approve** a budget transfer of \$481,974 in the General Fund 0001 to reduce the transfer to Palm Tran Operating Fund 1340 and increase Contingency Reserves.

SUMMARY: Palm Tran will utilize the grant funds to offset the operating costs of providing fixed route service on all routes in the County. This FY2021 PTGA, in the amount of \$11,652,148, will provide operating funding in the amount of \$5,826,074, which requires a match of \$5,826,074. The match is included in Palm Tran's FY2021 budget. The PTGA will become effective upon FDOT execution and has an expiration date of December 31, 2023. The grant agreement contains an indemnification provision that differs from that adopted for use by the County under PPM CW-F-049. The grant requires the County, to the extent permitted by law and in accordance with the provisions of Section 768.28, Florida Statutes, to indemnify, defend and hold harmless FDOT and all of its officers, agents and employees from any claim, loss, damage, cost, charge, or expense arising out of the County's non-compliance in the performance of this agreement, including that of its officers, agents or employees. An exception to the PPM has been recommended by the Risk Management Department and the County Attorney's Office, taking into consideration the County's need to provide the services, the amount of the grant award, County's current performance of such services and liability for its acts, and the non-waiver of sovereign immunity beyond the statutory caps of Section 768.28, Florida Statutes. The indemnification obligation must also be passed on to contractors and/or consultants. Countywide (MM)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (Cont'd)

2. Staff recommends motion to:

A) adopt a Resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, approving a FY2021 Public Transportation Grant Agreement (PTGA) in Section 5311 Grant funding for non-urbanized area public transportation operating assistance (FM No. 407184-3-84-01) with the State of Florida Department of Transportation (FDOT), providing a grant in the amount of \$358,649, to offset the operating costs of providing fixed route services to the public in the rural areas of Palm Beach County;

B) approve a budget transfer of \$538 in the Palm Tran Operating Fund 1340 to reconcile the revenue budget to the actual grant award and reduce the transfer from the General Fund 0001; and

C) approve a budget transfer of \$538 in the General Fund 0001 to reduce the transfer to Palm Tran Operating Fund 1340 and increase Contingency Reserves.

SUMMARY: Palm Tran will utilize the grant funds to offset the operating costs of providing fixed route service in the rural areas of the County. This FY2021 PTGA in the amount of \$717,928, will provide operating funding in the amount of \$358,649, which requires a match of \$358,649. The match is included in Palm Tran's FY2021 budget. The PTGA will become effective upon FDOT Execution and has an expiration date of December 31, 2023. The grant agreement contains an indemnification provision that differs from that adopted for use by the County under PPM CW-F-049. The grant requires the County, to the extent permitted by law and in accordance with the provisions of Section 768.28, Florida Statutes, to indemnify, defend and hold harmless FDOT and all of its officers, agents and employees from any claim, loss, damage, cost, charge, or expense arising out of the County's non-compliance in the performance of this agreement, including that of its officers, agents or employees. An exception to the PPM has been recommended by the Risk Management Department and the County Attorney's Office, taking into consideration the County's need to provide the services, the amount of the grant award, County's current performance of such services and liability for its acts, and the non-waiver of sovereign immunity beyond the statutory caps of Section 768.28, Florida Statutes. The indemnification obligation must also be passed on to contractors and/or consultants. Countywide (MM)

3. Staff recommends motion to approve: an agreement with the Lakes of Delray, Inc. for the provision of transportation services on routes 70, 81 and 88 effective February 1, 2021 through January 31, 2023, with a two-year renewal option, in the amount of \$119,116.80 per year. **SUMMARY:** This agreement allows for a slight deviation within Palm Tran routes 70, 81 and 88 to provide a more accessible pick-up point for the residents of Delray Lakes, Inc. Homeowners Association. The agreement eliminates the necessity for customers to pay individual fares upon boarding Palm Tran buses as instead the County is paid an annual amount, based on a per dwelling rate, for the service. The agreement also includes a 3% rate increase pursuant to the agreement. Residents are responsible for paying individual fares should they transfer from Routes 70, 81 or 88 to another route. District 5 (MM)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

1. **Staff recommends motion to approve:** a budget transfer of \$331,545 from the Law Enforcement Trust Fund (LETf) to the Palm Beach County Sheriff's Office (PBSO). **SUMMARY:** Section 932.7055(5), Florida Statutes; provides that the seizing agency shall use Forfeiture proceeds for school resource officer, crime prevention, safe neighborhood, drug abuse education and prevention programs, or for other law enforcement purposes, which include defraying the cost of protracted or complex investigations, providing additional equipment or expertise, purchasing automated external defibrillators, and providing matching grant funds. Section 932.7055(5), Florida Statutes; also requires that no less than 25% of the LETf's previous year's revenues be used for the support or operation of drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood and school resource officer programs of various non-profit organizations. The PBSO's FY 2021 donation requirement is \$152,405. The PBSO's support of these programs exemplifies its strong commitment to the prevention and reduction of crime throughout the communities it serves and its desire to put money back into these communities to support organizations that provide such services. The year-to-date transfer for all donations to outside organizations after approval of this item is \$331,545. The funds requested are to aid PBSO and qualified organizations that meet the requirements set forth in Section 932.7055(5), Florida Statutes. Use of LETf requires approval by the Board, upon request of the Sheriff. The current State LETf balance is \$1,352,062. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$1,020,517. The PBSO certifies that the use of these funds is in accordance with Section 932.7055(5), Florida Statutes. Below is a table indicating the organizations the PBSO seeks to fund and the corresponding amount of funding proposed per respective organization or agency. No new positions are needed and no additional County funds are required. Countywide (DC)

ORGANIZATION	AMOUNT
American Association of Caregiving Youth, Inc.	\$6,400
Best Foot Forward Foundation, Inc.	\$5,000
Boca West Community Charitable Foundation, Inc.	\$32,000
Elizabeth H Faulk Foundation, Inc.	\$20,000
Faith, Hope, Love, Charity, Inc.	\$25,000
Florence Fuller Child Development Centers, Inc.	\$25,000
GBDC Entrepreneurship Institute, Inc.	\$10,000
Grandma's Place, Inc.	\$25,000
Habitat for Humanity of South Palm Beach County, Inc.	\$10,000
KidSafe Foundation, Inc.	\$5,000
Meals on Wheels of the Palm Beaches, Inc.	\$10,000
National Campaign to Stop Violence, Inc.	\$20,000
Palm Beach County PAL, Inc. - Belle Glade Basketball	\$25,000
Palm Beach County Substance Abuse Coalition, Inc.	\$4,100
Safety Council of Palm Beach County, Inc. - Baby in Back Program	\$3,500
Safety Council of Palm Beach County, Inc. - Mobile Eyes Program	\$2,500
Sunset House, Inc.	\$15,000
Sweet Dream Makers, Inc.	\$10,000
The ARC of Palm Beach County, Inc.	\$25,000
Wounded Veterans Relief Fund, Inc.	\$25,000
YMCA of South Palm Beach County, Inc.	\$13,045
YMCA of the Palm Beaches, Inc.	\$15,000
Total Amount	\$331,545

3. CONSENT AGENDA APPROVAL

DD. TOURIST DEVELOPMENT COUNCIL

1. [Staff recommends motion to receive and file:](#) a fully executed Palm Beach County FY2021 Covid Recovery Grant Agreement in the amount of \$20,000 managed by the Palm Beach County Sports Commission, Inc on behalf of the Palm Beach County Tourist Development Council with USA Competitions, Inc. for the promotion of The Tim Rand Invite, being held from March 5 – 7, 2021. The grant agreement was approved by the Tourist Development Council on September 10, 2020 for a term of June 5, 2020 – June 7, 2021. **SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a receive and file agenda item. On June 7, 1994, the Board of County Commissioners adopted resolution (R94-207) authorizing the Executive Director of the Tourist Development Council to enter into grant agreements with Category G (Sports) grantees after they have been approved by the Tourist Development Council. The grant agreement is expected to produce 1,548 room nights and will fund an event which promotes sports tourism in Palm Beach County. District 7 (LDC)

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FEBRUARY 9, 2021

4. SPECIAL PRESENTATIONS – 9:30 A.M.

A) [COVID-19 Update by Dr. Alonso and County Staff](#)

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FEBRUARY 9, 2021

5. PUBLIC HEARINGS – 9:30 A.M. (Motion to receive and file: Proof of publication)

NONE

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6. REGULAR AGENDA

A. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve:

A) a \$3,590 HOME Investment Partnerships Program (HOME) funding increase to New Urban Community Development Corporation, Inc. (NUCDC), and other revised terms, for Henrietta Townhomes (the Project);

B) a Memorandum of Agreement with the U.S. Department of Housing and Urban Development (HUD) related to Henrietta Townhomes; and

C) delegation of authority to the County Administrator or designee to execute the agreement, amendments thereto, modifications to current loan documents, subordination agreements, and all other related documents necessary for implementation of the project.

SUMMARY: On October 19, 2019, the Board of County Commissioners (BCC) approved a HOME award of up to \$500,000 to NUCDC for the refinancing of the Project, a troubled 11-unit rental property, located at 1301 Henrietta Avenue in West Palm Beach. NUCDC developed the Project in 2009 with assistance including a \$687,096 conditional grant from the County, consisting of \$337,096 in HOME funds and \$350,000 in State Housing Initiatives Partnership (SHIP) Program funds, and a \$978,759 HOME loan from the City of West Palm Beach. The property is at risk of foreclosure and loss from the County's affordable housing stock. The new HOME award was to pay off the first mortgage held by the Florida Community Loan Fund, thereby preventing foreclosure and preserving affordable rental housing stock. The BCC approved that the HOME funds be provided as a combination \$250,000 loan (at 1% interest for 20 years) and a \$250,000 no-interest conditional loan (forgiven after a 20 year affordability period). The new HOME investment in the Project was subject to HUD approval. HUD's underwriting resulted in requirements for revised terms which are codified in the Memorandum of Agreement. It requires a County HOME investment of \$503,590, including \$460,000 for the mortgage payoff and \$43,590 for physical repairs. The entire \$503,590 is to be provided as a no-interest conditional loan that will be forgiven in its entirety at the conclusion of a new 30 year period of affordability. Project revenues that would have paid HOME debt service under the original terms will instead be required to fund replacement reserves necessary to meet the anticipated physical needs of the Project throughout the period of affordability. The County's existing HOME/SHIP conditional grant will be modified to conform to the HUD requirements. Staff is working with the City of West Palm Beach to extend the term of its existing loan and to subordinate to the County's new HOME loan. These are federal HOME Program grant funds that require a local match provided by the State Housing Initiatives Partnership Program. District 7 (HJF)

6. REGULAR AGENDA

B. FACILITIES DEVELOPMENT AND OPERATIONS

1. Staff recommends motion to:

A) approve a Quit Claim Deed in favor of Judith A. Hoover, as Successor Trustee of the Credit Shelter Trust created under the Richard D. Hoover Trust Declaration u/a/d 12/24/1986 as amended and restated 2/23/1998 collectively (Judith A. Hoover, as Successor Trustee) and Hoover Properties, LTD, a Florida Limited Partnership (collectively Hoover) releasing of record any County interest in a 15' strip of right of way within The Palm Beach Farms Co. Plat No. 3; and

B) accept a Utility Easement from Judith A. Hoover, as Successor Trustee and Hoover in favor of Palm Beach County.

SUMMARY: Hoover has requested that the County release of record interest the County may have, if any, in the south 1/2 of a 30' x 712' foot strip of platted right of way lying north of and contiguous to Hoover's property. The right of way, known as Hooper Road, is located east of N. Benoist Farms Road, north of Southern Blvd. in unincorporated West Palm Beach. The right of way was created by The Palm Beach Farms Co. Plat No. 3, as recorded in Plat Book 2, Page 45 of the Public Records of Palm Beach County, Florida. Various court cases have held that the County has (with certain limited exceptions) no interest in the platted rights of way within Plat No. 3 which were not accepted, improved or purchased by the County, and that the adjacent tract owners own to the centerline of the platted roadways. However, as part of a settlement of the litigation surrounding the Palm Beach Farms rights of way, the County received a quit claim deed from West Peninsular Title Company and Absolute, Inc., as recorded in Official Records Book 13889, Page 490 of said Public Records, the intent of which was to release any claim of interest of West Peninsular/Absolute in those rights of way. While the County's position has always been that West Peninsular/Absolute had no interest in the rights of way, the recordation of the West Peninsular/Absolute Quit Claim Deed to the County created some ambiguity as to the County's interest and kept the Palm Beach County Property Appraiser from adjusting its records to reflect ownership of the right of way by the adjacent owners. Execution, delivery and recordation of this Quit Claim Deed to Hoover will provide record evidence that the County has no interest in this 15' right of way. The County's Engineering Department has confirmed that this specific portion of right of way was included in the West Peninsular Title Company lawsuit and has no objection to the conveyance. Utility lines and equipment are located within this portion of the right of way. Hoover has agreed to grant a utility easement to the County. At closing, the Quit Claim Deed will be recorded, followed by the Utility Easement. This Utility Easement will protect the County's interest in the existing WUD's utility lines and improvements. WUD required this easement. **This conveyance must be approved by a Supermajority Vote (5 Commissioners).** (Property & Real Estate Management) District 2/Countywide (HJF)

6. REGULAR AGENDA

B. FACILITIES DEVELOPMENT AND OPERATIONS (Cont'd)

2. Staff recommends motion to:

A) approve the extension of the deadline for LJL Food Management, Inc., d/b/a The Hideout Kitchen & Café to complete construction of improvements under its lease of restaurant space within the Governmental Center Parking Garage (R2019-1059) by March 31, 2021; and

B) authorize County Administrator or designee, which in this case shall be the Director of Facilities Development & Operations Department, to terminate the lease with LJL Food Management, Inc., d/b/a The Hideout Kitchen & Café if construction is not completed by March 31, 2021.

SUMMARY: On July 25, 2019, the Board of County Commissioners (Board) approved the Governmental Center Lease Agreement with LJL Food Management, Inc., d/b/a The Hideout Kitchen and Café (Café). The lease requires Café to spend \$130,000 on improvements including new HVAC, electrical, walk-in-cooler, cabinetry, countertops, flooring and fire sprinkler upgrades. Café was required to complete those improvements within six months (January 31, 2020). The Board has granted Café multiple extensions to complete construction. On July 28, 2020, the Board extended the deadline again to September 30, 2020. Although construction was to have been completed at the time, on October 17, 2020 a fire sprinkler system break, unassociated with the interior work, delayed the project further. On October 19, 2020, staff sent a notice of an event of default pursuant to the terms of the Lease. Staff has monitored and confirmed construction progress with weekly status inspections. On November 19, 2020, Café notified the County that its contractor was filing for bankruptcy and a hold was placed on the permit until a new contractor was assigned. Despite this setback, Café has continued to work on the improvements. Staff recognizes that the Café's construction process has been severely impacted by Covid-19 restrictions and supply chain delays. Based on these issues staff recommends extending the deadline for Café to complete construction until March 31, 2021. In the event Café is unable to meet this latest deadline, staff requests authorization for the County Administrator to terminate the lease with LJL Food Management, Inc., d/b/a The Hideout Kitchen & Café. (Property & Real Estate Management) Countywide (HJF)

6. REGULAR AGENDA

C. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County (County), Florida supporting the State of Florida's activities to monitor, analyze, protect and restore the quality of water resources, as well as provide funding support to local governments. **SUMMARY:** This resolution is seeking to encourage the State of Florida to implement the following activities to help improve the quality of water resources: increase funding for water quality grant programs to accelerate and expand opportunities for storage and water quality improvement, in coordination with the U.S. Army Corps of Engineers, within Lake Okeechobee, and in tributary basins of Lake Okeechobee and connected coastal ecosystems, including the Lake Worth Lagoon and Loxahatchee River; expand Florida Department of Environmental Protection's Innovative Technology and other water quality improvement-related grant programs to allow private entities, that may possess innovative technologies that support water quality improvement in the greater Lake Okeechobee watershed, to apply directly for said grants as the Eligible Grant Recipient; to encourage all public and private entities to explore opportunities for collaboration and implementation of projects and activities that will improve water quality in the Lake Okeechobee watershed and continue to support sound agricultural practices and production; and to support the South Florida Water Management District to identify and prioritize additional funding to focus on projects that support water quality restoration and maximize nutrient reductions in water bodies and their contributing watersheds, including septic upgrades/conversions, and stormwater improvements. There is no cost to the County. Countywide (SS)

D. AIRPORTS

1. Staff recommends motion to approve: Corrective Action Plan (CAP) required by Federal Aviation Administration (FAA), Final Agency Decision (FAD) in *Forman v. Palm Beach County*, FAA Docket No. 16-17-13, providing, subject to FAA approval, for: access to the Palm Beach County Park Airport (Lantana Airport) to jet aircraft capable of utilizing Runway 10/28; submission of a request to the FAA to conduct an airspace assessment on Runways 4/22 and 16/34; the initiation of the process for the repeal of Section 12-6(a) of the Airport Rules and Regulations (R-98-220), which prohibits pure turbo-jet aircraft and aircraft in excess of 12,500 pounds engaging in air cargo operations from operating at the Lantana Airport (Jet Restriction); and submission to the FAA of the CAP on or before March 14, 2021. **SUMMARY:** On January 13, 2021, the FAA issued a FAD determining the Jet Restriction is not grandfathered under the Airport Noise and Capacity Act (ANCA) and violates the County's federal grant obligations. The FAA ordered the County to submit a CAP within 60 days, which must, subject to FAA approval, "permit immediate access" to jet aircraft capable of using the Lantana Airport's existing runways, and, within 180 days, provide a formal, legal commitment to rescind or not enforce the Jet Restriction. The CAP provides that the County will submit a formal request to FAA's Air Traffic and Flight Standards Divisions to conduct an assessment on airspace impacts associated with the operation of jet aircraft on Runways 4/22 and 16/34. In order to provide immediate access, the CAP provides that County will not enforce the Jet Restriction for aircraft landing on Runway 10/28 since the FAA previously concluded that Runway 10/28 can be used by jet aircraft without adverse airspace impacts, and the County will, after the completion of the airspace assessment, formally repeal the Jet Restriction. The CAP requires the County to formally notify the City of Atlantis that the County no longer has the authority to enforce the Jet Restriction. The CAP provides that jet operations will be considered in the on-going Part 150 Noise Compatibility Study (R2019-1687) to determine potential noise impacts on surrounding communities. Upon advice of the County Attorney and outside counsel, the Department of Airports is requesting approval of the CAP to ensure no further enforcement action is taken by the FAA. Countywide (AH)

6. REGULAR AGENDA

D. AIRPORTS (Cont'd)

2. Staff recommends motion to approve: Airport Medical Testing Center Agreement (Agreement) with Helix Virtual, Inc. (Helix), providing for the lease of approximately 851 square feet of space at the Palm Beach International Airport (PBI) for the provision of COVID-19 testing to airport passengers and employees and limited medical services to the general public, commencing upon Board approval and terminating on September 30, 2021, with three, one-year renewal terms, for payment of rental in the amount of \$27,844.96 for the initial term. **SUMMARY:** This Agreement provides for COVID-19 testing by Helix at PBI, including polymerase chain reaction (PCR) test and rapid tests. Testing services are being offered by a growing number of airports throughout the United States, including the Fort Lauderdale International Airport and Tampa International Airport, for the purpose of facilitating safe travel in accordance with CDC guidance and to assist compliance with state-mandated testing and quarantine orders. COVID-19 testing services will be limited to passengers with a documented travel itinerary within 72 hours of the test and airport employees, including employees of airlines and service providers. All testing services will be provided on a voluntary basis. Results of PCR tests are anticipated to be available within approximately 24 hours of testing, and rapid test results are generally less than 30 minutes. Helix has also proposed providing limited medical services at PBI, including telehealth medicine and vital assessments. Helix will lease approximately 851 square feet of space located on the second level of the terminal, east end near Concourse C. The space was formerly an airline lounge and requires minor improvements. Rental will commence 60 days after the effective date to provide for a portion of the cost of improvements; however, Helix anticipates starting operations as quickly as possible following approval of the Agreement. The Agreement will automatically renew each October 1st for up to three additional one-year terms, unless either party elects not to renew. The rental rate will also adjust each October 1st, based on the then-current terminal rental rate in accordance with the Signatory Airline Agreement (R2019-1155). Although Airport Concession Disadvantaged Enterprise (ACDBE) participation was encouraged, it was not required due to the lack of availability of qualified ACDBE firms performing medical testing services. ACDBE participation for this Agreement is 0%. Countywide (AH)

6. REGULAR AGENDA

E. ADMINISTRATION

1. Staff requests Board direction: regarding a resolution opposing elimination of statutory authorization for regional planning councils in Florida as proposed in Senate Bill 62 or similar proposed legislation. **SUMMARY:** At the January 26th BCC Workshop meeting, staff was directed by the Commission to draft and bring back this resolution for consideration by the Board. Additionally, the BCC requested staff provide an overview of the functions and responsibilities of Regional Planning Councils (RPCs) in Florida. RPCs are referenced in at least 28 different chapters of the Florida Statutes. Primary powers and duties are outlined Florida Statute, and include:

- To act in an advisory capacity to local governments in regional, metropolitan, county, and municipal planning matters, and provide technical assistance on growth management matters.
- To conduct studies of the resources of the region.
- To prepare and adopt a strategic regional policy plan that addresses affordable housing, economic development, emergency preparedness, natural resources of regional significance, and regional transportation.
- To review plans of independent transportation authorities and metropolitan planning organizations to identify inconsistencies between those agencies' plans and applicable local government plans, and to coordinate land development and transportation policies in a manner that fosters region wide transportation systems.

Over the past decade, there have been significant changes to Florida statute that have altered the authority and responsibility of RPCs. In a continued effort, the sponsor of Senate Bill 62 is proposing ideas that would further erode the responsibilities of the RPCs.

The Resolution contemplated in this agenda item speaks specifically to the filing of Senate Bill 62 which does the following:

- SB 62 removes Regional Planning Councils (RPCs) and all references thereto from Florida law.
- The ten existing RPCs would no longer be governed by state law. However, RPCs governed by an existing interlocal agreement will continue to function under the terms and conditions of the enabling agreement.
- The bill reassigns RPC functions and duties under state law, where appropriate, to other state agencies and local governments.
- Currently, RPCs serve an administrative/advisory role, do not preempt local government land use authority, and have no regulatory powers.
- The bill expressly provides that local governments may enter into agreements to create regional planning entities at the local level pursuant to ch. 163, F.S. Countywide (AH)

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7. BOARD APPOINTMENTS

A. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve: appointment of one nominee to the Commission on Affordable Housing (CAH) for a new term from February 9, 2021 to February 8, 2024, and appointment of five nominees to the CAH to complete the term through July 9, 2021.

Seat:	Appoint:	Nominated By:
Essential Services Personnel (new)	John-Anthony Boggess	Mayor Dave Kerner
Not-for-Profit Provider of Affordable Housing	Timothy Coppage	Vice Mayor Robert S. Weinroth Commissioner Melissa McKinlay
For-Profit Provider of Affordable Housing	Elliot Johnson	Commissioner Melissa McKinlay
Banking and Mortgage Banking Industry	Aquannette Thomas	Commissioner Weiss
Employers within the Jurisdiction	Amy Robbins	Commissioner Mack Bernard Commissioner Melissa McKinlay
Real Estate Professional	Lynda Charles OR Joey Eichner	Commissioner Melissa McKinlay Commissioner Maria Marino

SUMMARY: Staff recommends appointment of the above listed individuals to the CAH for one unfilled seat for a term from February 9, 2021 to February 8, 2024, and to fill five vacancies to complete terms through July 9, 2021. In accordance with Section 420.9076, Florida Statutes and Ordinance No. 2017-017, the CAH functions to review local affordable housing policies and incentive strategies, and to provide recommendations to the County regarding the same. Section 420.9076, Florida Statutes calls for a minimum of 8 and a maximum of 11 members representing various categories related to affordable housing. John-Anthony Boggess of the School District of Palm Beach County has disclosed his employer’s existing contracts with the County. Staff has evaluated these contractual relationships and determined that the CAH provides no regulation, oversight, management or policy-setting recommendations regarding any of the disclosed contractual relationships. Disclosure of these contractual relationships at a duly noticed public meeting is being provided in accordance with the provisions of Section 2-443 of the Palm Beach County Code of Ethics. With the appointment of the five unopposed nominees, a diversity count of the ten members will demonstrate a racial/ethnic breakdown of Caucasian: 8 (80%) and African American: 2 (20%), and a gender ratio (female:male) of 2:8. Final composition will depend on the appointment from the opposed nominees. Countywide (HJF)

B. COMMISSION DISTRICT APPOINTMENTS

FEBRUARY 9, 2021

8. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

FEBRUARY 9, 2021

9. COMMISSIONER COMMENTS

District 1 – COMMISSIONER MARIA G. MARINO

District 2 – COMMISSIONER GREGG K. WEISS

District 3 – COMMISSIONER DAVE KERNER

District 4 – COMMISSIONER ROBERT S. WEINROTH

District 5 - COMMISSIONER MARIA SACHS

District 6 - COMMISSIONER MELISSA MCKINLAY

Request for off-site Proclamation in Memoriam Honoring the Life of Richard Machek

District 7 – COMMISSIONER MACK BERNARD

FEBRUARY 9, 2021

10. ADJOURNMENT

"If a person decides to appeal any decision made by this Commission with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."