

November 16, 2021
9:30am

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

NOVEMBER 16, 2021

<u>PAGE</u>	<u>ITEM</u>	
43	5C-1	DELETED FOR FURTHER STAFF REVIEW: Staff recommends motion to approve: A) an increase of one position to the Human Resources Department personnel complement of one Human Resources Specialist I position, At-will, (pay grade 27) beginning with proposed pay period January 1, 2022 for an estimated cost of \$53,828 (prorated for the last nine months of FY 2022 including benefits); (PZB)

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**

NOVEMBER 16, 2021

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

**COMMISSION
CHAMBERS**

1. CALL TO ORDER

- A. Roll Call
- B. Invocation
- C. Pledge of Allegiance
- D. Election of Mayor
- E. Election of Vice Mayor
- F. Comments

**BOARD OF COUNTY COMMISSIONERS SITTING AS THE SOLID WASTE AUTHORITY
TIME CERTAIN: 9:30 A.M.**

2. AGENDA APPROVAL

- A. Additions, Deletions, Substitutions
- B. Adoption

3. CONSENT AGENDA (Pages 7-39)

4. PUBLIC HEARINGS - 9:30 A.M. (Page 40)

5. REGULAR AGENDA (Pages 41-43)

6. BOARD OF COUNTY COMMISSIONERS SITTING AS THE ENVIRONMENTAL CONTROL BOARD (Page 44)

7. BOARD APPOINTMENTS (Page 45)

8. STAFF COMMENTS (Page 46)

9. BCC COMMENTS (Pages 47-48)

10. ADJOURNMENT (Page 49)

TABLE OF CONTENTS

CONSENT AGENDA

B. CLERK OF THE CIRCUIT COURT & COMPTROLLER

Page 7

- 3B-1 Warrant list
- 3B-2 Minutes
- 3B-3 Contracts and claims settlements list
- 3B-4 List of Clerk & Comptroller Finance Department records which have been converted to an electronic format

C. ENGINEERING & PUBLIC WORKS

Page 8

- 3C-1 Consultant Services Authorization to contract with Mehta and Associates, Inc. for the Belvedere Heights Phase 2 project

Page 9

- 3C-2 Assignment Assumption and Consent Agreement transferring contract from Bolton Perez & Associates, Inc. to Colliers Engineering & Design, Inc. for intersection improvements
- 3C-3 Resolution approving the recordation and filing of a maintenance map certifying that Smith Sundry Road from the north right-of-way line of Atlantic Avenue North to the Lake Worth Drainage District L-32 Canal has been maintained for the past seven years

D. COUNTY ATTORNEY

Page 9

- 3D-1 Settlement Agreement in the personal injury action styled Gloria Marroquin, et al. vs. Palm Beach County

E. COMMUNITY SERVICES

Page 10

- 3E-1 Appointment to the Palm Beach County HIV Comprehensive AIDS Resources Emergency Council

Pages 10-12

- 3E-2 Agreements with nine agencies for homeless prevention services

Page 13

- 3E-3 Amendments to agreements with three agencies for services to seniors

Page 14

- 3E-4 Receive and file Notice of Award from the U.S. Department of Health and Human Services, Health Resources and Services Administration for the HIV Emergency Relief Project Grant

Page 15

- 3E-5 Receive and file Notice of Grant Award/Fund Availability from the State of Florida, Department of Economic Opportunity extending the dates for the Community Services Block Grant and the Low Income Home Emergency Assistance Program

Page 16

- 3E-6 Contract with CareerSource Palm Beach County, Inc. for economic mobility service to low-income residents

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

F. AIRPORTS

Page 16

3F-1 Receive and file Cargo Building Lease Agreement with Airport Terminal Services, Inc. for additional airline support and ground service equipment maintenance

Page 17

3F-2 Registered Traveler Verification Program Concession Agreement with Alclear, LLC for installation of kiosks for traveler identification

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

Page 18

3G-1 Receive and file the Quarter Ending September 30, 2021 information for Children's Services Council of Palm Beach County

3G-2 Receive and file the Lake Clarke Shores Community Redevelopment Agency adopted budget for Fiscal Year 2021-2022

Page 19

3G-3 Resolution approving Fiscal Year 2021 Year End budget transfers and amendments

H. FACILITIES DEVELOPMENT & OPERATIONS

Page 20

3H-1 Receive and file Emergency Use License Agreement with HW Spring Training Complex, LLC for provision of COVID-19 testing

Page 21

3H-2 Work order to contract with Andrea Construction, Inc. for the Lifeguard Tower Refurbishment project

Page 22

3H-3 Receive and file contract with Leo A. Daly for the Main Detention Center East and West Towers Video Visitation System project

Page 23

3H-4 Work authorization to contract with Johnson-Davis Incorporated for the Main County Courthouse Chilled Water Line Replacement project

Page 24

3H-5 Amendment to lease agreement with GC Skees Industrial, LLC for warehouse space for the Palm Beach County Sheriff's Office

Page 25

3H-6 Contract with four contractors for minor construction services

Page 26

3H-7 Contract with Southpoint Solutions Group LLC for indoor air quality remediation services

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

K. WATER UTILITIES

Page 27

3K-1 Consultant Services Authorization to contract with CDM Smith Inc., for the Belle Glade Water Treatment Plant Demolition project

Page 28

3K-2 Amendment to agreement with the State of Florida Department of Environmental Protection for the Western Region North Wastewater Treatment Facility Sand and Grit Removal project

M. PARKS & RECREATION

Page 29

3M-1 Receive and file Amphitheater Rental Agreements for the months of September and October 2021

3M-2 Receive and file Sound and Light Production Service Contractor Agreements for the months of September and October 2021

Q. CRIMINAL JUSTICE COMMISSION

Page 30

3Q-1 Receive and file grant awards from the Florida Department of Law Enforcement to fund reentry programs with three agencies

Page 31

3Q-2 Receive and file grant award from the U.S. Department of Justice for the Palm Beach County Sheriff's Office to become National Incident-Based Reporting System compliant

Page 32

3Q-3 Receive and file grant adjustment notices of the John D. and Catherine T. MacArthur Foundation Safety and Justice Challenge Grant to realign the previous budgets

T. HEALTH DEPARTMENT

Page 33

3T-1 Contract with the Department of Health for Environmental Health and Engineering Programs

U. INFORMATION SYSTEMS SERVICES

Page 34

3U-1 Rescind and replace Interlocal Agreement with the City of Riviera Beach for network services

3U-2 Receive and file Notice of Termination of Interlocal Agreement with Martin County for network services

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

X. PUBLIC SAFETY

Page 35

3X-1 Receive and file Declarations and Emergency Directive for the months of August and September 2021

Page 36

3X-2 Receive and file extension to Memorandum of Agreement with the City of Miami for the Urban Area Security Initiative FY 2019 agreement through December 30, 2021

3X-3 Receive and file amendment to contract with the Battered Women’s Justice Project, Inc. extending the contract through December 31, 2021

Page 37

3X-4 Receive and file grant agreement with the State of Florida, Division of Emergency Management to improve and enhance emergency management plans and programs

3X-5 Receive and file subaward and grant agreement with the State of Florida, Division of Emergency Management to improve and enhance emergency management plans and programs

AA. PALM TRAN

Page 38

3AA-1 Resolution approving the submission of Section 5311 supplemented by the Coronavirus Response and Relief Supplemental Appropriations Act to partially offset the operational costs for service in the Glades Region

CC. INTERNAL AUDIT

Page 39

3CC-1 Receive and file Audit Risk Assessment and Annual Work Plan for FY 2022

PUBLIC HEARINGS – 9:30 A.M.

A. OFFICE OF EQUAL OPPORTUNITY

Page 40

4A-1 Ordinance amending the Palm Beach County Ordinance for Housing and Places of Public Accommodation to include procedures to provide consistency with the process in the federal Fair Housing Act

TABLE OF CONTENTS

REGULAR AGENDA

A. EQUAL OPPORTUNITY

Page 41

5A-1 Contract with Weiss Serota Helfman Cole & Bierman, PL for legal services for fair housing discrimination litigation

B. AIRPORTS

Page 42

5B-1 Contract with ERMC Aviation LLC for Maintenance of Airport Facilities and Systems

C. PLANNING, ZONING & BUILDING

Page 43

5C-1 Increase in one position to the Human Resource Department personnel complement dedicated to Planning, Zoning and Building to expedite hiring for the department

BOARD OF COUNTY COMMISSIONERS SITTING AS THE ENVIRONMENTAL CONTROL BOARD

Page 44

6A-1 Appointment to the Environmental Control Hearing Board

BOARD APPOINTMENTS (Page 45)

STAFF COMMENTS (Page 46)

COMMISSIONER COMMENTS (Pages 47-48)

ADJOURNMENT (Page 49)

3. CONSENT AGENDA APPROVAL

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>
August 26, 2021	Zoning
August 31, 2021	Workshop
September 20, 2021	Budget

3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller’s Office. Countywide
4. **Staff recommends motion to receive and file:** a list of Clerk & Comptroller Finance Department records which have been converted to an electronic format. **SUMMARY:** These records have been converted from paper to an electronic format. The electronic records will be maintained according to their required retention schedule under the State of Florida’s General Records Schedule GSI-SL for State and Local Government Agencies per Chapter 119 and Chapter 257, Florida Statutes.

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve:

A) a Consultant Service Authorization (CSA) to the Annual Construction Engineering Inspection (CEI) Professional Services Contract (R2021-0882) dated July 13, 2021 (Contract) with Mehta and Associates, Inc. (MAI) in the amount of \$183,991.50 for CEI of Belvedere Heights Phase 2 (Project); and

B) a budget amendment of \$275,000 in the Capital Outlay Fund to recognize reimbursement funding from Westgate Belvedere Homes Community Redevelopment Agency (Westgate CRA) and appropriate it to the Project.

SUMMARY: Approval of this CSA will authorize the professional services necessary for CEI of the Project. In an Interlocal Agreement (R2021-0777), dated June 15, 2021, the Westgate CRA agreed to pay all funds necessary for the CEI of the Project. Approval of this budget amendment will recognize the reimbursement funding from the Westgate CRA. The Affirmative Procurement Initiatives selected for this Contract on November 6, 2019 by the Goal Setting Committee are a 20% minimum mandatory Small Business Enterprise (SBE) participation and an SBE evaluation preference. MAI agreed to 20% SBE participation for the Contract. MAI agreed to 20.51% SBE participation for this CSA. The cumulative SBE participation to date for the Contract including this CSA is 21.68%. MAI has an office in Palm Beach County (County). District 2 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

2. Staff recommends motion to approve: an Assignment Assumption and Consent Agreement (Assignment) to transfer the intersection improvement annual services contract (R2017-0778) dated June 20, 2017 (Contract) from Bolton Perez & Associates, Inc. (BPA) to Colliers Engineering & Design, Inc. (CED). **SUMMARY:** On August 1, 2021, BPA merged with CED and is now operating as CED. The Contract expired on June 19, 2020. However, there are active Work Task Orders (WTOs) still being processed. Approval of the Assignment will allow the Contract, and all associated WTOs to be assigned to CED. The Affirmative Procurement Initiative selected for the Contract's renewal on February 6, 2019, by the Goal Setting Committee is a 20% minimum mandatory Small Business Enterprise (SBE) participation. BPA committed to 20% SBE participation for this Contract. To date, WTOs in the amount of \$1,354,890 have been authorized for BPA and their cumulative SBE participation is 22.97%. CED's corporate office is located in Red Bank, New Jersey and they have an office located in Palm Beach County. Countywide (YBH)
3. Staff recommends motion to adopt: a resolution to approve the recordation and filing of a maintenance map (Map) for Palm Beach County (County), certifying that Smith Sundry Road from the north right-of-way line of Atlantic Avenue North to the Lake Worth Drainage District (LWDD) L-32 Canal, through Section 18, Township 46S, Range 42E (Corridor), has been continuously maintained and repaired for the immediate past seven years by the County. **SUMMARY:** Adoption of this resolution will certify that the Corridor has been continuously maintained and repaired for the immediate past seven years by the County, as shown in the Map being filed with the Clerk of the Circuit Court, and is vested in the County in accordance with Section 95.361(2), Florida Statutes. The Road and Bridge Division Director has certified that the County maintains the Corridor, as shown on the Map. District 5 (YBH)

D. COUNTY ATTORNEY

1. Staff recommends motion to approve: a Settlement Agreement, inclusive of attorney's fees and costs, in the total amount of \$75,000 in the personal injury action styled Gloria Marroquin, et al. vs. Palm Beach County, Case No. 502020CA005022XXXMB AI. **SUMMARY:** This is a personal injury lawsuit arising from trip and fall accident on a Palm Beach County sidewalk in Jupiter that occurred on January 5, 2019. Plaintiff tripped and fell on an elevated portion of a sidewalk and sustained injuries to her wrist. Her husband also filed a loss of consortium claim. Countywide (AMC)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

1. Staff recommends motion to approve: the appointment of one member to the Palm Beach County HIV Comprehensive AIDS Resources Emergency (CARE) Council:

<u>Seat No.</u>	<u>Appointment</u>	<u>Recommended By</u>	<u>Term Expires</u>
23	Medford Carney	HIV CARE Council	11/15/24

SUMMARY: The Palm Beach County HIV CARE Council (HIV CARE Council) nomination process is an open process with publicized criteria and legislatively defined conflict of interest standards. Mr. Carney has successfully completed the HIV CARE Council's nomination process and the HIV CARE Council recommends the appointment. The total membership for the HIV CARE Council shall be no more than 33 at-large members, per Resolution No. 2011-1560. The diversity count for the 20 seats that are currently filled is African-American: 10 (50%), Caucasian: 5 (25%), Hispanic-American: 4 (20%) and Asian-American: 1 (5%). The gender ratio (female: male) is 11:9. Mr. Carney is African- American. Staff conducts targeted outreach in an effort to proffer candidates for appointments that maintain a diverse composition of the board. (Ryan White Program) Countywide (HH)

2. Staff recommends motion to approve: the agreements for Provision of Financial Assistance with the below listed agencies, for the three year period October 1, 2021 through September 30, 2024, in an amount totaling \$5,837,964, of which \$1,945,988 is budgeted for FY 2022, with an anticipated annual allocation of \$1,945,988 in each subsequent fiscal year, contingent upon a budgetary appropriation by the Board of County Commissioners (BCC), for the term of these agreements:

A) Gulfstream Goodwill Industries, Inc. (GGI), for the provision of employment focused case management services, rapid re-housing for youth, and senior homeless prevention, in an amount not-to-exceed \$970,386, of which \$323,462 is budgeted in FY 2022, with an anticipated annual allocation of \$323,462 in each subsequent fiscal year for the term of this agreement;

B) Adopt-A-Family of the Palm Beaches, Inc. (AAF), for the provision of homeless prevention services and permanent supportive housing to homeless families and families at risk of becoming homeless, in an amount not-to-exceed \$1,160,874, of which \$386,958 is budgeted in FY 2022, with an anticipated annual allocation of \$386,958 in each subsequent fiscal year for the term of this agreement;

C) Vita Nova, Inc. (VN), for the provision of permanent supportive housing for homeless youth with a documented disability, in an amount not-to-exceed \$482,145, of which \$160,715 is budgeted in FY 2022, with an anticipated annual allocation of \$160,715 in each subsequent fiscal year for the term of this agreement;

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. (Cont'd)

D) The Arc of Palm Beach County, Inc. (APBC), for the provision of homeless prevention services for individuals over the age of 18 with a documented developmental disability, in an amount not-to-exceed \$759,402, of which \$253,134 is budgeted in FY 2022, with an anticipated annual allocation of \$253,134 in each subsequent fiscal year for the term of this agreement;

E) Coalition for Independent Living Options, Inc. (CILO), for the provision of homeless prevention services for individuals over the age of 60 who are at risk of homelessness and/or utility disconnection, in an amount not-to-exceed \$132,141, of which \$44,047 is budgeted in FY 2022, with an anticipated annual allocation of \$44,047 in each subsequent fiscal year for the term of this agreement;

F) YWCA of Palm Beach County, Inc. (YWCA), for the provision of emergency shelter for victims of domestic violence and their children, in an amount not-to-exceed \$363,702, of which \$121,234 is budgeted in FY 2022, with an anticipated annual allocation of \$121,234 in each subsequent fiscal year for the term of this agreement;

G) The Lord's Place, Inc. (TLP), for the provision of permanent supportive housing for individuals and family households with a documented disability, in an amount not-to-exceed \$922,314, of which \$307,438 is budgeted in FY 2022, with an anticipated annual allocation \$307,438 of in each subsequent fiscal year for the term of this agreement;

H) Aid to Victims of Domestic Abuse, Inc. (AVDA), for the provision of emergency shelter for victims of domestic violence, their children, and pets, in an amount not-to-exceed \$900,000, of which \$300,000 is budgeted in FY 2022, with an anticipated annual allocation of \$300,000 in each subsequent fiscal year for the term of this agreement; and

I) Children's Case Management Organization, Inc. d/b/a Families First of Palm Beach County (Families First), for the provision of permanent supportive housing services for chronically homeless families with a documented disability, in an amount not-to-exceed \$147,000, of which \$49,000 is budgeted in FY 2022, with an anticipated annual allocation of \$49,000 in each subsequent fiscal year for the term of this agreement.

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. **(Cont'd) SUMMARY:** On August 17, 2021, the BCC approved funding allocations for the Financially Assisted Agencies (FAA) Program. The contracts being recommended in this item reflect dollar amounts included in the FY 2022 budget. These contracts represent \$5,837.964 of the total FAA funding allocation of \$1,945.988 is budgeted for FY 2022. In FY 2020, GGI provided rapid re-housing services to 36 youth, and will serve approximately 12 youth with rapid re-housing services under this agreement. In FY 2020, GGI provided homeless prevention services to 36 seniors, and will serve approximately 55 seniors under this agreement. In FY 2020, GGI provided 76 individuals with employment focused case management, and will serve approximately 30 individuals under this agreement. The reduction in the estimated number of youth and individuals served is due to the increase in personnel costs per client from FY 2020 to FY 2022. AAF provided homeless prevention services to 153 low-income families, and will serve 200 low-income families under this agreement. In FY 2020, AAF provided permanent supportive housing to 45 families, and will serve approximately 38 families under this agreement. In FY 2020, AAF provided rapid re-housing to 33 families, and will serve approximately 15 families under this agreement. The reduction in the estimated number of families served is due to the increase of cost per client from FY 2020 to FY 2022. The cost of personnel has increased, as well as housing costs, which in turn increases the cost per client. VN is administering a new program that will provide permanent supportive housing to eight homeless youth who have a disabling condition. In FY 2020, APBC provided homeless prevention services to 24 individuals who were over the age of 18 with a documented developmental disability, and will serve approximately 30 individuals over the age of 18 with a documented developmental disability under this agreement. In FY 2020, CILO provided homeless prevention services to 35 seniors who were age 60 or older and were at risk of homelessness and/or utility disconnection, and will serve approximately 20 seniors who are age 60 or older who are at risk of homelessness and/or utility disconnection under this agreement. The reduction in the estimated number of seniors served is due to the increase of cost per client from FY 2020 to FY 2022. The cost of personnel has increased, as well as housing costs, which in turn increases the cost per client. In FY 2020, YWCA provided emergency shelter to 170 adults and/or family households who were victims of domestic violence, and will serve approximately 200 adults and/or family households who are victims of domestic violence under this agreement. In FY 2020, TLP provided permanent supportive housing to 122 family households, and will serve approximately 122 family households with a disabling condition under this agreement. In FY 2020, AVDA provided emergency shelter to 108 victims of domestic violence and their children, and will serve approximately 130 individual and/or family households and their pets, who are victims of domestic violence, under this agreement. The reduction in the estimated number of individuals and family households served is due to the increase of cost per client from FY 2020 to FY 2022. In FY 2020, Families First provided permanent supportive housing to 13 chronically homeless families, and will serve approximately 10 chronically homeless families with a documented disability under this agreement. The reduction in the estimated number of homeless families served is due to the increase of cost per client from FY 2020 to FY 2022. The cost of personnel has increased, as well as housing costs, which in turn increases the cost per client. Tyrina Pinkney, employee of TLP, Ashaki Sypher, employee of Families First are members of the Palm Beach County HIV CARE Council. This board provides no regulation, oversight, management, or policy-setting recommendations regarding the agencies listed above. Disclosure of these contractual relationships at a duly noticed public meeting are being provided in accordance with the provision of Section 2-443, of the Palm Beach County Code of Ethics. (Financially Assisted Agencies) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. Staff recommends motion to approve:

A) Amendment 002 to Standard Agreement No. IC020-9500 (R2020-1005) for Community Care for the Elderly (CCE) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), for the period July 1, 2020 through June 30, 2021 to amend, revise, and replace portions of the standard agreement and increase the overall total funding by \$112,600, for a new total agreement amount of \$1,983,132, to assist seniors and their caregivers by providing in-home services to help seniors live independently;

B) Amendment 002 to Standard Agreement No. IH020-9500 (R2020-1006) for Home Care for the Elderly (HCE) with AAA, for the period July 1, 2020 through June 30, 2021, to amend, revise, and replace portions of the standard agreement and increase the overall total funding by \$37,762.52, for a new total agreement amount of \$252,301.52, to assist seniors and their caregivers with the provision of care in a family-type living arrangement as an alternative to institutional care;

C) Amendment 002 to Standard Agreement No. IZ020-9500 (R2020-1004) for Alzheimer's Disease Initiative (ADI) with AAA, for the period July 1, 2020 through June 30, 2021, to amend, revise, and replace portions of the standard agreement and increase the overall total funding by \$47,201.69, for a new total agreement amount of \$1,398,791.69, to assist seniors and their caregivers by providing in-home services to help seniors live independently; and

D) a budget amendment of \$203,337 in the Division of Senior and Veteran Services (DSVS) Administration Fund to align the budget to the actual grant award.

SUMMARY: The amendments allow the DSVS to provide services to seniors and their caregivers. Under the CCE agreement (CSFA No. 65.010), seniors and caregivers are assisted with in-home services that help seniors live independently. The CCE program services are funded with \$112,600 in state funds and there is a required County match of \$12,511, which is already included in the budget. In Grant Year (GY) 2016-2019, CCE served 676 clients, provided 6,931 hours of case management and 282,909 hours of In-home services. Under the HCE agreement (CSFA No. 65.001), DSVS assists older adults and caregivers with the provision of care in a family-type living arrangement as an alternative to institutional care. In GY 2016-2019, the HCE program served 167 clients, provided 2,006 hours of case management and 13,405 hours of in-home services. Under the ADI agreement (CSFA No. 65.002-65.004), DSVS will provide case management, in-home respite and facility-based respite. The ADI program services are funded with \$47,201.69 in state funds. In GY 2016- 2019, the ADI program served 302 clients, provided 2,892 hours of case management and 178,987 hours of in-home services. The budget amendment is necessary to align the County budget with the actual grant award. The DSVS is responsible for providing services north of Hypoluxo Road. 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. (DSVS) Countywide except for portions of Districts 3, 4, 5, & 7 south of Hypoluxo Road. (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

4. Staff recommends motion to:

A) receive and file a Notice of Award (NOA) No. 6 H89HA00034-28-02 from the U.S Department of Health and Human Services, Health Resources and Services Administration (HRSA), for the budget period of March 1, 2021 through February 28, 2022, for carryover funding of unobligated funds in the amount of \$188,344;

B) receive and file a NOA No. 6 UT8HA33954-02-03 from HRSA, for the budget period of March 1, 2021 through February 28, 2022, for carryover funding of unobligated balance in the amount of \$781,479, and

C) approve a budget amendment in the amount of \$188,344 in the Ryan White Care Program fund to align the budget to the actual grant award.

SUMMARY: On November 17, 2020, the Board of County Commissioners (BCC) approved the Grant Year (GY) 2021 Ryan White Part A HIV Emergency Relief Grant Program Application (R2020-1663). On September 20, 2021, NOA No. 6 H89HA00034-28-02 from HRSA issued carryover funding from the prior grant year to the current grant year in the amount of \$188,344 for the Ryan White Program Part A HIV Emergency Relief Project Grant. The total grant award for GY 2021, including this NOA is \$7,492,982. Carryover amounts will vary from year to year based on funds that were leftover from prior grant year. In GY 2020, 3,100 clients were served and under the new grant, approximately 3,400 clients will be served. This funding allows the Community Services Department to continue funding much needed medical and support services to Palm Beach County residents living with HIV/AIDS. On December 17, 2019, the BCC approved the Ending the HIV Epidemic: A Plan for America Grant Application (R2019-1875). On September 14, 2021, NOA No. 6 UT8HA33954-02-03 from HRSA issued carryover funding from the prior grant year to the current grant year in the amount of \$781,479. The total grant award for GY 2021, including this NOA is \$2,178,125. This grant focuses on reducing the HIV infection by 90% in the United States by the year 2030. To accomplish the goal of ending the epidemic, Palm Beach County has used the award to engage in three main activities: Telehealth Adherence Counseling (TAC), Community Outreach, Response and Engagement Teams and Rapid Entry to Care. Telehealth platforms are used to help keep persons with HIV adherent to their care plans and medication through TAC services. The first year of the grant was used for planning purposes, no previous statistics are available. Under this grant, approximately 250 clients will be served. **These are Ryan White Part A grant funds, which require no local match.** (Ryan White Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

5. Staff recommends motion to receive and file: Notice of Grant Award/Fund Availability (NFA) modifications from the State of Florida, Department of Economic Opportunity (FDEO), to extend the end dates for both the Community Services Block Grant (CSBG) and the Low Income Home Energy Assistance Program (LIHEAP), with no increase in funding:

1) NFA No. 39864 (Federal Award Identification Number (FAIN) G2001FLCOSR, CFDA 93.569), to extend the end date from September 30, 2021 to November 30, 2021, in the amount of \$717,582.60, for the CSBG program;

2) NFA No. 039822 (FAIN G-2002FLLIEA, CFDA 93.568), to extend the end date from September 30, 2021 to March 31, 2022, in the amount of \$4,578,218.81, for the LIHEAP program;

3) NFA No. 039797 (FAIN 2001FLCSC3, CFDA 93.569), to extend the end date from September 30, 2021 to September 30, 2022, in the amount of \$1,063,042.74, for the CSBG CARES program; and

4) NFA No. 039839 (FAIN 2002FL5C3, CFDA 93.568), to extend the end date from September 30, 2021 to November 30, 2021, in the amount of \$2,895,334.87, for the LIHEAP CARES program.

SUMMARY: On June 15, 2021, the Board of County Commissioners (BCC) ratified the Mayor's signature on the Federally Funded Subgrant Umbrella Agreement #E2016 (R2021-0783) with the FDEO, for the period October 1, 2020 through September 30, 2023, for the LIHEAP and CSBG programs. Under the terms of the new umbrella agreement, FDEO will issue an NFA for each program award, and issue amendments to NFA's for any changes. These NFA's were issued to extend the program end dates with no increase to funding. Electric bill assistance will be provided to approximately 13,250 low-income individuals and 5,300 families. In Federal Fiscal Year (FFY) 2020, 3,545 households obtained electric bill assistance. The CSBG funds are used to provide economic stability and mobility services to approximately 2,300 low-income individuals and 900 families. Economic stability services include rent and utility assistance. Economic mobility services include employment skills training, job placement, resume writing training, financial management training, and case management. In FFY 2020, 2,286 households received emergency utility assistance and as a result, either prevented disconnection or restored their service. In addition, 67 clients enrolled in the self-sufficiency program, 10 of those obtained jobs above the living wage and 35 obtained jobs below the living wage, but increased their household income. **No County funds are required.** (Community Action Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

6. Staff recommends motion to approve: a contract for Provision of Services with CareerSource Palm Beach County, Inc. (CareerSource), for the period November 16, 2021 through September 30, 2022, in an amount totaling, \$200,000, to provide services in the economic mobility service category, to low-income residents. **SUMMARY:** The above agency is qualified to provide entrepreneurship training services to Community Action Program clients. The Entrepreneurial Program of Work will be built on a model of counselor/client relationship building, utilizing a one vision workforce of community partners working together to eliminate barriers of success for a small segment of the local population who otherwise would not have the resources to begin a business venture. The program will support the foundation of a successful small business. Funding is provided by the Community Services Block Grant, Coronavirus Aid, Relief and Economic Security Act. This program is designed to improve economic self-sufficiency and create greater flexibility for Palm Beach County residents, who are eligible, seeking alternative employment opportunities, especially in response of the COVID-19 pandemic. Along with financial assistance, this program will provide individuals with mentors, education and career tools, and resources for small business owners. The focus population under this contract are individuals through the re-entry program, veterans, residents with disabilities and those who receive assistance through the Supplemental Nutrition Assistance Program/ Temporary Assistance for Needy Families program. Qualified clients must be residents of Palm Beach County and meet the 200% federal poverty level guidelines threshold. CareerSource will provide entrepreneurship training services to 13 clients for the total amount of \$200,000 for the entire contract period. The program will provide individuals with mentors, education and career tools, and resources clients will find helpful as small business owners. This is a new contract and no previous statistics are available. **No County funds are required.** (Community Action Program) Countywide (HH)

F. AIRPORTS

1. Staff recommends motion to receive and file: Cargo Building Lease Agreement with Airport Terminal Services, Inc. (ATS), commencing September 14, 2021, and terminating September 30, 2022 (Initial Term), with automatic annual renewals occurring each October 1st unless canceled, for ATS to lease approximately 1,555 square feet of space in Unit 1309 of the cargo building at the Palm Beach International Airport (PBI) for payment of rental in the amount of \$14,655.91 for the Initial Term. **SUMMARY:** ATS provides support services to airlines at PBI and leases various space in the terminal. ATS will use this leasehold for additional airline support including ground service equipment maintenance. Delegation of authority for execution of the standard County agreement above was approved by the BCC in R2010-1392. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

2. Staff recommends motion to approve: Registered Traveler Verification Program Concession Agreement (Agreement) with Alclear, LLC, d/b/a CLEAR, a New York limited liability company (CLEAR), commencing November 16, 2021, and expiring December 31, 2024, with two one-year renewals, to provide enrollment and verification services under the Registered Traveler (RT) and Precheck programs at the Palm Beach International Airport (PBI) for payment of a one-time start-up fee of \$250,000; an initial minimum annual guarantee (MAG) of \$84,000; \$31,910.76 annual rental for office space; and annual license fees in the amount of \$9,600 for use of space near the security checkpoints for the installation of kiosks. **SUMMARY:** CLEAR is a sole-source third-party provider authorized by the Transportation Security Administration (TSA) to provide biometric verification of traveler identification at airports under TSA's RT program and a third-party administrator of TSA's trusted traveler program known as Pre-Check. CLEAR verifies a passenger's identity with a touchless biometric scan, and PreCheck expedites physical screening of the passenger. The Agreement is contingent upon TSA approval of CLEAR's operations at PBI. CLEAR will require an initial start-up period to install the necessary equipment and obtain TSA approval. CLEAR has agreed to pay an initial one-time start-up fee of \$250,000 and a privilege fee of \$0.50 for each RT member verification made at PBI during the initial start-up period, which commences on the effective date of the Agreement and ends on December 31, 2021. Beginning January 1, 2022, CLEAR will pay annual concession fees equal to the MAG or a privilege fee of \$0.50 per RT member verification for each verification made at PBI during the preceding contract year, whichever is greater. The initial MAG is \$84,000, which is adjusted on an annual basis based on the greater of the preceding year's MAG or 85% of the preceding year's privilege fee. CLEAR will pay annual license fees of \$9,600 for use of two enrollment areas for the installation of its kiosks. CLEAR will rent 486 square feet of office space for an initial annual rental of \$31,910.76. Due to the lack of available Airport Concession Disadvantaged Business Enterprise (ACDBE) firms providing these services, no ACDBE goal has been established for this Agreement. Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to receive and file: the Quarter Ending 9-30-2021 information for Children's Services Council of Palm Beach County (CSCPBC). **SUMMARY:** The Children's Services Council has submitted their Quarter Ending 9-30-2021 information as per Section 125.901(3)(f), Florida Statutes. Countywide (DB)

2. Staff recommends motion to receive and file: the Lake Clarke Shores Community Redevelopment Agency (CRA), Adopted Budget for Fiscal Year 2021-2022. **SUMMARY:** The Lake Clarke Shores CRA has submitted its Adopted Budget for the Fiscal Year 2021-2022 as per Section 163.387(6)(b), Florida Statutes. Countywide (DB)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET (Cont'd)

3. Staff recommends motion to approve:

A) a Resolution of the Board of County Commissioners of Palm Beach County, Florida approving Fiscal Year 2021 Year End budget transfers and amendments; and

B) the following FY 2021 Year End Budget Transfers and Amendments:

1) budget transfer of \$275,419 in the General Fund 0001 to reallocate budget between departments;

2) budget amendment of \$130,974 in the CARES Act Relief Fund 1160 to recognize additional interest earnings and place expenses in proper budget lines;

3) budget amendment of \$561,932 in the American Rescue Plan Act (ARPA) Interest Fund 1163 to recognize interest earned on ARPA funds;

4) budget transfer of \$1,153,998 in TDC-1st Cent Tourist Local Option Tax Fund 1458 to cover increased debt service funding from TDC for the Ballpark of the Palm Beaches, as a result of receiving only partial payment from the teams;

5) budget transfer of \$418,656 in the HUD Loan Repayment Account Fund 1540 to place revenues in the proper budget lines; and

6) budget transfer of \$1,153,998 in the 65.36M NAV Pub Imp Tax Rev Bond Fund 2078 to align the budget to show increased funding from TDC for the Ballpark of the Palm Beaches, as a result of receiving only partial payment from the teams.

SUMMARY: These transfers and amendments are necessary to properly allocate budget for FY 2021. The General Fund transfer of \$275,419 is necessary to reallocate budget between departments to adjust amounts for Personnel Costs due to unbudgeted personnel changes. The other budget transfers are necessary to align the budget without increasing the total appropriations of the funds. The budget amendments relate to adjustments for unanticipated revenue received for a specific purpose. Countywide (DB)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to receive and file:

A) Emergency Use License Agreement (Agreement); and

B) first amendment to the Emergency Use License Agreement (Amendment) with HW Spring Training Complex, LLC (the LLC), which allowed the County to use designated areas of the Ballpark of the Palm Beaches (Ballpark) for COVID-19 testing.

SUMMARY: Due to the COVID-19 pandemic, Palm Beach County issued a local state of emergency on Friday, March 13, 2020. Pursuant to the terms of the First Restated Sports Facility Use Agreement with the LLC, County has the right to enter into a license agreement with the LLC to use the Ballpark facility in the event of a declared federal, state, or local emergency. On March 30, 2020, the County entered into the Agreement with the LLC to utilize certain parking lot areas at the Ballpark to conduct COVID-19 testing. The Agreement sets forth the rights and responsibilities of the County in utilizing the designated areas. The June 24, 2021 Amendment updated the specific designated areas at the Ballpark that had been used to conduct COVID-19 testing operations. Due to the Declaration of Emergency issued by Palm Beach County, the County Administrator or designee had the ability to enter into this Amendment. Additionally, the First Restated Sports Facility Use Agreement provides that the Facilities, Development and Operations Department Director had authority to enter into this type of use agreement. The executed documents are now being submitted to the Board of County Commissioners to receive and file. (FDO Admin) District 7 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to approve: Work Order No. 21-043 to the annual minor construction services contract with Andrea Construction, Inc. (Contractor) (R2020-0143) in the amount of \$436,400 for the Lifeguard Tower Refurbishment project for a period of 60 calendar days from permit issuance, per tower. **SUMMARY:** The project consists of refurbishing 11 lifeguard towers at 9 separate county-owned beaches. The 11 towers are wooden and in different stages of degradation and are in desperate need of repair to meet County standards. This construction project will renovate each tower as needed to meet County standards and provide staff with a safe and secure structure to ensure the safety of beach patrons. The Contractor shall substantially complete the project within 60 calendar days of permit issuance, per tower. Liquidated damages are \$80 per day for failure to achieve certification of substantial completion within the contract time or approved extension thereof. This project was competitively advertised and new contractors were invited to bid by submitting prequalification documents prior to the submission of the bid response. This work order was solicited pursuant to the annual minor construction contract and the requirements of the Equal Business Opportunity Ordinance. The annual contract was presented to the Goal Setting Committee on August 21, 2019. The Committee applied the following three Affirmative Procurement Initiatives: 1) sheltered market for projects under \$100,000; or 2) a small business enterprise (SBE) contractor will be given a price preference if its bid is within 10% of the lowest non-small business bid on a single trade project \$100,000 or greater; or 3) a mandatory 25% SBE subcontracting goal for a multi-trade project over \$100,000. The Contractor is a certified SBE and submitted 100% SBE participation on this work order. The overall SBE participation on the annual minor construction contract is 86.9%. The Contractor is a Palm Beach County business. Funding for this project is from the Park Improvement fund. (Capital Improvements Division) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to receive and file: the emergency contract with Leo A Daly (Consultant) to provide architectural and engineering services associated with the expansion of the Main Detention Center East and West Towers Video Visitation System (VVS) in the amount of \$31,215. **SUMMARY:** The Consultant will provide professional services associated with the expansion of the VVS located at the existing in-person visitation locations at the East and West towers on level 6, which is adjacent to the connector that ties into the South Tower. This project consists of design and construction administration services to add required infrastructure to support the addition of 45 VVS units that are being supplied by the County. The provision of additional VVS units will provide additional capacity to accommodate remote visitation and professional consultations to the inmate population, a critical service due to the social distancing requirements resulting from the COVID-19 pandemic. This project is an emergency contract in accordance with Palm Beach County Purchasing Code 2-54 and County PPM CW-L-008. The Director of the Facilities Development and Operations Department executed this federal emergency contract for professional services under its construction authority pursuant to the Purchasing Code Section 2-53(f). 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 as a federally funded emergency contract. In accordance with PPM CW-F-050, staff is submitting this emergency contract to the Board of County Commissioners as a receive and file item for transparency and informational purposes. The Consultant is a Palm Beach County Business. The funding source for this project is the CARES Act Relief fund. (Capital Improvements Division) District 2 (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. Staff recommends motion to approve:

A) emergency procurement for the Main County Courthouse (MCC) Chilled Water Line Replacement project; and

B) Work Authorization (WA) No. 19 to the 2019 Pipeline Continuing Construction Contract (Continuing Contract) with Johnson-Davis Incorporated (R2020-0160) in the amount of \$400,000 for construction of the MCC Chilled Water Line Replacement project for a period of 180 calendar days from notice to proceed.

SUMMARY: On February 11, 2020, the Board of County Commissioners (Board) approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2020-0160) with Johnson-Davis Incorporated for pipeline continuing construction. On June 12, 2020, the Facilities Management Division reported a leak on the existing 16-inch water line that supplies chilled water to the HVAC system of the MCC and emergency repairs were authorized to stabilize the chilled water line. Subsequent tests performed after the repairs were completed confirmed that additional points of failure in the below grade pipe remain, leading to a continuous leak of approximately 20 to 40 gallons of water per day. On December 15, 2020, the Board approved the consultant services needed for the design of the pipe replacement project. WA No. 19 under the Continuing Contract will provide for the emergency replacement at the MCC of the existing chilled water line and associated valves. However, the majority of the work under WA No. 19 was not contained within the bid line items for the Continuing Contract and the amount of work is greater than the allowance for non-bid items, which would require either re-bidding the work or classifying this as an emergency procurement. The delay involved in re-bidding the work would be detrimental to the interests of the County by allowing the existing below ground chilled water supply line to continue to leak, with the potential of undermining the building floor slab and adjacent City roadway, which it runs under. At this time, staff believes that the procurement must be classified as an emergency, as this best serves the interests, health, safety, and welfare of the County and its citizens. The County and the project consultant (Baxter & Woodman, Inc.) have reviewed the value of the work included in the bid line items contained in the Continuing Contract and are in agreement that the prices for the work not in bid line items are reasonable and competitive. The Continuing Contract was procured under the requirement of the Equal Business Opportunity Ordinance. On April 3, 2019, the Goal Setting Committee applied an Affirmative Procurement Initiative of a mandatory 20% Small Business Enterprise (SBE) subcontracting participation. The Continuing Contract provides for 20.7% SBE participation. WA No. 19 as an emergency is exempt from the Equal Business Opportunity Ordinance but the contractor reports 4.51% SBE participation, which includes 4.51% S/WBE participation on this work authorization. Johnson-Davis Incorporated is a Palm Beach County business and is not an SBE. The funding source for this work is from the Capital Improvements fund. (Capital Improvements Division) District 7 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. Staff recommends motion to approve: Amendment Number Nine to Lease Agreement (R97-2126D) with GC Skees Industrial, LLC for the continued use of 6,000 SF of office and warehouse space by the Palm Beach County Sheriff's Office at an annual rate of \$78,529.39; extending the term for one year, from January 1, 2022 to December 31, 2022, plus two one-year options; and delegating the authority to terminate to County Administrator or designee which in this case shall be the Director of Facilities, Development & Operations Department. **SUMMARY:** Since January 1, 1998, the Board of County Commissioners, on behalf of the Palm Beach County Sheriff's Office, has leased office and warehouse space located at 1438 Skees Road in West Palm Beach. Ownership of the property has changed multiple times over the years. It is currently owned by GC Skees Industrial, LLC. The current term of the lease agreement expires December 31, 2021. This Amendment Number Nine extends the term for one year-plus two additional one-year automatic extension options. It also delegates the authority to terminate the lease to County Administrator or designee, which in this case shall be the Director of Facilities, Development & Operations Department. Effective January 1, 2022, the annual rent will remain at \$78,529.39 (\$13.09/sf), with subsequent annual rent adjustments of 2%. All other terms of the lease agreement remain unchanged. The Property and Real Estate Management Division will continue to have administrative responsibility of the lease agreement. (Property & Real Estate Management) District 2 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

6. Staff recommends motion to approve: an annual contract with the following contractors for general minor construction services on an as-needed basis through February 10, 2025.

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
A) Close Construction, LLC	Non-Local	Non-SBE
B) Cooper Construction Management and Consulting, Inc.	Local	S/MBE
C) Florida Mechanical LLC	Local	Non-SBE
D) West Construction, Inc.	Local	Non-SBE

SUMMARY: On February 11, 2020, the Board of County Commissioners (Board) approved the annual minor construction contract (R2020-0142 through R2020-0151). The work consists of construction services associated with repairs, improvements and renovations to County properties. The contractors now join the list of 27 already prequalified contractors for a total of 31 prequalified contractors with a contract expiration date of February 10, 2025. The specific requirements of the work will be determined by individual work orders issued against this annual contract. These contracts are five-year indefinite-quantity contracts with a maximum cumulative value of \$5,000,000. Work is to be awarded as work orders on a lump sum, competitively bid basis across all prequalified contractors. Contractors are allowed to qualify at any time and be added to this annual contract. Projects \$100,000 and over are advertised on the vendor self-service website while projects \$200,000 and over are also advertised in the newspaper. Projects under \$100,000 are bid among the pool of pre-qualified contractors and for projects over \$100,000, the bidding pool is expanded to include any additional bidders responding to the specific project advertisement that submit a qualification application at least ten days before the bid due date. This annual contract was presented to the Goal Setting Committee on August 21, 2019. The Committee applied the following three Affirmative Procurement Initiatives: 1) sheltered market for projects less than \$100,000, when three or more Small Business Enterprises (SBE) are qualified; or 2) 10% SBE Price Preference for projects \$100,000 or greater; or 3) a minimum mandatory 25% SBE subcontracting goal for multi-trade projects. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for all work orders issued. Current cumulative S/M/WBE participation for all work orders to-date under the minor annual contract is 87.61%. (Capital Improvements) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

7. Staff recommends motion to approve: an annual contract with the following contractor for indoor air quality (IAQ) remediation services on an as-needed basis through September 18, 2023.

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
Southpoint Solutions Group LLC DBA Servpro of West Palm Beach	Local	Non-SBE

SUMMARY: On September 19, 2018, the annual IAQ Remediation Services contract was approved under the Facilities Development and Operations (FDO) Director's authority to execute contracts that do not meet or exceed \$200,000. On September 15, 2020, the Board of County Commissioners authorized the Clerk and Comptroller to assign a unique resolution number to the existing annual indoor air quality remediation contracts of the six contractors, and approved an increase to \$1,000,000 to the cumulative dollar value (R2020-1352 thru R2020-1357). The work consists of IAQ remediation services on an as needed basis. The contractor now joins the list of seven already prequalified contractors for a total of eight prequalified contractors with a contract expiration date of September 18, 2023. The specific requirements of the work will be determined by individual work orders issued against this annual contract. These contracts are five-year indefinite-quantity contracts with a maximum cumulative value of \$1,000,000 across all prequalified contractors. Work is to be awarded as work orders on a lump sum, competitively bid basis across all prequalified contractors. Contractors are allowed to qualify at any time and be added to this annual contract. Projects \$100,000 and over are advertised on the vendor self-service website while projects \$200,000 and over are also advertised in the newspaper. Projects under \$100,000 are bid among the pool of pre-qualified contractors and for projects over \$100,000, the bidding pool is expanded to include any additional bidders responding to the specific project advertisement that submit a qualification application at least ten days before the bid due date. The IAQ remediation annual contract was last presented to the Goal Setting Committee on January 2, 2019 and the Committee established Affirmative Procurement Initiatives of sheltered market for projects less than \$100,000 (when three or more Small Business Enterprises (SBE) are qualified under the annual contract) or 10% SBE Price Preference for projects \$100,000 or greater. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for all work orders issued. Current cumulative S/M/WBE participation for all work orders to-date under the IAQ remediation annual is 0%. (Capital Improvements) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 4 to the Contract for Consulting/Professional Services Water Treatment and Water Resources Engineering Services (Contract) with CDM Smith Inc., (Consultant) for the Belle Glade Water Treatment Plant (BGWTP) Demolition (Project) for a not to exceed amount of \$286,495.20. **SUMMARY:** On November 17, 2020, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2020-1719) with Consultant. CSA No. 4 provides for professional consulting services relating to survey, design, permitting and bidding of improvements at the former BGWTP site, namely the demolition and restoration of the site and upgrades to water distribution piping including the South Bay master meter. This Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On September 18, 2019, the Goal Setting Committee applied an Affirmative Procurement Initiative (API) of 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 API applied to the Contract. The Contract provides for 21.00% SBE participation, which includes 19% MBE participation, 19% MBE (B). CSA No. 4 includes 68.68% SBE participation, which includes 68.68% MBE participation, 68.68% MBE (B). The cumulative SBE participation including CSA No. 4 is 43.65% SBE participation, which includes 19.07% MBE participation, 19.07% MBE (B). Consultant is headquartered in Boston, Massachusetts, but maintains an office in Palm Beach County from which the majority of the work will be performed. The Project is included in the PBCWUD FY22 budget. (PBCWUD Project No. 21-051) District 6 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

2. Staff recommends motion to:

A) approve Amendment No. 1 to Agreement No. SG054 with the State of Florida Department of Environmental Protection (DEP) and Palm Beach County for additional funds in the amount of \$82,439.65 for the Western Region North Wastewater Treatment Facility (WWTF) Sand and Grit Removal (Project);

B) approve an additional time extension for the grant period to January 31, 2023;

C) approve a budget amendment of \$82,439.65 in the Palm Beach County Water Utilities Department (PBCWUD) Operations Fund to recognize the \$82,439.65 grant revenue from the agreement; and

D) authorize the County Administrator or designee to execute amendments, sub-recipient funding agreements, amendments thereto, and all other documents necessary for the implementation of the grant award.

SUMMARY: On August 25, 2020, the Board of County Commissioners approved the Catalog of State Financial Assistance No. 37.075, Agreement No. SG054 (R2020-1070) with DEP. The DEP has allotted \$2,000,000 for publicly owned utilities to remove sand and grit from wastewater treatment plants with daily flow less than three million gallons per day (MGD) and must remain in operation during cleaning to avoid the discharge of untreated wastewater. PBCWUD is eligible for this grant as: 1) the Bid 20-024-CC was competitively bid and awarded; 2) the WWTF has daily flows less than three MGD and must remain in service during cleaning to avoid discharge of untreated wastewater; and 3) the WWTF is located in Pahokee and is registered as 37.9% above the poverty level with the US Census Bureau, exceeding the grant requirement of equal to or greater than 25%. Since the location of the WWTF exceeds the poverty requirement for this grant, no local match is required. Amendment No. 1 to the agreement will fund additional monies for cleaning an additional tank in the amount of \$82,439.65 for this project and for a total funding agreement amount of \$195,736.25.
District 6 (MJ)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: the following two executed Amphitheater Rental Agreements:

A) AEG Presents SE, LLC for the Rebelution Concert at Sunset Cove Amphitheater, for the period September 18, 2021 through September 19, 2021; and

B) AEG Presents SE, LLC for the Illenium Concert at Sunset Cove Amphitheater, for the period of October 1, 2021 to October 2, 2021.

SUMMARY: These Amphitheater Rental Agreements have been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution 2009-0335, amended by Resolutions 2009-1807, 2012-1715, and 2014-0166. 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. District 5 (AH)

2. Staff recommends motion to receive and file: the following two executed Sound and Light Production Service Contractor Agreements:

A) Sanderford Sound, Inc in an amount not to exceed \$700 for the Rebelution concert at Sunset Cove Amphitheater, on September 18, 2021 through September 19, 2021; and

B) Sanderford Sound, Inc in an amount not to exceed \$700 for the Illenium concert at Sunset Cove Amphitheater, on October 1, 2021 through October 2, 2021.

SUMMARY: These Sound and Light Production Service Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution 2009-0592, amended by Resolutions 2010-0645, 2014-0167, 2017-1368 and 2018-0179. 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. District 5 (AH)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to:

A) ratify the Mayor's signature on grant award 2021-JAGC-PALM-2-5R-170 from the Florida Department of Law Enforcement (FDLE), Edward Byrne Memorial Justice Assistance Formula Federal FY19 Grant (JAG), in the amount of \$49,121 to fund The Lord's Place, Inc. for the period October 1, 2019 through December 31, 2021;

B) ratify the Mayor's signature on grant award 2021-JAGC-PALM-3-5R-171 from FDLE Federal FY19 JAG in the amount of \$164,533 to fund the City of Riviera Beach for the period October 1, 2019 through December 31, 2021;

C) ratify the Mayor's signature on grant award 2021-JAGC-PALM-1-5R-173 from FDLE Federal FY19 JAG in the amount of \$26,574 to fund Gulfstream Goodwill Industries, Inc. for the period October 1, 2019 through December 31, 2021;

D) approve a downward budget amendment of \$6,985 in the Criminal Justice Grant Fund to adjust the budget to the actual grant award and reduce the transfer to the Justice Service Grant Fund; and

E) approve a downward budget amendment of \$6,985 in the Justice Service Grant Fund.

SUMMARY: On September 7, 2021, August 17, 2021 and September 16, 2021, the CJC was notified by FDLE that the JAG applications, previously approved by the Board on July 7, 2020 (R2020-0785) were awarded. Palm Beach County was allocated \$240,228 in Federal FY19 JAG funds (CFDA#16.738) for expenditure for the period from October 1, 2019 through December 31, 2021 to fund The Lord's Place in the amount of \$49,121, the City of Riviera Beach in the amount of \$164,533, and Gulfstream Goodwill Industries, Inc. in the amount of \$26,574. These Reentry Programs provide transitional services to juveniles and adults reentering society from jail and prison. The grant funds contractual services with providers for outreach services, case management, and support services. This award will retroactively compensate the County for expenditures during County FY20. The application for the Reentry Programs was originally submitted as one document. FDLE requested that they be broken down by provider, which caused a delay in receiving approval from FDLE. The emergency procedure was used to expedite the process of accepting the applications. **No County matching funds are required.** Countywide (JW)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

2. Staff recommends motion to:

A) receive and file grant award #15PBJA-21-GG-01359-JAGX from the U.S. Department of Justice (DOJ) Edward Byrne Memorial Justice Assistance Formula Federal FY21 Direct Grant in the amount of \$140,735 beginning October 1, 2020 through September 30, 2024 with \$136,513 going to the Palm Beach County Reentry Program and \$4,222 going to the Palm Beach County Sheriff's Office (PBSO) to become National Incident-Based Reporting System (NIBRS) compliant pursuant to a special condition of this grant;

B) approve a budget amendment of \$13,342 in the Criminal Justice Grant fund to adjust the budget to reflect the actual grant award and to increase funding to the Justice Services Grant Fund and to PBSO;

C) approve a budget amendment of \$12,942 in the Justice Services Grant Fund to increase the transfer from the Criminal Justice Grant Fund and increase the appropriation budget; and

D) approve a budget amendment of \$400 in the Sheriff's Grant Fund.

SUMMARY: On October 8, 2021, the CJC was notified by the DOJ that the Edward Byrne Memorial Justice Assistance Grant (JAG) Program - Local Solicitation previously approved by the Board on September 14, 2021 (R2021-1272) was awarded. Palm Beach County was allocated \$140,735 in Federal FY21 JAG funds (CFDA#16.738) for expenditure for the period from October 1, 2020 through September 30, 2024 to fund The Lord's Place in the amount of \$83,142, Gulfstream Goodwill Industries, Inc. in the amount of \$53,371, and the PBSO in the amount of \$4,222. This award will provide \$136,513 continuation funding to the Reentry Program. The program provides transitional services to juveniles and adults reentering society from jail and prison. Pursuant to a special condition of this grant, \$4,222 will be transferred to PBSO to become NIBRS compliant. This award was executed on behalf of the Board by the Executive Director of the Criminal Justice Commission in accordance with R2019-1645. **No local match is required for this grant.** Countywide (JW)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

3. Staff recommends motion to:

A) receive and file Grant Adjustment Notices (GANs) 2, 3 and 4 of the John D. and Catherine T. MacArthur Foundation Safety and Justice Challenge Grant 17-1704-151863-CJ to realign the previous budgets and to reflect two no cost extensions: 1) to September 30, 2021; and 2) to December 31, 2021;

B) receive and file GANs 1 and 2 of the John D. and Catherine T. MacArthur Foundation Safety and Justice Challenge Grant 19-1806-153373-CJ to realign the previous budgets and to reflect a no cost extension to September 30, 2022;

C) approve a budget transfer of \$92,361 in the MacArthur Foundation's Safety and Justice Challenge \$2M Fund to realign the budget based on the approved GANs;

D) approve a budget transfer of \$173,632 in the MacArthur Foundation's Safety and Justice Challenge \$1.4M Fund to realign the budget based on the approved GANs; and

E) approve a downward budget amendment of \$62,815 in the General Fund Public Safety Department to recognize the decrease in the transfers from the \$2M and \$1.4M MacArthur Funds.

SUMMARY: In 2017, Palm Beach County was awarded a \$2M grant from the John D. and Catherine T. MacArthur Foundation (Foundation) Safety and Justice Challenge (R2017-1709). GANs 2, 3 and 4 were approved by the Foundation to realign budgets to best fit the goals of the grant and to incorporate two no cost extensions: 1) to September 30, 2021; and 2) to December 31, 2021. In 2019 Palm Beach County was awarded an additional \$1,400,000 from the Foundation (R2020-0484; R2020-0485). GANs 1 and 2 were approved by the Foundation to realign budgets to best fit the goals of the grant and to incorporate a no cost extension to September 30, 2022. **No County matching funds are required.** Countywide (JW)

3. CONSENT AGENDA APPROVAL

T. HEALTH DEPARTMENT

1. Staff recommends motion to approve:

A) a contract with the Department of Health (DOH) in the amount of \$2,177,587 for Environmental Health and Engineering programs provided by the Palm Beach County Health Department (CHD) for the period October 1, 2021, through September 30, 2022; and

B) An Addendum to the Contract to clarify:

1) Paragraph 6.a. - as State employees/personnel, CHD employees are not "officers, agents, or employees of the County".

2) Paragraph 7.c. - The County shall assure that insurance coverage for vehicles is available through either a self-insurance program or insurance purchased by the County except for insurance referenced in paragraph 7.e.

3) Paragraph 7.d. - The County shall be named as additional insured on any agreement in which the CHD contracts or subcontracts any work to be performed on the premises to a third party; and

4) Paragraph 7.e. - As a State agency, the CHD agrees to be responsible for its own, its officers', employees', or agents' negligent acts, or omissions, or tortious acts, which result in claims or suits against the parties, and agrees to be liable up to the limits of Section 768.28 F.S. for any damages proximately caused by said acts or omissions.

SUMMARY: This contract sets forth the funding responsibilities of the DOH and the County for the operation of the CHD. The State and County share in the funding of the \$10,302,210 Environmental Health Budget. The State's share is \$3,606,527 (35.01%), primarily from State general revenue and fees. Funding from the County's FY 2022 budget is \$2,177,587 (21.14%), which includes Childcare Enforcement & Control Funding in the amount of \$126,888 and is the same as FY 2021 funding. The remaining local share (43.86%) is comprised of County authorized fees of \$3,130,102 (30.38%), federal funds of \$321,788 (3.12%), Department of Environmental Protection (DEP) Funds of \$104,004 (1.01%), and Air Pollution Tag Fees of \$962,202 (9.34%). County funding is used primarily for staff related salaries and benefits. The environmental staffing is responsible for surveillance of public drinking water systems, permitting and inspection of septic tanks, regulation of air pollution sources, inspection and licensing of childcare and other group care facilities, and other duties related to environmental health. The Childcare Enforcement & Control funding provides for a full-time attorney/Hearing Officer and a half-time paralegal position to provide counsel for the Child Care Advisory Council and to serve as Acting Environmental Control Officer for the Environmental Control Hearing Board. County funds are included in the FY 2022 budget. No additional funds are requested. County staff requested certain changes to the State's standard contract to clarify the insurance and liability provisions. The State preferred including these in an Addendum instead of revising the standard contract. Countywide (HH)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to:

A) rescind Interlocal Agreement R2011-1531;

B) approve the replacement Interlocal Agreement providing updated contract terms for network services with the City of Riviera Beach; and

C) authorize the County Administrator or designee to approve and execute task orders for additional IT services, up to a maximum dollar value of \$50,000 per task order.

SUMMARY: The City of Riviera Beach has an existing Interlocal Agreement with Palm Beach County (R2011-1531) for network services. Staff recommends rescinding the existing agreement and replacing it with a new agreement for a period of one year with four automatic one-year renewals unless notice is given by either party. This new Interlocal Agreement includes updated contract terms to provide network services to the City of Riviera Beach. The Florida LambdaRail, LLC has approved connection of the City of Riviera Beach to the Florida LambdaRail network. District 7 (DB)

2. Staff recommends motion to receive and file: Notice of Termination of Interlocal Agreement R2013-0695 for network services with Martin County. **SUMMARY:** Martin County has an existing Interlocal Agreement with Palm Beach County (R2013-0695) for network services, which were never activated under this agreement. Martin County has formally requested the termination of the agreement. Countywide (DB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to receive and file: the following Declarations and Emergency Directive related to coronavirus disease 2019 (COVID-19):

A) Declaration of State of Emergency PBC, FL, dated August 17, 2021;

B) Emergency Directive 2021-A PBC, FL, dated August 20, 2021;

C) Declaration of Continuing State of Emergency PBC, FL, dated August 23, 2021;

D) Declaration of Continuing State of Emergency PBC, FL, dated August 30, 2021;

E) Declaration of Continuing State of Emergency PBC, FL dated September 3, 2021;
and

F) Declaration of Continuing State of Emergency PBC, FL dated September 13, 2021

SUMMARY: On March 13, 2020, a nationwide declaration of emergency was issued due to an outbreak of COVID-19, a serious respiratory illness that is highly contagious, can be fatal, and has already caused death. The County issued a State of Local Emergency on Friday, March 13, 2020, which remained through June 26, 2021. The Centers for Disease Control and Prevention has designated the B.1.617.2 variant of the COVID-19 virus, known as the “Delta” variant, a variant of concern and it has caused a reversal in the downward trajectory of cases and an alarming increase in hospitalizations. Based on this recent surge, on August 17, 2021 the Palm Beach County Board of County Commissioners unanimously voted to declare a local State of Emergency relating to the COVID-19 pandemic. The local emergency is ongoing and the declarations of continuing the State of Local Emergency are necessary to initiate emergent actions taken by the County Administrator to ensure the health, safety and welfare of the community. With the executed State of Local Emergency, resources are available through the Coronavirus Aid, Relief, and Economic Security Act, American Rescue Plan Act of 2021, and/or Federal Emergency Management Agency Public Assistance. Staff are able to purchase equipment, materials, supplies, and open non-congregate shelters for residents and persons who may be in need of isolation. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

2. Staff recommends motion to receive and file: an extension to Memorandum of Agreement (MOA) with the City of Miami (R2020-1123) for the Urban Area Security Initiative (UASI) FY 2019 agreement # R0075 in the amount of \$396,465 extending the grant period through December 30, 2021 in order to complete emergency management planning projects totaling \$179,027. **SUMMARY:** Palm Beach County (PBC) along with all political subdivisions are currently responding to COVID-19 to ensure the safety of its citizens. Because of this response, PBC had requested an extension on the original MOA, which expired June 30, 2021 so more time was allowed to spend the funds efficiently. The original MOA (CFDA # 97.067) provides a means of funding various domestic security activities within the County using Federal UASI funds through the City of Miami as the UASI's fiscal agent. The incomplete projects included an award of \$64,007 to PBC for enhancements to include Emergency Operations Center computers; an award of \$55,000 to PBC regional All-Hazard Incident Management Team (AHIMT) operations coordination project; and an award of \$60,020 to PBC regional AHIMT for a FirstDefender RMX, a hand-held Raman spectrometer designed for onsite identification of unknown solids and liquids. R2013-0622 gave the authority to the County Administrator or designee to execute these agreements on behalf of the Board of County Commission. **No County matching funds are required.** Countywide (LDC)

3. Staff recommends motion to receive and file: a third amendment to contract for Consulting/Professional Services with the Battered Women's Justice Project, Inc. (BWJP) (R2018-1650) extending the expiration date of the contract from September 30, 2021 to December 31, 2021. **SUMMARY:** In October 2018, an amount not to exceed \$150,000 was allocated from the Criminal Justice Commission's Domestic Violence Trust fund to the County to contract with the BWJP to complete a three-year training and best-practices evaluation of the County's response to domestic violence for the period October 1, 2018 through September 30, 2021. This project consists of ten phases. The parties amended the original contract agreeing that Phase 6 could be completed in year two of the project (R2020-0284). Due to unforeseen circumstances related to COVID-19, Phase 8 deliverables could not be completed or compensated in year two. In order to allow greater flexibility, Exhibit B 2 "Schedule of Payments" was amended to allow the BWJP to be compensated upon completion of the Phase, regardless of what year it is completed in (R2021-0195). Due to ongoing delays attributed to COVID 19, this third amendment extends the contract termination date from September 30, 2021 to December 31, 2021 and the Scope of Work was revised to move the one day law enforcement training and final law enforcement report from Phase 8 to Phase 10. R2018-1650 authorized the County Administrator or designee to execute future amendments and partner agreements associated with the current project on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations. Countywide (JW)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

4. Staff recommends motion to:

A) receive and file a federally-funded executed Grant Agreement (G0279) for FY2021-22 in the amount of \$285,300 for the Emergency Management Performance Grant (EMPG) with the State of Florida, Division of Emergency Management (FDEM) to receive grant funding for the period July 1, 2021, through June 30, 2022, to improve and enhance emergency management plans and programs and provide operational support to maintain state required programs; and

B) approve a budget amendment of \$216,283 in the Emergency Management Preparedness & Assistance Fund to adjust the budget to the actual award of \$285,300.

SUMMARY: The EMPG grant (CFDA #97.042) is federally funded and recurs annually. The grant will be used to further enhance emergency planning, response, mitigation, and recovery in the County. R2012-1731 dated November 20, 2012, gave authority to the County Administrator or designee to execute these agreements on behalf of the Board of County Commissioners. County matching funds of \$142,650 (50%) are required and included in the County budget. Countywide (LDC)

5. Staff recommends motion to:

A) receive and file a federally-funded executed Subaward and Grant Agreement, (G0283) for FY2021-22 in the amount of \$13,926 for the Emergency Management Performance Grant, American Rescue Plan Act (EMPG-ARPA) with the State of Florida, Division of Emergency Management (FDEM) to receive grant funding for the period July 1, 2021, through June 30, 2022, to improve and enhance emergency management plans and programs and provide operational support to maintain state required programs; and

B) approve a budget amendment of \$13,926 in the Emergency Management Preparedness & Assistance Fund to recognize grant funding for the EMPG-ARPA.

SUMMARY: The EMPG-ARPA grant (CFDA #97.042) is a federally funded grant and is specific to support emergency management plans and programs in the prevention of, preparation for, and response to emergencies. R2012-1731 dated November 20, 2012, gave authority to the County Administrator or designee to execute these EMPG agreements on behalf of the Board of County Commissioners. County matching funds of \$6,963 (50%) are required and included in the County budget. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. Staff recommends motion to:

A) adopt a Resolution of the Board of County Commissioners of Palm Beach County, Florida, approving the submission of a Section 5311 grant application for \$353,821, as supplemented by the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) and American Rescue Plan Act (ARPA) of 2021, and as administered by the Florida Department of Transportation (FDOT) to partially offset the operational costs for service in the Glades Region;

B) adopt a Resolution of the Board of County Commissioners of Palm Beach County, Florida, approving a submission of the Section 5310 grant application for \$1,199,741, as supplemented by the CRRSAA and ARPA of 2021, and as administered by the FDOT, to partially offset the operational costs for service in the Glades Region; and

C) authorize the Mayor of the Board of County Commissioners to execute the grant applications, supporting documents, and assurances.

SUMMARY: The FDOT Central Office is soliciting applications for the Federal Transit Administration's Sections 5310 and 5311 programs that have been supplemented by CRRSAA and the ARPA of 2021. If awarded, the grant will partially offset the operating costs of Palm Tran's service in the Glades Region of Palm Beach County. The grant applications contain an indemnification agreement that differs from that adopted for use by the County under PPM CW-F-049. The grants require 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 the agreements, 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 awards, the County's current performance of such services and liability for its own 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. **No matching funds are required.** District 6 (MM)

3. CONSENT AGENDA APPROVAL

CC. INTERNAL AUDIT

1. Staff recommends motion to receive and file: Audit Risk Assessment and Annual Work Plan for FY 2022. **SUMMARY:** The County Code requires the Internal Audit Committee to review and approve the annual risk assessment and audit plan prepared by the County Internal Auditor. This was done at the September 29, 2021 Internal Audit Committee meeting. The County Code also requires the County Internal Auditor to submit the approved plan to the Board of County Commissioners. We are submitting the annual work plan to the Board of County Commissioners as required by the County Code. Countywide (DB)

* * * * *

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

A. OFFICE OF EQUAL OPPORTUNITY

1. Staff recommends motion to adopt: an Ordinance of the Board of County Commissioners of Palm Beach County (BCC), Florida, amending the Palm Beach County Code, Chapter 15, Article III, of The Palm Beach County Ordinance for Housing and Places of Public Accommodation. **SUMMARY:** On October 19, 2021, the Board of County Commissioners held a preliminary reading of this Ordinance and authorized advertising for public hearing. The Housing and Places of Public Accommodation Ordinance was established in 1990 to protect the interest of its citizens regarding fair treatment and equal opportunity and access in housing and public accommodation. The Ordinance was last amended in 2019 to provide specifically for the Director of the Office of Equal Opportunity to authorize the filing of a civil action and update certain definitions. However, it is necessary to amend the Ordinance to include procedures for individuals to elect a civil action. Additionally, the requirement for complainants to request administrative hearings was removed in order to have consistency with the process in the federal Fair Housing Act. The quorum requirements for the Fair Housing Board were also removed and replaced with a reference to the BCC’s governing Resolution regarding advisory boards. Countywide (DO)

* * * * *

5. REGULAR AGENDA

A. OFFICE OF EQUAL OPPORTUNITY

1. Staff recommends motion to approve:

A) a contract for Professional Legal Services by and between Palm Beach County and Weiss Serota Helfman Cole & Bierman, PL for legal services in connection with fair housing discrimination litigation for the County in an amount not to exceed \$450,000, including costs; and

B) a budget transfer in the General Fund (Fund 0001) in the amount of \$89,500 from General Fund Contingency Reserves to Fair Housing to fund the legal services.

SUMMARY: The Office of Equal Opportunity recently advertised a Request for Submittal that sought the services of a legal firm(s), whose staff attorneys are members of the Florida Bar and experienced in representing complainants in fair housing discrimination cases under the Federal Fair Housing Act of 1968 as amended by the Fair Housing Act of 1988, to provide legal representation for individuals who have filed complaints of housing discrimination. A responsive and responsible submittal was received from Weiss Serota Helfman Cole & Bierman, PL. After a thorough review of the proposal by a three member Selection Committee, Weiss Serota Helfman Cole & Bierman, PL was unanimously selected as the recommended awardee for the legal services for housing discrimination cases contract. Countywide (DO)

5. REGULAR AGENDA

B. AIRPORTS

1. Staff recommends motion to approve: the award of a term contract for Maintenance of Airport Facilities and Systems (Contract) with ERMC Aviation LLC (ERMC) at the Palm Beach International Airport (PBI) per Master Agreement #21-070/CC, commencing on December 6, 2021, and expiring on December 5, 2022, with the option to renew for four additional 12-month periods, with a total not to exceed amount of \$1,225,205 for the initial 12-month period. **SUMMARY:** The Contract provides for the maintenance, repair, and modification of all passenger-boarding bridges, 400 Hertz ground power, cabin air systems, and facility systems at PBI. The current contract expires on December 5, 2021, with no renewal options. The total contract amount for the five-year term for the current contract was \$3,954,776.40 with \$3,757,037.58 expended. ERMC Aviation LLC is located in Atlanta, Georgia. The new Contract was advertised by the Purchasing Department using the County's competitive bid process. ERMC was the lowest responsive, responsible bidder. The passenger loading bridges, ancillary equipment, and facilities are critical to on-going airport operations and require specialized technical knowledge for their maintenance, modification, and repair. The Contract provides for 12 months of service with the option to renew for four additional 12-month periods. Following Board approval of the Contract, the Purchasing Department will issue an award notice to ERMC. Due to lack of availability of qualified Small/Minority/Women Owned Business Enterprises providing the services required by this Contract, the Office of Equal Business Opportunity issued a waiver of Affirmative Procurement Initiatives on July 14, 2021. Pursuant to changes to Chapter 332, Florida Statutes, effective October 1, 2020, a governing body of a commercial service airport may not approve purchases of contractual services in excess of the Category Five threshold amount of \$325,000 provided in Section 287.017, Florida Statutes, on a consent agenda. This Contract exceeds the threshold amount and must be approved on the regular agenda. Countywide (AH)

5. REGULAR AGENDA

C. PLANNING, ZONING & BUILDING

1. ~~Staff recommends motion to approve:~~

~~A) an increase of one position to the Human Resources Department personnel complement of one Human Resources Specialist I position, At will, (pay grade 27) beginning with proposed pay period January 1, 2022 for an estimated cost of \$53,828 (prorated for the last nine months of FY 2022 including benefits); and~~

~~B) a budget transfer of \$53,828 within the Building Division Fund to appropriate funding for this position.~~

~~**SUMMARY:** Despite the COVID-19 Pandemic, the Building Division staff processed over 82,000 permits at the end of Fiscal Year 2021 calculated at almost \$2.5 billion in permitted value. The current trend will put the total permits issued easily over 90,000 in Fiscal Year 2022. This reflects an almost 15% increase in permits issued and an 18% increase in value of construction permitted in FY21. Currently, the Building Division receives approximately 300 permit applications a day (including weekends), performs nearly 1,000 inspections per day, and is understaffed due to vacancies. The Building Division currently has approximately 60 vacant positions in its complement, in part due to current staff retiring, staff leaving for other opportunities and a personnel shortage that has been reported nationwide. Having a dedicated and exclusive point of contact within the HR Department for the Building Division may help recruit and fill current and future positions expeditiously. Positions for the Building Division have been added to the complement for FY18 — 8, FY19 — 8, FY20 — 16, and FY21 — 18, for a total of 50 positions over the last 4 years. Therefore, the Building Division is requesting a dedicated position to be located within the Human Resources Department to assist with recruitment and hiring in hopes of swiftly filling the positions within the Division. This position will be fully funded from the Building Division Special Revenue fund. This position is an At-will position and will be funded as long as warranted. Unincorporated (AH)~~

* * * * *

RECESS AS THE BOARD OF COUNTY COMMISSIONERS

CONVENE AS THE ENVIRONMENTAL CONTROL BOARD

6. **BOARD OF COUNTY COMMISSIONERS SITTING AS THE ENVIRONMENTAL CONTROL BOARD**

A. **HEALTH DEPARTMENT**

1. **Staff recommends motion to approve:** reappointment of one member to the Environmental Control Hearing Board to fill the position of Medical Doctor for a third term of three years beginning November 19, 2021 to November 18, 2024.

Nominee	Seat #	Requirement	Recommended By
David Shulan, M.D.	2	Medical Doctor	Palm Beach County Medical Society

SUMMARY: The Board is composed of five members. Membership must consist of one lawyer recommended by the Palm Beach County Bar Association, one medical doctor recommended by the Palm Beach County Medical Society, one engineer recommended by the Palm Beach County Chapter of the Florida Engineering Society, and two citizens-at-large not holding elective office. The applicant for reappointment to Seat 2, David Shulan, M.D., expressed a desire to remain on the Hearing Board. He has served two terms on the Hearing Board since April 2015 and is recommended for a third term by the Palm Beach County Medical Society. The Board currently consists of five members. The current diversity count is: Caucasian: 5 (100%); African-American: 0; and Hispanic: 0. The current gender ratio (female: male) is 1:4. Staff continues to address the need for increased diversity within our boards and will continue to encourage expansion of the Board’s diversity. Countywide (HH)

ADJOURN AS THE ENVIRONMENTAL CONTROL BOARD

RECOVENE AS THE BOARD OF COUNTY COMMISSIONERS

NOVEMBER 16, 2021

7. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

NOVEMBER 16, 2021

8. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

NOVEMBER 16, 2021

9. COMMISSIONER COMMENTS

District 1 – COMMISSIONER MARIA G. MARINO

Request for off-site Certificate of Congratulations to Bo Preston, PGA Professional at the Osprey Point Golf Course, for becoming the recipient of the 2021 South Florida Section PGA Patriot Award

Request for off-site Certificate of Congratulations to Bridget Ackley, PGA Professional on the Don Law Golf Academy, for becoming the recipient of the 2021 South Florida Section PGA Youth Player Development Award

Request for off-site Proclamation honoring the Center for Family Services of Palm Beach County, Inc. on its 60th Anniversary

District 2 – COMMISSIONER GREGG K. WEISS

District 3 – COMMISSIONER DAVE KERNER

District 4 – COMMISSIONER ROBERT S. WEINROTH

District 5 - COMMISSIONER MARIA SACHS

NOVEMBER 16, 2021

9. COMMISSIONER COMMENTS CONTINUED

District 6 - COMMISSIONER MELISSA MCKINLAY

District 7 – COMMISSIONER MACK BERNARD

NOVEMBER 16, 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."