

May 15, 2023
8:00 am

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

MAY 16, 2023

PAGE **ITEM**

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

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

MAY 16, 2023

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

**COMMISSION
CHAMBERS**

- 1. CALL TO ORDER**
 - A. Roll Call
 - B. Invocation
 - C. Pledge of Allegiance

- 2. AGENDA APPROVAL**
 - A. Additions, Deletions, Substitutions
 - B. Adoption

- 3. CONSENT AGENDA (Pages 11 - 63)**

- 4. PUBLIC HEARINGS - 9:30 A.M. (Pages 64)**

- 5. REGULAR AGENDA (Pages 65 - 72)**

- 6. BOARD APPOINTMENTS (Page 73)**

- 7. STAFF COMMENTS (Page 74)**

- 8. BCC COMMENTS (Page 75)**

- 9. ADJOURNMENT (Page 76)**

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CONSENT AGENDA

A. ADMINISTRATION

Page 11

- 3A-1 Authorize the Mayor to execute a Letter of Agreement to authorize Palm Beach County Crime Stoppers, Inc. to apply, receive, and expend grant funds from the State of Florida's Crime Stoppers Trust Fund.

B. CLERK & COMPTROLLER

Page 11

- 3B-1 Warrant list
- 3B-2 Minutes
- 3B-3 Contracts and claims settlements list
- 3B-4 Change orders, work task orders, minor contracts, final payments, etc.

C. ENGINEERING & PUBLIC WORKS

Page 12

- 3C-1 Adopt a resolution authorizing the conveyance of Parcel 100 located west of and adjacent to Interstate 95 and north and south of Central Blvd. to FDOT and approve Palm Beach County deed to convey the Parcel at no cost to FDOT.

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- 3C-2 Approve landscaping continuing services construction contract with A Cut Above Landscape & Maintenance Inc. for 18 months.
- 3C-3 Approve Supplemental No. 4 to the Congress Avenue from north of Northlake Blvd. to Alternate A1A Contract for professional services for the project.

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- 3C-4 Adopt a resolution to approve Supplemental Agreement No. 1 to the Local Agency Program Agreement for the construction of Westgate Avenue from Wabasso Drive to Congress Avenue project; approve Supplemental to the Agreement to increase the grant funding and approve a Budget Amendment.

Page 15

- 3C-5 Adopt a resolution to approve Supplemental Agreement No. 1 to the Local Agency Program Agreement for the construction of Lyons Road/Sansbury's Way from Forest Hill Blvd. to Okeechobee Blvd.; approve Supplemental to the Agreement to increase the grant funding; and approve a Budget Amendment.

Page 16

- 3C-6 Adopt a resolution to approve Supplemental Agreement No. 1 to the Local Agency Program Agreement for the CR-A1A/Ocean Drive from north of Donald Ross Road to south of Indiantown Road; approve Supplemental to the Agreement to increase the grant funding; and approve a Budget Amendment.

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CONSENT AGENDA

C. ENGINEERING & PUBLIC WORKS (cont'd.)

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3C-7 Adopt a resolution to approve Supplemental Agreement No 1 for the construction of SR7 at Weisman Way Intersection Improvements; approve Supplemental Agreement to fund the project; and approve a Budget Amendment.

Page 18

3C-8 Adopt a resolution to support the submittals of an application through the Palm Beach Transportation Planning Agency for funding the installation of flashing yellow arrows at thirteen signalized intersections throughout Palm Beach County; and approve the 2023 Application for Project Funding for State Road Modifications with the TPA.

Page 19

3C-9 Adopt a resolution to approve Supplemental Agreement No. 1 for the construction of improvements on Seminole Blvd. from Oswego Ave. to Okeechobee Blvd.; approve Supplemental to the Agreement to increase the grant funding and approve a Budget Amendment.

Page 20

3C-10 Approve the Consultant Service Authorization No. 4 to the Annual Construction Engineering Inspection Services Contract with Mehta and Associates, Inc. for Westgate Avenue from Wabasso Drive to Congress Avenue project; and approve Budget Amendment in the Capital Outlay fund to recognize reimbursement.

3C-11 Approve Consultant Services Authorization to the Annual Intersection Improvements Services Contract with Propel Engineering Inc. for the High Ridge Road and Hypoluxo Road Intersection Improvements.

Page 21

3C-12 Adopt a resolution to support the submittal of an application through the Palm Beach Transportation Planning Agency to FDOT for funding the replacement and upgrade of six signalized intersections and four pedestrian crossings.

Page 22

3C-13 Adopt a resolution to support the submittal of a Local Initiatives Program grant application through the Palm Beach Transportation Planning Agency for funding to replace and upgrade seven signalized intersections; and approve the 2023 Application for Project Funding for Local Initiatives Construction Projects with the TPA.

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CONSENT AGENDA

C. ENGINEERING & PUBLIC WORKS (cont'd.)

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3C-14 Adopt a resolution to support the submittal of a Transportation Alternatives Program grant application through the Palm Beach Transportation Planning Agency for funding to mill, resurface, and construct bicycle lanes on Camino Real between Spanish River Road and South Ocean Blvd.; approve FDOT Transportation Alternatives Set-Aside Program Funding Application.

Page 24

3C-15 Adopt a resolution to support the submittal of a Local Initiatives Program grant application through the Palm Beach Transportation Planning Agency for funding to install flashing yellow arrows at twenty-nine signalized intersections throughout Palm Beach County; and approval the 2023 Application for Project Funding for Local Initiatives Construction Projects with the TPA.

D. COUNTY ATTORNEY

Page 26

3D-1 Approve a Settlement Agreement in a personal injury case.
3D-2 Approve a Settlement Agreement in a civil rights case for damages.

E. COMMUNITY SERVICES

Page 26

3E-1 Approve one Board Appointment to Palm Beach County HIV Comprehensive AIDS Resources Emergency Council.

F. AIRPORTS

Page 26

3F-1 License Agreement with Gulfstream Product Support Corporation for use of property at PBI for overflow vehicle parking.

Page 27

3F-2 Sublease of space at PBI by Signature Flight Support LLC.
3F-3 License Agreement with Signature Flight Support LLC on a monthly basis for use of property at PBI for overflow vehicle parking.

Page 28

3F-4 Approve Amendment No. 5 with Lebolo Construction Management, Inc. for miscellaneous Airport improvements for Palm Beach County Department of Airports.

Page 29

3F-5 Airline Service Incentive Program Participation Agreement with Avelo Airlines.

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CONSENT AGENDA

F. AIRPORTS (cont'd.)

Page 29

- 3F-6 License Agreement with Sixt Rent A Car LLC for use of ground area at PBI for overflow vehicle parking.
- 3F-7 License Agreement with Sky Chefs, Inc. for ramp space use for airline catering truck parking at PBI.

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

Page 30

- 3G-1 Quarterly report ending March 31, 2023 for Children's Services Council of Palm Beach County.
- 3G-2 Annual Report for Fiscal Year ending September 30, 2022 from West Palm Beach Community Redevelopment Agency.

H. FACILITIES DEVELOPMENT & OPERATIONS

Page 31

- 3H-1 Work Order No. 23-003 to the annual sports field lighting installation contract with Davco Electrical Contractors Corp. for the Caloosa Park-Sports Field Lighting Replacement project.

Page 32

- 3H-2 Work Order No. 23-016 to the annual minor construction services contract with Republic Construction Corp for the Criminal Justice Building A-Mail Room project.

Page 33

- 3H-3 Approve Consultant Services Authorization No. 8 with Architecture Green LLC for the Convention Center 1st and 2nd Floor Public Restroom Renovations project.

Page 34

- 3H-4 Standard License Agreement for Use of County-Owned Property with The AREC Repeater Group Inc. for continued placement of Communication Equipment; and Standard License Agreement for Use of County-Owned Property with Foundcare, Inc. mobile health vehicle providing primary care services.

Page 35

- 3H-5 Interlocal Agreements with Town of Juno Beach to extend the term of the agreement; with City of Riviera Beach; Town of Jupiter Inlet Colony; City of West Palm Beach; and City of Belle Glade for referred individuals into the Homeless Resource Center.

Page 36

- 3H-6 Consultant Services Authorization No. 21 with Leo A. Daly Company for the Main Detention Center Phase III-East Tower Interior Painting project.

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H. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

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3H-7 Annual contracts with M&M Asphalt Maintenance Inc. and R&D Paving, LLC for asphalt, pavers and pathway construction services.

Page 38

3H-8 Amendment No. 2 to extend the term of the contract with Jacobs Project Management Co. for the General Government Capital Program.

Page 39

3H-9 Consultant Services Authorization No. 10 with Song & Associates, Inc. for the Supervisor of Elections Production Facility project.

Page 40

3H-10 Consultant Services Authorization No. 4 with Leo A. Daly Company for the Palm Beach Sheriff's Office Headquarters Renewal/Replacement/Renovation project.

I. HOUSING AND ECONOMIC DEVELOPMENT

Page 41

3I-1 Approve Amendment to the Bond to refinance a project on behalf of the Young Men's Christian Association of South Palm Beach County, Inc. and adopt a resolution authorizing certain amendments to the Industrial Development Revenue Bond.

Page 42

3I-2 Amendment 003 to Loan Agreement with HTG Banyan, LLC for the construction of 94 rental housing units, extending the completion date.

Page 43

3I-3 Notice of Withdrawal Letter terminating the Economic Development Incentive Agreement with Levatas, LLC; approve a Budget Transfer and a Budget Amendment.

Page 44

3I-4 Amendment No. 2 agreement with Town of Lantana reducing the funding for playground improvements within Maddock Park; and to increase the funding for improvements to the dog park within Maddock Park.

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CONSENT AGENDA

J. PLANNING, ZONING & BUILDING

Page 45

3J-1 Board reappointment to the Building Code Advisory Board.

K. WATER UTILITIES

Page 46

3K-1 Approve Work Order No. 1 to the Continuing Contract for Wastewater Gravity Lines and Manhole Rehabilitation with Hinterland Group Inc. for 2023; and approve a Budget Transfer.

Page 47

3K-2 Approve Change Order No.4 with TLC Diversified, Inc. for the Improvements to Master Repump Station 9-North for time extension.

Page 48

3K-3 Approve 2022 Pipeline Continuing Construction Contract with Johnson-Davis Incorporated and Hinterland Group Inc.

Page 49

3K-4 Approve Contract with B&B Underground Construction Inc. for the Century Village South Water Main Improvements; and an Agreement with Cen-West Communities, Inc.; and authorize County Administrator or designee.

Page 50

3K-5 Four Standard Potable Water and Wastewater Development Agreements; PBA Holdings, Inc.; Boynton Beach Marketplace, LLC; MF Associates Trails Landing, LLC; HSC West Palm Beach LLC.

L. ENVIRONMENTAL RESOURCES MANAGEMENT

Page 51

3L-1 Approve Consultant Services Authorization No. 0090-02 with Olsen Associates, Inc. to provide services.

3L-2 Approve State of Florida Department of Environmental Protection Standard Grant Agreement No. 23PB8 for construction expenses to repair erosional damage related to Hurricanes Ian and Nicole; approve a Budget Amendment; and authorize County Administrator.

Page 52

3L-3 Amendment No. 03 to Agreement No. 4600003684 with the South Florida Water Management District to extend the agreement.

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M. PARKS & RECREATION

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3M-1 Entertainment Contractor Agreement with Andrew Mensing for the Smoke Boss Militia concert at Canyon Amphitheater.

Page 53

3M-2 Amphitheater Rental Agreement with Victory Faith International, Inc. for Victory Faith Chapel 10 Year Anniversary Celebration Concert at Sunset Cove Amphitheater.

3M-3 Sound and Light Production Service Contractor Agreement with Sanderford Sound, Inc. for Victory Faith Chapel 10 Year Anniversary Celebration Concert at Sunset Cove Amphitheater

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3M-4 Two Special Events Rental Agreements with Salto Entertainment, LLC and Bar Event Group, LLC.

3M-5 Professional Services Agreement with Elite Medical Specialists, LLC to provide medical director services for Parks and Recreation Department's Ocean Rescue Section.

Page 55

3M-6 First Amendment to the Recreation Facility Rental Agreement with the Young Men's Christian Association of the Palm Beaches, Inc. for the use of the swimming pool and other recreation facilities.

3M-7 Agreement with YMCA of South Palm Beach County for the Coordination of Summer Camp at West Boynton Recreation Center; and Agreement with Faith's Place Center for Arts Education, Inc. for Summer Camp at Westgate Park and Recreation Center.

Q. CRIMINAL JUSTICE COMMISSION

Page 56

3Q-1 Approve Board appointments for four to the Public Safety Coordinating Council.

BB. YOUTH SERVICES

Page 57

3BB-1 Four Contracts for Professional Services with Doctoral Psychology Interns to complete internship requirement.

Page 58

3BB-2 Contract for Professional Services with a Postdoctoral Psychology Fellow to complete requirement of clinical work.

3BB-3 Contract for Provision of Services with Prime Time Palm Beach County, Inc. to connecting summer camps for low income children.

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CONSENT AGENDA

BB. YOUTH SERVICES (cont'd.)

Page 59

3BB-4 Community Based Agency Contract with Digial VibeZ, Inc. for the Wellness Workshops and Kidsfit Jamathon; and a Budget Transfer.

CC. CAREERSOURCE

Page 60

3CC-1 Board appointment to the CareerSource Palm Beach County, Inc. Board of Directors.

DD. OFFICE OF COMMUNITY REVITALIZATION

Page 61

3DD-1 Expenditure for the installation of 17 speed humps in the Seminole Manor Countywide Community Revitalization Team; and a Budget Transfer.

EE. SHERIFF

Page 62

3EE-1 Contract Modification Notice #7 with the U.S. Department of Homeland Security, Transportation Security Administration to extend the agreement; accept Contract Modification Notice #8; and approve Budget Amendment.

FF. SUPERVISOR OF ELECTIONS

Page 63

3FF-1 Memorandum of Agreement for voting technology upgrades and/or enhancements.

PUBLIC HEARINGS – 9:30 A.M.

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REGULAR AGENDA

A. AIRPORTS

Page 65

5A-1 Approve increase to term contract for airfield pavement marking services to four County airports; and approve a Budget Transfer.

Page 66

5A-2 Approve Amendment No. 1 with Ricondo & Associates, Inc. for the continued performance of services related to the approved Palm Beach County Airports' Capital Improvement Program; and a Budget Transfer.

Page 67

5A-3 Contract with Ranger Construction Industries, Inc. for the Central Airfield Improvements at PBI; a Budget Transfer and a Budget Amendment.

B. FACILITIES DEVELOPMENT & OPERATIONS

Page 68

5B-1 Adopt a resolution authorizing the conveyance of the County's interest lying within the Olive Street right-of-way as dedicated; and approve County Deed in favor of the Town of Juno Beach.

Page 69 - 70

5B-2 Agreement for Purchase of land north of Indiantown Road and east of Bee Line Highway.

Page 71

5B-3 Approve a Host Shelter Contract for residents who cannot return to their homes due to damage caused by an emergency.

C. ENVIRONMENTAL RESOURCES MANAGEMENT

Page 72

5C-1 Approval initial Management Plan for Loxahatchee Slough Natural Area.

BOARD APPOINTMENTS (Page 73)

STAFF COMMENTS (Page 74)

COMMISSIONER COMMENTS (Page 75)

ADJOURNMENT (Page 76)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to: authorize** the Mayor to execute a Letter of Agreement on behalf of the Palm Beach County Board of County Commissioners (BCC) effective from May 16, 2023 to May 16, 2026 addressed to the Florida Office of Attorney General to authorize Palm Beach County Crime Stoppers, Inc. (Crime Stoppers) to apply, receive, and expend grant funds from the State of Florida’s Crime Stoppers Trust Fund. **SUMMARY:** Crime Stoppers has requested the BCC’s approval to return a Letter of Agreement to authorize the Crime Stoppers to apply, receive, and expend grant funding from the State of Florida’s Crime Stoppers Trust Fund, pursuant to section 16.555 of the *Florida Statutes* and Rules 2A-9002 and 2A-9003 of the *Florida Administrative Code*. A Letter of Authorization remains in effect for no more than three (3) years. Countywide (RS)

B. CLERK & 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>
January 10, 2023	Regular
January 24, 2023	Regular
January 31, 2023	Workshop
February 1, 2023	Comp Plan

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:** change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations Department; Water Utilities Department; Environmental Resources Management Department; and the Department of Airports during April 2023. Countywide

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to:

A) adopt a Resolution authorizing the conveyance of Parcel 100, located west of and adjacent to Interstate 95, and north and south of Central Boulevard (Parcel), to the State of Florida Department of Transportation (FDOT); and

B) approve a Palm Beach County (County) deed to convey the Parcel at no cost to FDOT.

SUMMARY: Adoption of the Resolution will authorize the approval of the County deed to convey the Parcel to FDOT, as requested by FDOT for the construction of an interchange at Central Boulevard with Interstate 95. The Engineering Department has determined that the Parcel serves no present or future County purpose. This conveyance will relieve the County of potential liability and the cost of maintenance for this Parcel. This conveyance to FDOT is at no cost, and is pursuant to Section 125.38, Florida Statutes. Although the County normally reserves its interest in phosphates, minerals, metals and petroleum rights per Section 270.11, Florida Statutes, FDOT has requested the release of this reservation because FDOT requires the property to be free and clear without encumbrances. Originally there were two parcels called Parcel 101 and 102, deeded to the County in 2003, as recorded in Official Records Book 15636, Page 1631. Subsequently the two parcels were combined into one parcel, Parcel 100 that is to be conveyed to FDOT. FDOT will assume responsibility for the perpetual maintenance of the Parcel. **In accordance with County ordinance (2019-038), a supermajority vote (5 votes) is required by the Board of County Commissioners (BCC) for all transfers of fee simple real property that requires BCC approval.** District 1 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (cont'd.)

2. Staff recommends motion to approve: a landscaping continuing services construction contract with A Cut Above Landscape & Maintenance Inc. (ACA) in an amount not to exceed \$2,000,000 that will be in effect for 18 months from the date of approval by the Board of County Commissioners (BCC), with an option to renew for a total of 36 months. **SUMMARY:** Approval of this contract will authorize the continuing construction services necessary to complete landscaping projects on an as needed basis throughout Palm Beach County (County). The contract was presented to the Goal Setting Committee (GSC) on October 5, 2022. The GSC applied an Affirmative Procurement Initiative of a 20% minimum mandatory Small Business Enterprise (SBE) participation. ACA agreed to 86.3% SBE participation. One bid for the contract was received by the Engineering Department on January 17, 2023. ACA was the only and thus, the lowest responsive responsible bidder for the contract. This contract will be in effect for 18 months from the date of approval by the BCC with an option to renew for a total of 36 months. ACA has an office located in the County and is a certified SBE company. The above contract amount is based upon the estimated amount to be expended for landscaping construction projects throughout the County over an 18 month period. Countywide (YBH)

3. Staff recommends motion to approve: Supplement No. 4 (Supplement) to the Congress Avenue from north of Northlake Boulevard to Alternate A1A (Project) Contract (R2013-1537), dated November 5, 2013 as amended on August 20, 2019 (R2019-1126) (Contract) with Kimley-Horn and Associates, Inc. (KHA), in the amount of \$178,877.85 for professional services for the Project. **SUMMARY:** Since the Project began, coordination with developers, utility owners, the FEC Railway and adjacent property owners has resulted in the redesign of the proposed geometric lane configuration and drainage system for the corridor. Approval of this Supplement will provide the professional services necessary to revise the drainage design and associated permits for the Project. The Contract was approved on November 5, 2013, prior to the effective date of the Equal Business Opportunity Ordinance and pursuant to the Small Business Enterprise (SBE) Ordinance at the time. The SBE goal for all contracts was 15%. KHA agreed to 20.7% SBE participation for the Contract. However, because of concerns with SBE environmental subconsultants and the urgency to complete the Project, the Office of Equal Business Opportunity approved reducing the SBE participation to 14.46% on February 25, 2021. KHA did not agree to any SBE participation for this Supplement. Their cumulative SBE participation to date for the Contract including this Supplement is 13.96%. KHA plans to meet their SBE commitment by the end of the Project. Prior to this meeting date, \$1,143,667 has been encumbered under this Contract. KHA has an office located in Palm Beach County. **This Project is included in the Five-Year Road Program. District 1** (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (cont'd.)

4. Staff recommends motion to:

- A) **adopt** a Resolution to approve Supplemental Agreement Number One (Supplemental) to the Local Agency Program (LAP) Agreement (R2021-1896), dated January 25, 2022 (Agreement) with the State of Florida Department of Transportation (FDOT) for the construction of Westgate Avenue from Wabasso Drive to Congress Avenue (Project);
- B) **approve** the Supplemental to the Agreement that increases the grant funding by \$902,683 and extends the expiration date of the Agreement from December 31, 2023 to June 30, 2025 for the Project; and
- C) **approve** a Budget Amendment of \$902,683 in the Capital Outlay Fund to recognize the Supplemental funding from FDOT and appropriate it to the Project.

SUMMARY: Approval of this Supplemental and Budget Amendment will provide Palm Beach County (County) \$902,683 in additional grant funding for the Project and extend the expiration date of the Agreement from December 31, 2023 to June 30, 2025. The Project will reduce the roadway width from five lanes to three lanes. FDOT requested that the County, as a certified LAP entity, enter into this LAP Agreement (Agreement), on behalf of the Westgate Belvedere Home Community Redevelopment Agency (Westgate CRA), outlining the responsibilities of FDOT and the County with respect to the LAP grant for the Project. The grant amount is being modified to reflect current costs and estimates of the Project. **The total local match is \$2,427,971 which is 42.9% of the estimated Project cost.** The Westgate CRA will be responsible for all costs above the grant amount and for maintenance of improvements after construction is complete. The Catalog of Federal Domestic Assistance (CFDA) number for this grant is 20.205 Highway Planning and Construction. District 7 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (cont'd.)

5. Staff recommends motion to:

- A) **adopt** a Resolution to approve Supplemental Agreement Number One (Supplemental) to the Local Agency Program (LAP) Agreement (R2021-1899), dated January 25, 2022 (Agreement) with the State of Florida Department of Transportation (FDOT) for the construction of Lyons Road/Sansbury's Way from Forest Hill Boulevard to Okeechobee Boulevard (Project);
- B) **approve** the Supplemental to the Agreement that increases the grant funding to \$5,099,624 and extends the expiration date of the Agreement from December 31, 2023 to June 30, 2024 for the Project; and
- C) **approve** a Budget Amendment of \$883,984 in the Transportation Improvement Fund to recognize the Supplemental funding from FDOT and appropriate it to the Project.

SUMMARY: Approval of this Supplemental and Budget Amendment will provide Palm Beach County (County) \$883,984 in additional grant funding for a total of \$5,099,624 for the Project and extends the expiration date of the Agreement from December 31, 2023 to June 30, 2024. The Project will widen the roadway to add separated bike lanes on both sides of the roadway. The grant amount is being increased to reflect current costs and estimates of the Project. **The local match is \$762,461 which is 13% of the estimated Project cost.** The County will be responsible for all costs above the grant amount and for maintenance of improvements after construction is complete. The Catalog of Federal Domestic Assistance (CFDA) number for this grant is 20.205 Highway Planning and Construction. **This Project is included in the Five-Year Road Program. Districts 2 & 6 (YBH)**

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (cont'd.)

6. Staff recommends motion to:

A) **adopt** a Resolution to approve Supplemental Agreement Number One (Supplemental) to the Local Agency Program (LAP) Agreement (R2022-0051), dated February 16, 2022 (Agreement) with the State of Florida Department of Transportation (FDOT) for the CR-A1A/ Ocean Drive from north of Donald Ross Road to south of Indiantown Road (Project);

B) **approve** the Supplemental to the Agreement that increases the grant funding to \$790,201 for the Project; and

C) **approve** a Budget Amendment of \$89,945 in the Transportation Improvement Fund to recognize the Supplemental funding from FDOT and appropriate it to the Project.

SUMMARY: Approval of this Supplemental and Budget Amendment will provide Palm Beach County (County) \$89,945 in additional grant funding for a total of \$790,201 for the Project. The Project will provide pedestrian activated flashers at 24 crossings along the corridor. The grant amount is being increased to reflect current costs and estimates of the Project. **The total local match is \$5,956 which is 0.8% of the estimated Project cost**, which represents the portion of the project cost not covered by the grant. The County will be responsible for all costs above the grant amount and for maintenance of improvements after construction is complete. The Catalog of Federal Domestic Assistance (CFDA) number for this grant is 20.205 Highway Planning and Construction. District 1 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (cont'd.)

7. Staff recommends motion to:

A) **adopt** a Resolution to approve Supplemental Agreement Number One (Supplemental) to the State Funded Grant Agreement (R2021-0562), dated June 4, 2021 (Agreement) with the State of Florida Department of Transportation (FDOT) for the construction of SR 7 at Weisman Way Intersection Improvements (Project);

B) **approve** the Supplemental to the Agreement in the amount of \$266,890 for the Project; and

C) **approve** a Budget Amendment of \$266,890 in the Road Impact Fee Zone 3 Fund to recognize the Supplemental funding from FDOT and appropriate it to the Project.

SUMMARY: Approval of this Supplemental and Budget Amendment will provide Palm Beach County (County) \$266,890 in additional County Incentive Grant Program (CIGP) grant funding for the Project. The Project will add an east approach right turn lane and replace the traffic signal. The grant amount is being modified to reflect current costs and estimates of the Project. **The total local match is \$771,890 which is 50% of the estimated Project cost.** The County will be responsible for all costs above the grant amount and for maintenance of improvements not located on the State Highway System after construction is complete. The Catalog of State Financial Assistance (CSFA) number for this grant is 55.008 CIGP. **This Project is included in the Five-Year Road Program. District 6 (YBH)**

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (cont'd.)

8. Staff recommends motion to:

A) adopt a Resolution to support the submittal of an application through the Palm Beach Transportation Planning Agency (TPA) to the Florida Department of Transportation (FDOT) State Road Modification Program (SRMP) for funding the installation of flashing yellow arrow(s) (FYA) at thirteen signalized intersections throughout Palm Beach County (County); and

B) approve the 2023 Application for Project Funding for State Road Modifications with the TPA.

SUMMARY: Adopting this Resolution will support the County's SRMP application submittal for improving the safety and operation of thirteen intersections owned by FDOT throughout the County (Project). If selected, the Project will be built by FDOT within the existing FDOT road right-of-way. As part of the application process, the TPA requires this Resolution to support the SRMP application submittal, and the County's commitment to operate and maintain the Project after construction, pursuant to the Traffic Signal Maintenance and Compensation Agreement between the County and the FDOT (R2018-0886), as may be amended (TSMCA). The Project is estimated to cost \$2,103,122.07 and the FDOT will administer, design and construct the Project on behalf of the County in an amount not to exceed \$5,000,000. The County will have no financial obligation if the Project is not selected. Countywide (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (cont'd.)

9. Staff recommends motion to:

- A) **adopt** a Resolution to approve Supplemental Agreement Number One (Supplemental) to the Local Agency Program (LAP) Agreement (R2022-0916), dated March 7, 2023 (Agreement) with the State of Florida Department of Transportation (FDOT) for the construction of improvements on Seminole Boulevard from Oswego Avenue to Okeechobee Boulevard (Project);
- B) **approve** the Supplemental to the Agreement that increases the grant funding to \$1,726,567 for the Project; and
- C) **approve** a Budget Amendment of \$784,567 in the Capital Outlay Fund to recognize the Supplemental funding from FDOT and appropriate it to the Project.

SUMMARY: Approval of this Supplemental and Budget Amendment will provide Palm Beach County (County) \$784,567 in additional grant funding for a total of \$1,726,567 for the Project. The Project will construct a multi-use pathway and install pedestrian lighting. The grant amount is being increased to reflect current costs and estimates of the Project. **The total local match is \$873,818 which is 33.6% of the estimated Project cost.** The Westgate Belvedere Homes Community Redevelopment Agency will be responsible for all costs above the grant amount and for maintenance of improvements after construction is complete. The Catalog of Federal Domestic Assistance (CFDA) number for this grant is 20.205 Highway Planning and Construction. District 7 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (cont'd.)

10. Staff recommends motion to approve:

- A) Consultant Service Authorization (CSA) No. 4 to the Annual Construction Engineering Inspection (CEI) Services Contract (R2021-0882) dated July 13, 2021 (Contract) with Mehta and Associates, Inc. (MAI) in the amount of \$676,033.50 for Westgate Avenue from Wabasso Drive to Congress Avenue (Project); and
- B) a Budget Amendment of \$811,234 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 and Budget Amendment will provide the professional services necessary for CEI services during construction. In an Interlocal Agreement (R2021-1897), dated December 21, 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 Contract was presented to the Goal Setting Committee (GSC) on November 6, 2019. The GSC applied Affirmative Procurement Initiatives of a 20% minimum mandatory Small Business Enterprise (SBE) participation and an SBE evaluation preference. MAI agreed to 20% SBE participation for the Contract. They agreed to 20.51% SBE participation for this CSA. Prior to this meeting date, approximately \$1,079,129 has been encumbered under this Contract. **This Project is included in the Five-Year Road Program. District 7** (YBH)

11. Staff recommends motion to approve: a Consultant Service Authorization (CSA) to the Annual Intersection Improvements Services Contract (R2020-0542) dated June 2, 2020 (Contract) with Propel Engineering Inc. (PEI) in the amount of \$103,207.98 for the High Ridge Road and Hypoluxo Road Intersection Improvements (Project). **SUMMARY:** Approval of this CSA will provide the professional services necessary to add a northbound to eastbound right turn lane, and upgrade the existing signal at the intersection. The Contract was presented to the Goal Setting Committee (GSC) on May 1, 2019. The GSC applied Affirmative Procurement Initiatives of a 20% minimum mandatory Small Business Enterprise (SBE) participation and an SBE evaluation preference. PEI agreed to 89% SBE participation for the Contract. They agreed to 90.15% SBE participation for this CSA. Prior to this meeting date, approximately \$1,049,245 has been encumbered under this Contract. PEI has an office located in Palm Beach County and is a certified SBE company. **This Project is included in the Five-Year Road Program. District 2** (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (cont'd.)

12. Staff recommends motion to:

A) adopt a Resolution to support the submittal of an application through the Palm Beach Transportation Planning Agency (TPA) to the Florida Department of Transportation (FDOT) State Road Modification Program (SRMP) for funding the replacement and upgrade of six signalized intersections and four pedestrian crossings throughout Palm Beach County (County); and

B) approve the 2023 Application for State Road Modifications with the TPA.

SUMMARY: Adopting this Resolution will support the County's SRMP application submittal for improving the safety and operation of six signalized intersections and four pedestrian crossings owned by FDOT throughout the County (Project). If selected, the Project will be built within the existing FDOT road right-of-way. As part of the application process, the TPA requires this Resolution to support the SRMP application submittal, and the County's commitment to operate and maintain the Project after construction, pursuant to the Traffic Signal Maintenance and Compensation Agreement between the County and the FDOT (R2018-0886), as may be amended (TSMCA). The Project is estimated to cost \$4,108,738.08 and the FDOT will administer, design and construct the Project on behalf of the County in an amount not to exceed \$5,000,000. The County will have no financial obligation if the Project is not selected. Countywide (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (cont'd.)

13. Staff recommends motion to:

A) adopt a Resolution to support the submittal of a Local Initiatives Program (LIP) grant application through the Palm Beach Transportation Planning Agency (TPA) to the Florida Department of Transportation (FDOT) for funding to replace and upgrade seven signalized intersections owned by Palm Beach County (County); and

B) approve the 2023 Application for Project Funding for Local Initiatives Construction Projects with the TPA.

SUMMARY: Adopting this Resolution will support the County's LIP application submittal for improving the safety and operation of seven intersections throughout the County, as listed in Exhibit A to the Resolution. If selected, the proposed Project will be built within the existing County or applicable municipal road right-of-way, and the County will enter into a grant reimbursement agreement with the FDOT. As part of the application process, the TPA requires this Resolution to support the LIP application submittal, and the County's commitment to design, construct, and operate and maintain the Project after construction. The LIP grant will fund the Project's construction costs, estimated at \$4,825,749.05. **The County's local participation funding is estimated to be \$1,987,080.79 of voluntary funding for the Project's design and construction management.** Funding provided by the LIP for construction will be programmed in 2028. Countywide (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (cont'd.)

14. Staff recommends motion to:

A) adopt a Resolution to support the submittal of a Transportation Alternatives Program (TAP) grant application through the Palm Beach Transportation Planning Agency (TPA) to the Florida Department of Transportation (FDOT) for funding to mill, resurface, and construct bicycle lanes on Camino Real between Spanish River Road and South Ocean Boulevard (Project); and to commit to fund the local share of Project delivery and the associated ongoing operation and maintenance expenses; and

B) approve the FDOT Transportation Alternatives Set-Aside Program Funding Application.

SUMMARY: Adopting this Resolution will support Palm Beach County's (County) TAP application submittal for funding to construct bicycle lanes on both sides of Camino Real, and milling and resurfacing an approximate 0.26-mile segment. If selected, the Project will be built within the existing County road right-of-way, and the County will enter into a grant reimbursement agreement with the FDOT. As part of the application process, the TPA requires this Resolution to support the TAP application submittal, and the County's commitment to design, construct, and operate and maintain the Project after construction. The TAP grant will fund 100% of the Project's construction at an estimated cost of \$725,416.54. **The County's local participation funding is estimated at \$458,325 of voluntary funding for the Project's design and construction management.** Funding provided by the TAP for construction will be programmed in 2028. District 4 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (cont'd.)

15. Staff recommends motion to:

A) adopt a Resolution to support the submittal of a Local Initiatives Program (LIP) grant application through the Palm Beach Transportation Planning Agency (TPA) to the Florida Department of Transportation (FDOT) for funding to install flashing yellow arrow(s) (FYA) at twenty-nine signalized intersections throughout Palm Beach County (County); and to commit to fund the local share of Project delivery and the associated ongoing operation and maintenance expenses; and

B) approve the 2023 Application for Project Funding for Local Initiatives Construction Projects with the TPA.

SUMMARY: Adopting this Resolution will support the County's LIP application submittal for improving the safety and operation of twenty-nine signalized intersections throughout the County, as listed in Exhibit A to the Resolution. If selected, the proposed Project will be built within the existing County or applicable municipal road right-of-way, and the County will enter into a grant reimbursement agreement with the FDOT. As part of the application process, the TPA requires this Resolution to support the LIP application submittal, and the County's commitment to design, construct, and operate and maintain the Project after construction. The LIP grant will fund the Project's construction costs, estimated at \$3,062,143.02. **The County's local participation is estimated to be \$1,631,020.93 of voluntary funding for the Project's design and construction management.** Funding provided by the LIP for construction will be programmed in 2028. Countywide (YBH)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. **Staff recommends motion to:** approve a Settlement Agreement, inclusive of attorney's fees and costs, in the total amount of \$165,000 in the personal injury action styled Hannah Syme v. Palm Beach County Board of County Commissioners, et al., Case No. 502020-CA-004229. **SUMMARY:** This is a personal injury lawsuit arising from a car accident on Silver Beach Road, just east of Congress Avenue in Riviera Beach. Plaintiff, Hannah Syme was a pedestrian on the sidewalk alongside Silver Beach Road, when she was struck from behind after a two-car collision sent one car off of the road and onto the sidewalk. The vehicle collision occurred along a stretch of road that was not properly striped by Palm Beach County after road construction had been completed there two years prior to the accident. This incident resulted in severe permanent injuries to Plaintiff. Palm Beach County has entered into a tentative settlement agreement with Ms. Syme in the total amount of \$165,000, inclusive of attorney's fees and costs, to settle the pending lawsuit. Countywide (SHH)

2. **Staff recommends motion to approve:** a settlement for damages in the civil rights action styled Robert W. Otto and Julie H. Hamilton v. City of Boca Raton, Fla. and Palm Beach County, Case No. 18-CV-80771, in Southern District Court, in the total amount of \$100,000, exclusive of attorney's fees and costs. **SUMMARY:** This is a civil rights lawsuit arising from the passage of Ordinance No. 2017-046 on December 19, 2017, by the Palm Beach County Board of County Commissioners. The ordinance prohibits providers from engaging in the practice of conversion therapy on minors. The proposed settlement pursuant to two (2) Offers of Judgment seeks to resolve all issues of the Plaintiffs' alleged damages, excluding reasonable attorney's fees and costs, through the date of the respective offers, February 22, 2023. Countywide (MS)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to approve: the appointment of one (1) new member to the Palm Beach County HIV Comprehensive AIDS Resources Emergency (CARE) Council, effective May 16, 2023:

<u>Seat No.</u>	<u>Appointment</u>	<u>Recommended By</u>	<u>Term Expires</u>
5	Tad Fuller	HIV CARE Council	03/21/2025

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. Per Resolution No. R2018-0015, the total membership for the HIV CARE Council shall be no more than 33 at-large members. Mr. Fuller has completed the HIV CARE Council’s nomination process and the HIV CARE Council recommends the appointments. Mr. Fuller is an employee of the Palm Beach County Housing Authority (Housing Authority) and will complete the unexpired term of Kristina Rowe. The Housing Authority contracts with the County for services. The HIV CARE Council provides no regulation, oversight, management, or policy setting recommendations regarding the subject contracts or transactions. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Section 2-443 of the Palm Beach County Code of Ethics. The diversity count for the 20 seats that are currently filled is African-American: 9 (45%), Hispanic-American: 6 (30%), Caucasian: 4 (20%), and Asian-American: 1 (5%). The gender ratio (female: male) is 11:9. Mr. Fuller is Caucasian. 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)

F. AIRPORTS

1. Staff recommends motion to receive and file: License Agreement with Gulfstream Product Support Corporation (Gulfstream), for use of property at the Palm Beach International Airport (PBI) for overflow vehicle parking in connection with two (2) one-day events at Gulfstream’s hangar at PBI on March 22, 2023, and April 12, 2023 for payment of a license fee in the amount of \$200. **SUMMARY:** Gulfstream maintains a hangar facility at PBI pursuant to a Fixed Based Operator Lease Agreement (R2017-0281, as amended). Gulfstream requested use of property along a roadway at PBI adjacent to the hangar for overflow vehicle parking in connection with events at the hangar. Delegation of authority for execution of the standard form County agreement above was approved by the Board in R2007-2070. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

2. **Staff recommends motion to receive and file:** Consent to Sublease, consenting to the sublease of space at the Palm Beach International Airport by Signature Flight Support LLC, (Signature) with Pro Pilot, effective as of March 1, 2023. **SUMMARY:** Signature provides fixed based operator services for general aviation aircraft at PBI pursuant to a Lease Agreement dated September 30, 2004 (R2004-1990, as amended), which provides for the sublease of space subject to the County's consent. Delegation of authority for execution of the standard form consent to sublease was approved by the Board in R94-1453. Countywide (AH)

3. **Staff recommends motion to receive and file:** License Agreement with Signature Flight Support LLC (Signature), commencing on April 14, 2023, and expiring on September 30, 2023, with automatic renewals on a monthly basis through September 30, 2025, for use of property at the Palm Beach International Airport (PBI) for overflow vehicle parking for payment of a license fee in the amount of \$75 per month, for each parking card issued by the Department of Airports. **SUMMARY:** Signature maintains a hangar facility at PBI pursuant to a Fixed Based Operator Lease Agreement (R2016-0560). Signature requested space for overflow employee vehicle parking on a short-term basis, pending the construction of additional parking at PBI. Sixty-five parking cards have been issued to Signature for an initial fee of \$4,875 per month. Delegation of authority for execution of the standard form County agreement above was approved by the Board in R2007-2070. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

4. Staff recommends motion to approve: Amendment No. 5 to the Construction Manager (CM) at Risk Contract (Contract) with Lebolo Construction Management, Inc. (Lebolo) for Miscellaneous Airport Improvements for Palm Beach County Department of Airports (Department), exercising the final one (1) year renewal option for the continuation of services. **SUMMARY:** The Contract with Lebolo for CM at Risk Services for Miscellaneous Airport Improvements for the Department was approved by the Board on August 20, 2019 (R2019-1222). The Contract is for 2 years with 3 one (1) year renewal options and is a task/work order based contract for CM at Risk services for the Department. Lebolo is based in Boynton Beach, Florida. Lebolo along with their S/MBE teaming partner Hatcher Construction & Development, Inc. (Hatcher) were one of two firms selected to provide project management and construction supervision services. The County exercised the first one (1) year renewal option on July 13, 2021 (R2021-0888). The County exercised the second one (1) year renewal option on July 12, 2022 (R2022-0676). The contract value to date is \$2,966,713.79. Approval of Amendment No. 5 will allow the County, at its sole discretion, to exercise the third, and final, one (1) year renewal option for the continuation of services provided under the CM at Risk Contract. The current cumulative S/M/WBE subcontractor participation for all work orders to-date under this Contract is 65.28%. In addition, Lebolo's S/MBE teaming partner, Hatcher, will provide 15% of the Construction Management Fees on projects assigned. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

5. Staff recommends motion to receive and file:

A) Airline Service Incentive Program Participation Agreement (Incentive Agreement) with Avelo Airlines (Avelo), providing for waiver of landing, ticket counter and gate fees from February 4, 2023, through February 4, 2025, for flights from Wilmington Airport, Delaware (ILG); and

B) Incentive Agreement with Avelo, providing for waiver of landing, ticket counter and gate fees from February 17, 2023, through February 17, 2025, for flights from Raleigh-Durham International Airport, North Carolina (RDU).

SUMMARY: Avelo entered into a Non-signatory Airline Agreement (R2022-0687), which permits airline operations at the Palm Beach International Airport (PBI). The Incentive Agreements waive landing, ticket counter and gate fees for flights from ILG and RDU for two years. Avelo will continue to pay baggage handling system charges that may apply to their ILG and RDU operations, as well as any and all charges applicable to other Avelo flight operations. Delegation of authority for execution of the standard form Airline Service Incentive Agreement was approved by the Board in R2014-0251 to market and promote new or expanded air transportation service at PBI by offering a promotional period. Countywide (AH)

6. Staff recommends motion to receive and file: License Agreement with Sixt Rent A Car LLC (Sixt), commencing as of March 1, 2023 and expiring October 31, 2023, with automatic month-to-month renewals through September 30, 2025, unless terminated; providing for the use of approximately 33,120 square feet of ground area at the Palm Beach International Airport (PBI) for the overflow parking of vehicles in connection with Sixt's rental car operations at PBI, for payment of license fees in the amount of \$2,208 per month. **SUMMARY:** Sixt uses property at PBI for overflow parking in support of their rental car operation at PBI under an Agreement for Rental Car and Lease Concession (R2022-0835). Delegation of authority for execution of the standard form license agreement was approved by the Board in R2007-2070. Countywide (AH)

7. Staff recommends motion to receive and file: License Agreement (Agreement) with Sky Chefs, Inc. (Sky Chefs), commencing on April 1, 2023, and initially expiring April 30, 2023, with automatic renewals on a monthly basis through September 30, 2025, for Sky Chefs to use ramp space for airline catering truck parking at the Palm Beach International Airport (PBI) for payment of a license fee in the amount of \$750 per month. **SUMMARY:** Sky Chefs provides food and beverage services to airlines at PBI through their In-Flight Catering Permit (Permit) (R2016-1676). Sky Chefs requested ramp space to park up to three (3) airline catering trucks used in conjunction with their Permit. Delegation of authority for execution of the standard form License Agreement was approved by the Board in R2007-2070. Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **Staff recommends motion to receive and file:** The Quarter Ending 03-31-2023 information for Children's Services Council of Palm Beach County (CSCPBC). **SUMMARY:** The CSCPBC has submitted their Quarter Ending 03-31-2023 information as per section number 125.901(3)(f), Florida Statutes. The statement reflects only expenditures and receipts during the quarter. Countywide (DB)

2. **Staff recommends motion to receive and file:** Annual Report for the Fiscal Year ending September 30, 2022 from the West Palm Beach Community Redevelopment Agency (WPB CRA). **SUMMARY:** The WPB CRA has submitted its Annual Report for the Fiscal Year ending September 30, 2022 as per section numbers 163.356(3)(d) and 163.387(8), Florida Statutes. Countywide (DB)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: Work Order No. 23-003 to the annual sports field lighting installation contract (R2019-1312) with Davco Electrical Contractors Corp. (Contractor) in the amount of \$357,473 for the Caloosa Park-Sports Field Lighting Replacement project for a period of 150 calendar days from notice to proceed. **SUMMARY:** The project consists of the replacement of the sports field lighting at the tennis and basketball courts located at Caloosa Park. The sports field lighting at the tennis and basketball courts have outlived their useful life and will be replaced with new high efficiency LED lighting and controls. The replaced lighting will be more efficient and provide years of dependable service. Work Order 23-003 authorizes the construction services necessary to furnish all materials, labor, supervision, permits and supplies necessary for the Caloosa Park-Sports Field Lighting Replacement project. This project was competitively advertised and new contractors were invited to bid by submitting prequalification documents prior to the submission of the bid response. The Contractor will have 150 calendar days from notice to proceed to substantially complete the project. Liquidated damages for failure to achieve certification of substantial completion within the contract time or approved time extension thereof are \$200 per day. This Work Order was solicited pursuant to the annual sports field lighting installation contract and the requirements of the Equal Business Opportunity (EBO) Ordinance. The annual sports field lighting installation contract was presented to the Goal Setting Committee on March 20, 2019. The Committee applied the following Affirmative Procurement Initiatives (APIs) of sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or a Small Business Enterprise (SBE) contractor will be given a price preference for projects \$100,000 or greater if its bid is within 10% of the lowest non-small business bid. Since this project is greater than \$100,000, the price preference API was applied. There is no SBE participation for this Work Order. Cumulative SBE participation on the annual sports field lighting installation contract is 17.77%. The Contractor is a Palm Beach County business. **Funding for this project is from the Infrastructure Sales Tax Fund.** (Capital Improvements Division) District 4 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

2. Staff recommends motion to approve: Work Order No. 23-016 to the annual minor construction services contract (R2020-1345) with Republic Construction Corp (Contractor) in the amount of \$470,500 for the Criminal Justice Building A- Mail Room project for a period of 180 calendar days from notice to proceed. **SUMMARY:** The project consists of the renovation/buildout of an existing one story approximately 1600 square foot building to serve and function as a department mail receiving/processing facility. The renovation includes, but is not limited to: a complete buildout of the current space to include an office, mail pickup/sorting station, staff work stations, breakroom and a unisex restroom. Work Order 23-016 authorizes the construction services necessary to furnish all material, labor, supervision, permits and supplies necessary for the Criminal Justice Building A- Mail Room project. This project was competitively advertised and new contractors were invited to bid by submitting prequalification documents prior to the submission of the bid response. The Contractor will have 180 calendar days from notice to proceed to substantially complete the project. Liquidated damages for failure to achieve certification of substantial completion within the contract time or approved time extension thereof are \$235 per day. This Work Order was solicited pursuant to the annual minor construction services contract and the requirements of the Equal Business Opportunity (EBO) Ordinance. The annual minor construction services contract was presented to the Goal Setting Committee on August 21, 2019. The Committee applied the following three Affirmative Procurement Initiatives (APIs): 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 \$100,000 or greater. Since this is a multi-trade project greater than \$100,000, the mandatory 25% SBE subcontracting goal API was applied. SBE participation for this Work Order is 25.07%. Cumulative SBE participation on the annual minor construction services contract is 58.27%. The Contractor is a Palm Beach County business and a graduate from the EBO program. Funding for this project is from the Public Building Improvement Fund. (Capital Improvements Division) District 3 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

3. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 8 to the continuing architectural/engineering consulting services contract (R2019-1898) with Architecture Green LLC (Consultant) in the amount of \$135,662.96 for the Convention Center 1st and 2nd Floor Public Restroom Renovations project. **SUMMARY:** On December 17, 2019, the Board of County Commissioners (Board) approved the continuing architectural/engineering consulting services contract (R2019-1898) with the Consultant to provide architectural/engineering services for various projects. Under CSA No. 8, the Consultant will provide the professional services (i.e. design, construction document preparation, permitting and construction administration services) necessary for the Convention Center 1st and 2nd Floor Public Restroom Renovations project. The Consultant will provide a modern, durable and aesthetic design for interior renovations/improvements which complies with current American with Disabilities Act (ADA) requirements for the Convention Center 1st and 2nd Floor Public Restroom Renovations project. The continuing architectural/engineering consulting services contract was presented to the Goal Setting Committee on August 7, 2019 and the Committee established Affirmative Procurement Initiatives (APIs) of a minimum mandatory 20% Small Business Enterprise (SBE) participation and an SBE evaluation preference for the selection. The Consultant committed to achieving an SBE goal of 100%. The SBE participation on this CSA is 80.37%. Cumulative SBE participation on the contract is 89.92%. The Consultant is a local and SBE certified firm. Funding for this project is from the TDC – Bldg Renewal & Replacement Fund. (Capital Improvements Division) District 2 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

4. Staff recommends motion to receive and file:

A) A Standard License Agreement for Use of County-Owned Property for the period of March 8, 2023 through March 7, 2026, with The AREC Repeater Group Inc., for continued placement of Communication Equipment (County Equipment Building located at WWTP, 5801 Ernest Street, Unit 2, WPB, FL); and

B) A Standard License Agreement for Use of County-Owned Property for the period of February 13, 2023 through February 12, 2026, with Foundcare, Inc., to park its mobile health vehicle at the Palm Beach County's Community Services Department North County Office Parking Lot (located at 1440 Martin Luther King Jr Blvd, Riviera Beach) and provide primary care services to residents.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The attached standard agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator or designee, who in this case was the Director of the Facilities Development and Operations Department. The Standard License Agreement was approved in accordance with R2010-0333, as amended and approved by the Board on October 1, 2013. These executed documents are now being submitted to the Board to receive and file. (FDO Admin) Countywide (YBH)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

5. Staff recommends motion to receive and file:

- A) Second Amendment to Interlocal Agreement with Town of Juno Beach dated February 13, 2023 to extend the term of the Agreement for acceptance of Town referred individuals into the Homeless Resource Center (HRC) beginning from March 28, 2023 through March 27, 2028;
- B) Second Amendment to Interlocal Agreement with City of Riviera Beach dated February 13, 2023 to extend the term of the Agreement for acceptance of City referred individuals into the Homeless Resource Center (HRC) beginning retroactively from August 30, 2022 through August 29, 2027;
- C) Second Amendment to Interlocal Agreement with Town of Jupiter Inlet Colony dated February 13, 2023 to extend the term of the Agreement for acceptance of Town referred individuals into the Homeless Resource Center (HRC) beginning retroactively from May 21, 2022 through May 20, 2027;
- D) Second Amendment to Interlocal Agreement with City of West Palm Beach dated February 13, 2023 to extend the term of the Agreement for acceptance of City referred individuals into the Homeless Resource Center (HRC) beginning retroactively from May 22, 2022 through May 21, 2027; and
- E) Second Amendment to Interlocal Agreement with City of Belle Glade dated February 13, 2023 to extend the term of the Agreement for acceptance of City referred individuals into the Homeless Resource Center (HRC) beginning retroactively from July 11, 2022 through July 10, 2027.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The attached interlocal agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator or designee, which in this case was the Director of Facilities Development and Operations (FDO). The Standard Interlocal Agreement was approved by the Board on December 20, 2011 with Agenda Item 3H-7. These executed documents are now being submitted to the Board to receive and file. (FDO Admin) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

6. Staff recommends motion to receive and file: Consultant Services Authorization (CSA) No. 21 to the project specific contract (R2015-1459) with Leo A. Daly Company (Consultant) in the amount of \$38,919 for the Main Detention Center (MDC) Phase III - East Tower Interior Painting project. **SUMMARY:** On October 20, 2015, the Board of County Commissioners (Board) approved the project specific contract (R2015-1459) with the Consultant to provide professional services for various renewal/replacement (R/R) projects at County Detention Facilities. CSA No. 21 authorized professional services associated with the surface preparation, priming and repainting of the interior of the existing East Tower in the amount of \$38,919. In accordance with Policy and Procedure Memorandum (PPM) CW-F-050, when the cumulative value of changes or additional work exceeds the greater of \$250,000 or 5% of the original contract value (Threshold Amount), then an agenda item notifying the Board of the item that puts the cumulative value in the excess category must be presented as a receive and file. The cumulative value of CSAs, including CSA No. 21, totals \$408,157.74. This agenda item is being submitted to notify the Board that the cumulative value of additional work is in excess of the \$250,000 Threshold Amount established by PPM CW-F-050. The Consulting Services/Design Professional Services contract for the Detention Facilities R/R projects was awarded under the Small Business Enterprise (SBE) Ordinance in place at the time with an SBE participation goal of 15%. There is no SBE participation on this CSA. Cumulative SBE participation on the contract is 23.85%. The Consultant is a Palm Beach County Business. **Funding for this project is from the Infrastructure Sales Tax Fund.** (Capital Improvements Division) District 3 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

7. Staff recommends motion to approve: annual contracts with the following contractors for asphalt, pavers and pathway construction services on an as-needed basis through May 15, 2028:

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non- SBE</u>
A) M & M Asphalt Maintenance Inc., D/B/A All County Paving	Local	Non-SBE
B) R & D Paving, LLC	Local	S/WBE

SUMMARY: The purpose of this annual contract is to pre-qualify contractors to provide asphalt, pavers and pathway construction services on an as-needed basis. The specific requirements of the work shall be determined by individual work orders issued against this annual asphalt, pavers and pathway construction services contract. These contracts are five (5) year indefinite-quantity contracts with a maximum cumulative value of \$3,000,000 across all prequalified contractors. Work will be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors may qualify at any time and be added to this annual asphalt, pavers and pathway construction services contract before the term ends. Projects less than \$100,000 are bid among the pool of certified Small Business Enterprise (SBE) contractors, when three (3) or more small businesses are qualified under the contract. Projects \$100,000 or greater are advertised on the County's vendor self-service (VSS) website while projects \$200,000 or greater are additionally advertised in the newspaper. The bidding pool is further expanded to include additional bidders responding to the specific project advertisement that submit a qualification application at least ten (10) calendar days before the bid due date. Currently two (2) contractors are prequalified. The annual asphalt, pavers and pathway construction services contract was presented to the Goal Setting Committee on January 4, 2023 and the Committee established Affirmative Procurement Initiatives (APIs) of sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or an SBE contractor will be given a price preference for projects \$100,000 or greater if its bid is within 10% of the lowest non-small business bid. 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. (Capital Improvements) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

8. Staff recommends motion to approve: Amendment No. 2 to extend the term of the contract (R2017-0773) with Jacobs Project Management Co. (Jacobs) to provide program management services for the General Government Capital Program (GGCP) from June 6, 2023 through June 5, 2024, and increase labor rates as allowed by contract provisions. **SUMMARY:** On June 6, 2017, the Board of County Commissioners (Board) approved the contract (R2017-0773) with Jacobs to provide program management services to assist the Facilities Development Operations Department (FDO)/Capital Improvements Division (CID) with the implementation of the GGCP, which includes the Infrastructure Sales Tax Program and general government 5-Year Capital Improvement Plan. The original contract term was five (5) years with an option to renew for five (5) additional one-year terms. On May 17, 2022, the Board approved Amendment No. 1 (R2022-0487) for the first renewal which authorized revisions to contract terms and conditions; set new hourly rates (labor rates and multiplier), incorporated the E-verify language, and added two staff members (i.e. an estimator and a project manager) to the personnel complement provided by Jacobs. The contract is set to expire on June 5, 2023. Amendment No. 2 exercises the second renewal option to extend the contract through June 5, 2024. Additionally, Amendment No. 2 sets new hourly rates (labor rates) for Jacobs' personnel and subconsultants that will perform services during the term of the contract. The contract allows the raw labor rates to be adjusted for the Consumer Price Index (CPI) up to 3% after the first 2 years. Unlike typical consultant contracts, a Notice to Proceed (NTP) will need to be issued annually by October 1st for approval as part of the annual GGCP in the upcoming budget year. The NTP will be issued administratively in an amount not to exceed the amount approved as part of the annual capital improvement program. If the NTP is not issued by October 1st of each fiscal year (FY), then the County may terminate the contract. The contract value under Amendment No. 2 is for a not to exceed amount of \$1,634,879.30. However, this item only authorizes expenses for the remainder of FY 2023 of \$545,220.61, which will be reflected in the NTP issued to Jacobs following the approval of this item. The Office of Equal Business Opportunity (OEBO) has reviewed the existing SBE participation and approved this extension request under the existing SBE contract terms. This contract was advertised according to the County's prior Small Business Enterprise (SBE) program where a 15% subcontracting goal was applied. To date, the overall SBE participation on this contract is 17.20%. Jacobs is not a certified SBE firm but has an office located in Palm Beach County. **All program management costs (Estimator, Project Executive, Sr. Project Manager, Program Controls Manager and project controls set-up) will be capitalized to the Infrastructure Sales Tax projects and the costs associated with the Project Managers and Field Inspectors will be charged to the applicable projects.** (Capital Improvements Division) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

9. Staff recommends motion to receive and file: Consultant Services Authorization (CSA) No. 10 to the project specific contract (R2019-1586) with Song & Associates, Inc. (Consultant) in the amount of \$38,280 for the Supervisor of Elections Production Facility (SOE) project. **SUMMARY:** On October 8, 2019, the Board of County Commissioners (Board) approved the project specific contract (R2019-1586) with the Consultant to provide professional services for the SOE project. CSA No. 10 authorized additional professional services which include storm water pollution prevention plan inspection services in the amount of \$38,280. In accordance with Policy and Procedure Memorandum (PPM) CW-F-050, when the cumulative value of changes or additional work exceeds the greater of \$250,000 or 5% of the original contract value (Threshold Amount), then an agenda item notifying the Board of the item that puts the cumulative value in the excess category must be presented as a receive and file. The cumulative value of CSAs, including CSA No. 10, totals \$360,014. This agenda item is being submitted to notify the Board that the cumulative value of additional work is in excess of the \$250,000 Threshold Amount established by PPM CW-F-050. The solicitation for the design professional was advertised on June 9, 2019 pursuant to the requirements of the Equal Business Opportunity (EBO) Ordinance. The contract was presented to the Goal Setting Committee on May 15, 2019 and the Committee established Affirmative Procurement Initiatives (APIs) of a minimum mandatory 20% Small Business Enterprise (SBE) participation and an SBE evaluation preference for the selection. The Consultant committed to achieving an SBE goal of 80%. There is no SBE participation on this CSA. Cumulative SBE participation on the contract is 81.96%. The Consultant is a Palm Beach County Business. Funding for this project is from 51.05M NAV Pub Imp Rev Bonds, 21A, CP, SOE Bldg. Fund. (Capital Improvements Division) District 7 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

10. Staff recommends motion to receive and file: Consultant Services Authorization (CSA) No. 4 to the project specific contract (R2017-0594) with Leo A. Daly Company (Consultant) in the amount of \$60,845 for the Palm Beach Sheriff's Office (PBSO) Headquarters Renewal/Replacement/Renovation (R/R/R) project. **SUMMARY:** On May 2, 2017, the Board of County Commissioners (Board) approved the project specific contract (R2017-0594) with the Consultant to provide professional services for the PBSO Headquarters R/R/R project in the amount of \$1,149,931. CSA No. 4 authorized professional services for changes to the mechanical and associated electrical design in the amount of \$60,845. In accordance with Policy and Procedure Memorandum (PPM) CW-F-050, when the cumulative value of changes or additional work exceeds the greater of \$250,000 or 5% of the original contract value (Threshold Amount), then an agenda item notifying the Board of the item that puts the cumulative value in the excess category must be presented as a receive and file. The cumulative value of CSAs, including CSA No. 4, totals \$266,668. This agenda item is being submitted to notify the Board that CSA No. 4 puts the cumulative value of additional work in excess of the \$250,000 Threshold Amount established by PPM CW-F-050. The Consulting Services/Design Professional Services contract for the PBSO Headquarters R/R/R project was awarded under the Small Business Enterprise (SBE) Ordinance in place at the time with an SBE participation goal of 26.5%. The SBE participation on this CSA is 79.91%. Cumulative SBE participation on the contract is 27.37%. The Consultant is a Palm Beach County Business. **Funding for this project is from the Infrastructure Sales Tax Fund.** (Capital Improvements Division) District 2 (MWJ)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to:

A) approve a request for an Amendment to the Bond dated November 2, 2012, R2012-1447, as previously amended, and a Consolidated Amendment to Bond Documents amending the Bond Purchase and Loan Agreement dated November 2, 2012, as previously amended per R2018-1629, pursuant to which such Bond was issued to refinance a project on behalf of the Young Men’s Christian Association of South Palm Beach County, Inc.; and

B) adopt a Resolution of the Board of County Commissioners of Palm Beach County, Florida authorizing certain amendments to the Industrial Development Revenue Bond (Young Men’s Christian Association of South Palm Beach County, Inc.) Series 2012 (as previously amended, the “2012 Bond”), previously issued in an aggregate principal amount not exceeding \$8,805,000, for the purpose of making a loan to refinance a project on behalf of the Young Men’s Christian Association of South Palm Beach County, Inc.; confirming that such revenue bonds shall not constitute a debt, liability or obligation of Palm Beach County, Florida or the State of Florida or any political subdivision thereof, but shall be payable solely from the revenues herein provided; approving and authorizing the execution and delivery of the documents necessary to complete such amendments.

SUMMARY: The 2012 Bond was issued on November 2, 2012 to refinance a project consisting of the construction, installation and equipping of recreational facilities for the Young Men’s Christian Association of South Palm Beach County, Inc., located at 9600 South Military Trail, Boynton Beach, FL 33436 and at 6631 Palmetto Circle, Boca Raton, FL 33436. The proposed amendments will (a) modify the terms of the 2012 Bond to, among other things, convert the interest calculation from a London Interbank Offer Rate (LIBOR) based index to a Term Secured Overnight Financing Rate (SOFR) based index for the 2012 Bond; and (b) make corresponding amendments to the Bond Purchase and Loan Agreement. **Neither the taxing power nor the faith and credit of the County nor any County funds, shall be pledged to pay the principal, premium, if any, or interest on the 2012 Bond.** Districts 2 and 4 (DB)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT (cont'd.)

2. [Staff recommends motion to receive and file:](#) Amendment 003 to Loan Agreement R2020-1886 with HTG Banyan, LLC for \$550,000, for the construction of ninety-four (94) rental housing units, extending the completion date from December 31, 2022 to March 31, 2023. **SUMMARY:** HTG Banyan, LLC, was provided \$550,000 in HOME funding toward the construction of ninety-four (94) rental housing units located at the northeast corner of N. Tamarind Avenue and Banyan Boulevard in West Palm Beach. COVID-19 and supply chain issues impacted the project thereby requiring an extension of the project completion date from December 31, 2022 to March 31, 2023. The project has been completed. Amendment 003 was executed on March 17, 2023, on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development in accordance with Agenda Item 5A-3 as approved by the BCC on February 11, 2020. County PPM CW-O-051 provides that all delegated contracts, agreements and grants must be submitted by the initiating department as a receive and file agenda item. **HOME Program grant funds are Federal funds which require a 25% local match provided by SHIP funds.** District 7 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT (cont'd.)

3. Staff recommends motion to:

- A) **receive and file** Notice of Withdrawal Letter terminating the Economic Development Incentive Agreement R2020-1775; dated November 17, 2020, with Levatas, LLC (Levatas);
- B) **approve** a Budget Transfer of \$35,000 from the Economic Development Incentive Fund to the General Fund; and
- C) **approve** a Budget Amendment of \$35,000 increasing the General Fund Contingency Reserves to recognize the transfer from the Economic Development Incentive Fund.

SUMMARY: On November 17, 2020, the Board of County Commissioners (BCC) entered into an Economic Development Incentive Agreement with Levatas to provide a cash grant in an amount not to exceed \$35,000 in local matching support under the State of Florida (State) Qualified Target Industry Tax (QTI) Refund Program (\$350,000). Levatas is a high-tech marketing agency using artificial intelligence to create targeted ad campaigns for clients. The Economic Development Incentive Agreement required Levatas to make a minimum capital investment of \$1.25 million, create 50 new jobs over a four (4) year period, and maintain 57 existing jobs. Levatas has notified the State and the BCC that it wishes to withdraw from the State's QTI Agreement, and therefore, the Economic Development Incentive Agreement. The effective date of termination was January 31, 2023. Levatas received no funding from the BCC under the Economic Development Incentive Agreement. The undisbursed \$35,000 funded by the general fund contingency reserve is being returned to the general fund. District 7 (DB)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT (cont'd.)

4. Staff recommends motion to receive and file:

A) Amendment 002 to the agreement with Town of Lantana, dated November 2, 2021 (R2021-1612) (the "2021 Agreement"), reducing funding from \$133,000 to \$67,210 to reflect the actual contract award for playground improvements within Maddock Park; and

B) Amendment 002 to the agreement with Town of Lantana, dated October 18, 2022 (R2022-1212) (the "2022 Agreement") to increase funding from \$55,740 to \$121,530 for improvements to the dog park within Maddock Park.

SUMMARY: The 2021 Agreement provided \$133,000 in funding for playground improvements in Maddock Park, located at 1200 W. Drew Street, within the Town of Lantana. Amendment 002 to the 2021 Agreement reduces the funding amount (by \$65,790) from \$133,000 to \$67,210, which reflects the actual construction contract amount awarded. The reduction of \$65,790 in CDBG funds will be reallocated to the 2022 Agreement for improvements to the dog park within Maddock Park. This activity occurred via an Action Plan Amendment to FY2021-2022 by the Department of Housing and Economic Development (DHED). Amendment 002 to the 2021 Agreement has been executed on behalf of the Board of County Commissioners (BCC) by the Director of DHED, in accordance with R2021-0948; dated July 13, 2021 that delegated authority to the County Administrator or designee. The 2022 Agreement provided \$55,740 in funding for improvements to the dog park in Maddock Park. Amendment 001 to the 2022 Agreement provided for an extension of the contract award date, and this Amendment 002 to the 2022 Agreement increases the funding amount (by \$65,790) from \$55,740 to \$121,530. This activity occurred via an Action Plan Amendment to FY2021-2022 by the DHED, as approved on April 22, 2023. Amendment 002 to the 2022 Agreement has been executed on behalf of the BCC by the Director of DHED, in accordance with R2022-0746; dated July 12, 2022, that delegated authority to the County Administrator or designee. County PPM CW-O-051 provides that all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. **These are Federal CDBG funds which require no local match.** District 7 (HJF)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to approve: Reappointment of Gregory Miller to the Building Code Advisory Board (BCAB).

<u>Reappointment</u>	<u>Seat</u>	<u>Requirement</u>	<u>Recommended By</u>	<u>Term</u>
Gregory S. Miller	16	Industry Association	Gold Coast Builders Assoc.	4/18/23 - 4/17/26

SUMMARY: The Building Code Advisory Board (BCAB) was established by a Special Act of the Florida Legislature in 1974, and amended in 2001. The term of office for board members is three years with no limit to the number of terms a member may serve. The Board is comprised of 16 members; one registered architect appointed from nominees submitted by the Palm Beach Chapter of the American Institute of Architects (AIA); one professional engineer appointed from nominees submitted by the Palm Beach Chapter of the Florida Engineering Society (FES); seven members appointed from nominees submitted by any recognized regional industry trade association; and seven Building Officials, one from each commission district, appointed from nominees submitted by the Building Officials Association of Palm Beach County (BOAPBC). This Advisory Board has 16 seats, 14 currently filled and 2 vacancies, and a diversity count of Caucasian: 10 (72%), African-American: 2 (14%), Asian-American: 1 (7%) and Hispanic-American: 1 (7%). The gender ratio (male: female) is 13:1. The nominee is a Caucasian male. Staff has addressed the need to increase diversity within our boards and will continue to encourage this in an effort to expand the Boards diversity. Countywide (RM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. Staff recommends motion to approve:

A) Work Order (WO) No. 1 to the Continuing Contract for Wastewater Gravity Lines and Manhole Rehabilitation (Contract) with Hinterland Group Inc., (Hinterland) for the 2023 Gravity Main, Laterals and Manhole Rehabilitation; Phase 1 (Project) in the amount of \$3,998,888.10; and

B) a \$2,804,000 Budget Transfer in the Water Utilities Department Capital Improvement Fund to establish budget for the entire project.

SUMMARY: On June 7, 2022, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2022-0560) with Hinterland. WO No. 1 provides for the rehabilitation of approximately 19,500 linear feet of existing wastewater gravity lines, 9,300 linear feet of existing wastewater laterals and 63 wastewater manholes; for basin 1052 within the City of Boca Raton, and basins 8101, 8103, 8109 and 8121 within the City of Belle Glade. The required work will include cleaning of the wastewater gravity lines and manholes, video inspection, and rehabilitation of the pipelines, laterals and manholes where necessary. The Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On August 23, 2021, the Goal Setting Committee applied an Affirmative Procurement Initiative of a mandatory 5% Small Business Enterprise (SBE) subcontracting participation. The Contract provides for 5.13% SBE participation which includes 0.79% MBE participation, 0.79% (H). WO No. 1 includes 2.79% SBE participation which includes 2.29% MBE, 2.29% (H). The cumulative SBE participation including WO No. 1 is 2.79% which includes 2.29% MBE participation, 2.29% (H). Hinterland is a Palm Beach County based company. The Project is included in the PBCWUD FY23 budget (PBCWUD Project 23-022) Districts 5 and 6 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

2. Staff recommends motion to approve: Change Order (CO) No. 4 with TLC Diversified, Inc. (Contractor) for the Improvements to Master Repump Station 9-North (Project) for a project time extension of 160 calendar days. **SUMMARY:** On July 13, 2021 the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2021-0908) with Contractor. The Project provides for the rehabilitation of Master Repump Station 9-North. Work includes mechanical, electrical, and civil rehabilitation, including a new pump, piping, valve replacements, instrumentation, control panels, electrical switchgear, drives, a new standby generator and temporary bypass pumping. CO No. 4 will extend the contract time by 160 calendar days due to the delay of the delivery of the generator. These delays are beyond the control of the Contractor and impact the critical path of the construction schedule. The Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On January 20, 2021 the Goal Setting Committee applied an Affirmative Procurement Initiative of a minimum mandatory 20% Small Business Enterprise (SBE) participation. The Contract provides for 20.87% SBE participation, which includes 14.52% MBE participation, 14.52% MBE (B). CO No. 4 includes 0.00% SBE participation, which includes 0.00% MBE participation, 0.00% MBE (B). The cumulative SBE participation including CO No. 4 is 19.50% SBE participation, which includes 13.57% MBE participation, 13.57 MBE (B). TLC is headquartered in Palmetto, Florida, but maintains an office in Palm Beach County from which the majority of the work will be undertaken. The Project is included in the PBCWUD FY23 budget. (PBCWUD Project 18-036) District 5 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

3. Staff recommends motion to approve: a 2022 Pipeline Continuing Construction (Contract) with:

A) Johnson-Davis Incorporated (Johnson-Davis) in the amount of \$28,440,000; and

B) Hinterland Group Inc. (Hinterland) in the amount of \$33,760,413 for a one (1) year term with an optional two (2) one (1) year renewals.

SUMMARY: On November 22, 2022, the Palm Beach County Water Utilities Department (PBCWUD) received three (3) bids for Contract. The Contract(s) will provide the necessary services to expedite utility special assessment projects and other pipeline improvement projects throughout PBCWUD's service area where timing is critical. The Contract(s) awarded are for the unit bid prices received and overall bid dollar amount(s) of \$28,440,000 from Johnson-Davis and \$33,760,413 from Hinterland, which was utilized to establish the unit prices for work under this Contract(s). The Contracts do not guarantee or authorize Contractor(s) to perform any work. Work will be assigned during a one (1) year period with an optional two (2) one (1) year renewals by Work Orders drawn against the Contract, subject to approval pursuant to the requirements of PPM CW-F-050. The unit prices contained in the Contract(s) will be used to determine the amount of each Work Order. These Contracts were procured under the requirements of the Equal Business Opportunity Ordinance. On September 8, 2022, the Goal Setting Committee applied an Affirmative Procurement Initiative (API) of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting participation of which 5% shall be among certified African American and/or Hispanic American owned firms. The Contractor(s) have met the established API. Johnson-Davis' Contract provides for 20.83% SBE participation, which includes 5.52% MBE participation, 5.38% MBE (H) and 0.13% MBE (B). Hinterland's Contract provides for 20.96% SBE participation, which includes 5.85% MBE participation, 5.85% MBE (H). The Contractor(s) are Palm Beach County based companies. The Contracts are included in the PBCWUD FY23 and FY24 budgets; and complied with all bidding requirements. (PBCWUD Project No. 22-032) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

4. Staff recommends motion to:

- A) **approve** a Contract for the Century Village South Water Main Improvements (Project) with B&B Underground Construction Inc. (Contractor) in the amount of \$2,990,765;
- B) **approve** an Agreement with Cen-West Communities, Inc. (Cen-West) relating to Coordination of Utility Construction (Cen-West Agreement); and
- C) **authorize** the County Administrator or designee to execute a memorandum modifying the list of improvements attached as Exhibit A to the Cen-West Agreement.

SUMMARY: On December 14, 2022, the Palm Beach County Water Utilities Department (PBCWUD) received one (1) bid for the Project. Contractor was determined to be the lowest responsive and responsible bidder in the amount of \$2,990,765. The Project provides for all materials, labor, supervision, equipment, supplies, fees, expertise, and services necessary for the installation of 37 meter assemblies ranging in size from 1.5-inch to 6-inch with associated appurtenances. The Project also includes installation of backflow preventers, site restoration, landscaping, stripping, and asphalt restoration within Century Village South, a residential community. Per the Cen-West Agreement, the County will be responsible for the costs associated with the water meter improvements, and Cen-West will be responsible for the costs associated with the backflow preventer improvements in the amount of \$787,905. Upon completion of the Project, the backflow preventer assemblies will be owned, operated, and maintained by Cen-West. The delegation of authority to the County Administrator or designee will allow for the list of improvements, and associated payment responsibility, to be modified without further Board of County Commission action. This Project was procured under the requirements of the Equal Business Opportunity Ordinance. On June 15, 2022, the Goal Setting Committee applied an Affirmative Procurement Initiative (API) of a minimum mandatory 12% Small Business Enterprise (SBE) subcontracting participation of which 3% shall be among certified African American and/or Hispanic American owned firms. Contractor has met the established API. The Contract provides for 100.00% SBE participation, which includes 3.69% MBE participation, 3.14% MBE (H) and 0.55% MBE (B). Contractor is a Palm Beach County based company. The Project is included in the PBCWUD FY23 budget. (PBCWUD Project No. 20-056R) District 5 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

5. Staff recommends motion to receive and file: Four (4) executed Standard Potable Water and Wastewater Development Agreements for the month of December 2022 and the month of January 2023.

A) Standard Potable Water and Wastewater Development Agreement with PBA Holdings, INC., SDA #11-01019-000 (District 6), Recorded in OR BK 34026 PG 1338;

B) Standard Potable Water and Wastewater Development Agreement with Boynton Beach Marketplace, LLC, SDA #05-11133-000 (District 5), Recorded in OR BK 34080 PG 1938;

C) Standard Potable Water and Wastewater Development Agreement with MF Associates Trails Landing, LLC, SDA # 05-00010-000 (District 2), Recorded in OR BK 34080 PG 1949; and

D) Standard Potable Water and Wastewater Development Agreement with HSC West Palm Beach, LLC, SDA # 01-01278-000 (District 2), Recorded in OR BK 34080 PG 1958.

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

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 0090-02 to a continuing Contract with Olsen Associates, Inc. (Olsen) in the amount of \$227,979.42 to provide professional engineering, environmental surveys, reporting, and documentation to be used in permit required monitoring. **SUMMARY:** On January 24, 2023, the Board of County Commissioners approved the Contract (R2023-0090) with Olsen, a Jacksonville company. CSA No. 0090-02 authorizes Olsen to conduct yearly topographic and hydrographic surveying required by regulatory permits. The CSA also contains optional tasks for post-hurricane surveys and damage assessment reports to aid in securing disaster assistance funding. Costs will be paid from the Beach Improvement Fund. The Contract requires Olsen to adhere to 20% mandatory Small Business Enterprise (SBE) subcontracting goal as the Affirmative Procurement Initiative. Olsen has agreed to 48% SBE participation. The SBE participation for this CSA is 73.46%. Districts 1 and 4 (YBH)

2. Staff recommends motion to:

A) approve State of Florida Department of Environmental Protection (FDEP) Standard Grant Agreement No. 23PB8 (Agreement) for an amount not to exceed \$962,759.06 providing for construction expenses to repair erosional damage related to Hurricanes Ian and Nicole (Project) beginning November 1, 2022 and expiring December 31, 2025;

B) approve a Budget Amendment of \$962,760 in the Beach Improvement Fund to recognize the revenue award from FDEP; and

C) authorize the County Administrator, or designee, to sign all future time extensions, task assignments, certifications, and other forms associated with the Agreement, and any necessary minor amendments that do not substantially change the scope of work, terms, or conditions of the Agreement.

SUMMARY: The Agreement reimburses the County up to \$962,759.06 for eligible construction costs for storm repairs completed as a result of Hurricanes Ian and Nicole. Laws of Florida Chapter 2022-272 SB4-A authorized FDEP to waive or reduce match requirements for certain local governments and provided non-recurring funds for damages related to Hurricane Ian and Hurricane Nicole for beach erosion projects as identified in Section 161.101(22), Florida Statute (F.S.). The Agreement is retroactive to November 1, 2022. The Agreement contains an indemnification and termination provision that differs from that adopted for use by the County under PPM CW-F-049. In accordance with PPM CW-F-049, the Risk Management Department and the County Attorney's Office have reviewed the terms and agreed to the deviations, taking into consideration the County's need to conduct design, permitting, construction, and monitoring work for the Project, the amount of the grant award, County's current performance of such work and liability for its acts, and the non-waiver of sovereign immunity beyond the statutory caps of Section 768.28, Florida Statutes. **There is no cost to the County.** District 1 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (cont'd.)

3. Staff recommends motion to receive and file: Amendment No. 03 to Agreement No. 4600003684 (Agreement) with the South Florida Water Management District (District) to extend the expiration date from February 28, 2023 to June 30, 2023. **SUMMARY:** On October 3, 2017, the Board of County Commissioners approved the Agreement (R2017-1492) with the District and authorized the County Administrator, or designee, to sign all future time extensions and any necessary minor amendments that do not substantially change the scope of work, terms, or conditions of the Agreement. The Agreement outlines the cooperative process in which Palm Beach County Environmental Resources Management (PBC ERM) will collect monthly surface water quality samples and associated field parameters at fourteen stations in Lake Worth Lagoon (LWL). Amendment No. 03 is limited to the extension of the period of performance from the current expiration date of February 28, 2023 to June 30, 2023; in order for the District to process a new cooperative agreement that outlines program changes identified in Amendment No. 02 (R2022-1538). Each party is responsible for their own expenses under this Agreement. In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a receive and file agenda item. **There is no cost to the County.** Countywide (SF)

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: an executed Entertainment Contractor Agreement with Andrew Mensing in an amount of \$600 for the Smoke Boss Militia concert at Canyon Amphitheater, on March 18, 2023. **SUMMARY:** The Parks and Recreation Department produces cultural activities to promote the quality of life in the communities it serves. A sponsorship in the amount of \$6,000 for the Legends of the Lawn events from Nostalgic America offset the expense of this concert at the Canyon Amphitheater. This Entertainment Contractor Agreement has 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 2008-1109, amended by Resolutions 2010-0644, 2014-0168 and 2017-1367. The Department is now submitting this Agreement 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

M. PARKS & RECREATION (cont'd.)

2. Staff recommends motion to receive and file: an executed Amphitheater Rental Agreement with Victory Faith International, Inc., for the Victory Faith Chapel 10 Year Anniversary Celebration Concert at Sunset Cove Amphitheater, for the period of March 25, 2023 through March 26, 2023. **SUMMARY:** This Amphitheater Rental Agreement has 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 this Agreement 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. Staff recommends motion to receive and file: an executed Sound and Light Production Service Contractor Agreement with Sanderford Sound, Inc. in an amount not to exceed \$700 for the Victory Faith Chapel 10 Year Anniversary Celebration Concert at Sunset Cove Amphitheater, on March 25, 2023 through March 26, 2023. **SUMMARY:** This Sound and Light Production Service Contractor Agreement has 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 this Agreement 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

M. PARKS & RECREATION (cont'd.)

4. Staff recommends motion to receive and file: the following two (2) executed Special Events Rental Agreements:

A) Salto Entertainment, LLC for the Great Mr. Swindle's Traveling Peculiarium & Drink-Ory Garden at Carlin Park, from February 27, 2023 through March 13, 2023; and

B) Bar Event Group, LLC for the West Boca Family Festival at Burt Aaronson South County Regional Park, from March 16, 2023 through March 20, 2023.

SUMMARY: These Special Events 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 R2021-1552. 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 1 & 5 (AH)

5. Staff recommends motion to receive and file: an executed Professional Services Agreement with Elite Medical Specialists, LLC, in an amount not to exceed \$55,800, to provide medical director services for the Parks and Recreation Department's Ocean Rescue Section for the period June 1, 2023 through May 31, 2026. **SUMMARY:** On March 13, 2023, the County entered into an agreement with Elite Medical Specialists, LLC to provide medical director services for the Parks and Recreation Department's Ocean Rescue Section. The Medical Director is directly involved in the development, implementation, and supervision of the protocol training, delivery, and quality control of the Department's approximately 78 Emergency Medical Technicians (EMTs) and Emergency Medical Responders (EMRs). The term of this agreement is from June 1, 2023 through May 31, 2026, with two (2) optional one (1) year periods of renewal. Per the Agreement, the Medical Director is to be paid \$1,500 a month or \$18,000 annually. In accordance with County PPM CW-O-051, all delegated agreements must be submitted by the initiating Department as a Receive and File Agenda Item. This Professional Services Agreement has been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of Purchasing in accordance with section 2.53(e) of the Purchasing Code, and is now being submitted to the BCC as a Receive and File agenda item. Countywide (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (cont'd.)

6. Staff recommends motion to approve: a First Amendment to the Recreation Facility Rental Agreement with the Young Men's Christian Association of the Palm Beaches, Inc. (YMCA) for the use of the swimming pool and other recreation facilities at the Club Managers Association of America Therapeutic Recreation Complex (TR Complex) in John Prince Park. This Amendment exercises the first renewal option for the period of May 1, 2023 through April 30, 2024. **SUMMARY:** On January 12, 2021, the Board of County Commissioners (BCC) approved a Lease Agreement with the YMCA for five acres of land in Lake Lytal Park to relocate their existing Branch located in Palm Springs. While waiting for their new facility to be constructed within Lake Lytal Park, the YMCA and Parks have collaborated on a partnership that will allow the YMCA to offer expanded services to their members and the general public and reduce operational costs to the County. On April 12, 2022, the BCC approved a Rental Agreement with the YMCA for the period of May 1, 2022 to April 30, 2023, with two (2) one (1) year renewal options. This First Amendment exercises the first renewal option for the period May 1, 2023 through April 30, 2024. This renewal of the rental agreement allows for the County to expand on its partnership with the YMCA for year round aquatic programming at the TR Complex and increase the overall number of classes and services offered to the general public. District 3 (AH)

7. Staff recommends motion to approve:

A) an Agreement with the YMCA of South Palm Beach County for the Coordination of Summer Camp at West Boynton Recreation Center effective June 5, 2023 through July 28, 2023; and

B) an Agreement with Faith's Place Center For Arts Education, Inc. for the Coordination of Summer Camp at Westgate Park and Recreation Center effective June 5, 2023 through July 21, 2023.

SUMMARY: The Parks and Recreation Department wishes to continue its summer day camp programming partnerships with two (2) not-for-profit agencies allowing publicly accessible youth day camp programs at no additional cost to the County. The YMCA of South Palm Beach County will utilize space at West Boynton Park and Recreation Center for up to 100 children. Faith's Place will utilize space at Westgate Park and Recreation Center for up to 150 children. Registration will be open to the public and Youth Services Summer Camp scholarship recipients are eligible to attend. These organizations are responsible for all operating expenses and ensuring compliance with CDC guidelines associated with summer day camp programs. In exchange, the County will provide use of the facilities at no charge. Districts 2 and 7 (AH)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to: approve:

A) appointment of four members to the Public Safety Coordinating Council (PSCC) for a 4-year term for the period May 16, 2023, to May 15, 2027; and

Seat	Nominee
The Local Court Administrator or person designated by the local court administrator	Barbara Dawicke
The Chief Probation Officer of the Department of Juvenile Justice or an employee designated by the chief probation officer	Greg Starling
Representatives from the county, state job programs, or community groups that work with offenders and victims	Nellie King
A primary consumer of mental health services selected by the substance abuse and mental health program supervisor of the district in which the primary consumer resides.	Mornae Randall

B) an adjustment of the seat designated for the Director of a community mental health agency, which was initially filled by Darcy Davis, CEO of the Healthcare District of Palm Beach County, now to be filled by Ann Berner CEO, of Southeast Florida Behavioral Health Network (SEFBHN), who has already been appointed to the PSCC.

SUMMARY: The Palm Beach County Board of County Commissioners (BCC) created the Palm Beach County Correctional Planning Committee, the predecessor to the Public Safety Coordinating Council (PSCC) in 1991 by Resolution (R91-1485) and subsequently amended the Resolution to conform the terms of the Resolution to section 951.26, Florida Statutes. On March 14, 2023, the BCC adopted a revised Resolution (R2023-0334) that designated the PSCC as the criminal justice, mental health, and substance use planning council required by section 394.657, Florida Statutes. The PSCC is comprised of a minimum of 23 seats. The Board currently has 18 seats filled and a diversity count of Caucasian: 13 (57%), African-American: 2 (9%) and Hispanic: 3 (13%). The gender ratio (female:male) is: 9:9. The nominees are 2 Caucasian females, 1 African American male, and 1 African American female. Countywide (HH)

3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES

1. Staff recommends motion to receive and file: Four (4) Contracts for Professional Services with the following Doctoral Psychology Interns to complete a required 2,000-hour internship that will provide the interns training and experience in family and youth counseling for the period July 31, 2023 through July 25, 2024:

- A) Sarah Barr in the amount of \$28,000;
- B) Amber Cope in the amount of \$28,000;
- C) Brittany Grimshaw in the amount of \$28,000; and
- D) Amber Snedden in the amount of \$28,000.

SUMMARY: The Youth Services Department's Residential Treatment and Family Counseling Division (Division) is an authorized counselor training facility for many colleges and universities offering degrees in psychology and social work. Doctoral programs require internships to meet degree and licensing requirements. The Division is offering its program as a location to obtain this training. Each intern, at a minimum, is assigned and completes the workload equivalent of a Therapist. The hourly base rate of a Therapist is \$24.43 versus the hourly intern rate of \$13.75. Additionally, each intern will receive a \$500 stipend for health insurance. On September 11, 2012, Agenda Item 3X-3 authorized the County Administrator, or designee, to execute future doctoral psychology intern contracts on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations. The contracts span two fiscal years. Sufficient funding is included in the current budget and in the proposed FY2024 budget to meet the County obligations. Countywide (HH)

3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES (cont'd.)

2. **Staff recommends motion to receive and file:** Contract for Professional Services with Megan O'Connor-Szuma, a Postdoctoral Psychology Fellow (Fellow), to complete a requirement of 2,000 hours of clinical work that will provide training and experience in family and youth counseling, in the amount of \$41,640, for the period July 31, 2023, through September 25, 2024. **SUMMARY:** The Youth Services Department's Residential Treatment and Family Counseling Division (Division) is an authorized counselor training facility for many state colleges and universities offering degrees in psychology, social work, and other related fields. Postdoctoral programs require 2,000 hours of supervised services in order to meet state licensing requirements. The Division is offering its program as a location to obtain this training. Each Fellow, at a minimum, is assigned and completes the workload equivalent to a Licensed Therapist. The base hourly rate of a Licensed Therapist is \$27.07 versus the hourly fellowship contract rate of \$20.57. Additionally, the Fellow will receive a \$500 stipend for health insurance. On October 3, 2006, Agenda Item 3X-2 authorized the County Administrator, or designee, to execute future postdoctoral psychology resident (n/k/a Fellow) contracts on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations. The Contract spans two fiscal years. Sufficient funding is included in the current budget and in the proposed FY 2024 budget to meet county obligations. The Contract was executed early to allow the selected Fellows to make necessary plans following graduation. Countywide (HH)

3. **Staff recommends motion to approve:** a Contract for Provision of Services with Prime Time Palm Beach County, Inc. (Prime Time) for the period May 30, 2023, through September 30, 2023, in an amount not to exceed \$169,983 for connecting summer camps for low income children to expanded learning opportunities. **SUMMARY:** The funding provided under this Contract will allow Prime Time to make connections with summer camps to offer expanded learning opportunities to youth attending summer camps. This Contract includes reporting measurements specific to Prime Time. After completion of the contract year, a report will be generated detailing Prime Time's progress in meeting their performance measurements. Countywide (HH)

3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES (cont'd.)

4. Staff recommends motion to approve:

A) a Community Based Agency Contract with Digital VibeZ, Inc., for the period May 30, 2023, through September 30, 2023, in an amount not to exceed \$142,856 for the Wellness Workshops and Kidsfit Jamathon; and

B) a Budget Transfer of \$142,856 in the General Fund from the Evidence-Based Programming unit (Unit 1451) to fund the cost of programming associated with this Contract.

SUMMARY: The Wellness Workshops and Kidsfit Jamathon Program (Program) is designed to combat childhood obesity. The Program will serve a projected 500 youth ages 5 – 17 at a number of out-of-school and summer camps in high-need communities throughout Palm Beach County. Each Workshop will consist of seven (7) one-hour sessions providing dance fitness and nutrition education. Each Workshop series will end with the Kidsfit Jamathon providing an opportunity for participants to engage in various fitness activities and showcase what they learned. This Contract includes a logic model and reporting measurements specific to Digital VibeZ. After completion of the contract, a report will be generated detailing Digital VibeZ's progress in meeting their performance measurements. Countywide (HH)

3. CONSENT AGENDA APPROVAL

CC. CAREERSOURCE

1. Staff recommends motion to approve: the appointment of Deana Pizzo to the CareerSource Palm Beach County, Inc. Board of Directors (Board) for the seat and term indicated below.

Appointment	Seat No.	Term	Area of Representation	Nominated By
Deana Pizzo	22	5/16/23-5/15/29	Private Sector	I.T. Solutions of South Florida

SUMMARY: On October 5, 2021, the Board of County Commissioners (BCC) approved the Interlocal Agreement Palm Beach Workforce Development Consortium, which replaced Interlocal Agreement R2007-1220; First Amendment to the Interlocal Agreement R2007-1446; Amendment No. 2 to the Interlocal Agreement R2008-1268; and Third Amendment to the Interlocal Agreement R2014-1650. The Agreement states the BCC will appoint private sector board members to assure a minimum 51% private sector majority. The federal Workforce Innovation and Opportunity Act requests that an emphasis be placed on Chief Executive Officers or highest level of management positions for both community and business sector appointments. Ms. Deana Pizzo is the Founder/CEO of I.T. Solutions of South Florida. The CareerSource Palm Beach County, Inc. Board of Directors is comprised of a minimum of 19 members with representation established in Attachment 4. The Board has a maximum of 33 seats, 22 currently filled and a diversity count of Caucasian: 16 (73%), African-American: 3 (14%) and Hispanic: 3 (14%). The gender ratio (female:male) is: 8:14. The nominee is Caucasian female. Countywide (HH)

3. CONSENT AGENDA APPROVAL

DD. OFFICE OF COMMUNITY REVITALIZATION

1. Staff recommends motion to approve:

- A) Expenditure of \$112,030 for the installation of 17 speed humps in the Seminole Manor Countywide Community Revitalization Team (CCRT) area; and
- B) A Budget Transfer of \$112,030 from the CCRT Recoup Funding capital reserve account to fund the cost associated with this project.

SUMMARY: The installation of speed humps was requested by neighborhood representatives from the Seminole Manor community to address the need to slow down traffic and improve safety along County roadways. The total cost of the project is \$112,030 with each of the 17 speed humps costing \$6,100 (\$4,900 for construction and \$1,200 for signing and striping), plus an \$8,330 contingency fee. The requested transfer is needed to cover the cost of implementation. County policy requires that 60 percent of affected property owners for each street sign a petition in support of the project. The necessary supporting petitions for the project have been received, reviewed and approved by Traffic Engineering, and Staff is recommending approval of the project. Funding is available from the CCRT Recoup Funding Account. District 2 (RS)

3. CONSENT AGENDA APPROVAL

EE. SHERIFF

1. Staff recommends motion to:

A) receive and file Contract Modification Notice #7 with the U.S. Department of Homeland Security, Transportation Security Administration (TSA), to extend the contract agreement through March 31, 2023;

B) accept on behalf of the Palm Beach County Sheriff's Office, Contract Modification Notice #8 to provide \$252,500 in supplemental funding and to extend the contract agreement through December 31, 2023; and

C) approve a Budget Amendment of \$252,500 in the Sheriff's Grants Fund.

SUMMARY: The Board of County Commissioners (BCC) accepted this grant for \$126,249 on August 25, 2020 (R2020-1179) to fund five (5) Canine Teams at the Palm Beach International Airport (PBI) through TSA's National Explosives Detection Canine Team Program (NEDCTP) for the contract period July 1, 2020 through December 31, 2020. The BCC approved contract modification #1 on March 9, 2021 which provided \$21,042 in additional funding and extended the contract period through January 31, 2021 (R2021-0377). The BCC approved contract modification #2 on April 6, 2021 which provided \$21,042 in additional funding and extended the contract period through February 28, 2021 (R2021-0457). The BCC approved contract modification #3 on May 18, 2021 which provided \$210,416 in additional funding and extended the contract period through December 31, 2021 (R2021-0720). The BCC approved contract modification #4 and #5 on March 22, 2022 which provided \$73,704 in additional funding and extended the contract period through March 31, 2022 (R2022-1179). The BCC approved contract modification #6 on June 16, 2022 which provided \$178,796 in additional funding and extended the contract period through December 31, 2022 (R2022-0616). This contract modification will provide \$252,500 in supplemental funding and extend the contract period through December 31, 2023. No additional positions are needed and no additional County funds are required. The contract number is 70T02020T9NNCP464. **There is no match requirement associated with this award.** Countywide (RS)

3. CONSENT AGENDA APPROVAL

FF. SUPERVISOR OF ELECTIONS

1. Staff recommends motion to authorize: Memorandum of Agreement between the Supervisor of Elections and the State of Florida, Department of State, Division of Elections in the amount of \$317,498 for the purchase of goods and services, to be expended between July 1, 2022 through May 15, 2023, for the purpose of subscription to the Albert Network Monitoring Solution, for voting technology upgrades or enhancements and/or for improving voting accessibility; with the 2020 Memorandum of Agreement for Minimum Security Standards for the Florida Voter Registration System. **SUMMARY:** Grant funds are made available pursuant to Specific Appropriation 3136, Chapter 2022-156, Laws of Florida, in the ongoing effort to improve the administration of federal elections through security enhancements. Funds in specific Appropriation 3136 are provided to utilize the Help America Vote Act (HAVA) Election Security Grant funding. From these funds, up to \$1,000,000 may be used to provide subgrants to supervisors of elections for a subscription to the Albert Network Monitoring Solution and up to \$7,000,000 may be used to provide subgrants to supervisors of elections for voting technology upgrades or enhancements or for improving voting accessibility. The application for this grant is limited to a year's subscription to albert Network Monitoring Solutions, the purchase of goods and/or services for voting technology upgrades and/or enhancements for the 2024 election cycle, and the purchase of goods and/or services for improving voting accessibility for the 2024 election cycle. The Catalog of Federal Domestic Assistance (CFDA) is 90.404 and **there is no match associated with this item.** Countywide (AH)

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MAY 16, 2023

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

NONE

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5. REGULAR AGENDA

A. AIRPORTS

1. Staff recommends motion to approve:

- A) an increase of \$1,000,000 to term contract for airfield pavement marking services to be performed at any of the County's four airports, including Palm Beach International Airport (PBI), Palm Beach County Glades Airport (PHK), Palm Beach County Park Airport (LNA), and North Palm Beach County General Aviation Airport (F45), (Term Contract) per Centralized Master Agreement (CMA) #151010, for the period commencing on November 16, 2021 through December 31, 2023; and
- B) a Budget Transfer in the amount of \$1,000,000 in the Airport's Improvement and Development Fund, including a transfer from Reserves in the amount of \$1,000,000.

SUMMARY: The Department of Airports is requesting approval to increase the Term Contract by \$1,000,000, which will enable the Department to obtain airfield marking services needed to maintain compliance with airfield marking standards at PBI, PHK, LNA, and F45. Due to reduced staffing and an increased volume of work, the Department requires the assistance of a third-party contractor to complete necessary maintenance of airfield markings at the County's four airports. Services may include, but are not limited to, cleaning pavement markings, removing rubber, removing pavement markings, applying pavement markings, and other similar maintenance services. The current contract amount is \$324,000. Approval of this item will increase the total contract amount to \$1,324,000. Individual purchase orders will be issued for required services on an as-needed basis following Board approval. The Term Contract is a piggyback from the Florida Department of Transportation (FDOT) Contract #BEA97 with Florida Airfield Maintenance, JV, (FAM), and has one renewal option for a period not to exceed three years. FAM is located outside of Palm Beach County in the City of Sanford, Florida. There are no S/M/WBE firms currently certified for these services. This piggyback was reviewed and approved by the Office of Equal Business Opportunity. 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 approval exceeds the threshold amount and must be approved on the regular agenda. Countywide (AH)

5. REGULAR AGENDA

A. AIRPORTS (cont'd.)

2. Staff recommends motion to approve:

- A) Amendment No. 1 to the General Consulting Agreement with Ricondo & Associates, Inc. (Ricondo) in the amount of \$1,189,895.34 for the continued performance of Airport General Consulting Services related to the approved Palm Beach County Airports' Capital Improvement Program; and
- B) a Budget Transfer in the amount of \$1,189,895 in the Airport's Improvement and Development Fund to provide for the Ricondo contract, including a transfer from Reserves of \$1,189,895.

SUMMARY: The Consulting Agreement (R2022-0888) with Ricondo for general airport planning services was approved on August 20, 2022 in the amount of \$2,021,165 in order to carry out the approved Capital Improvement Program for the County's Airports. Approval of Amendment No. 1 will provide an additional \$1,189,895.34 to complete the following tasks: Task I Services – Palm Beach County Park Airport (LNA) Safety Assessment; Task I Services – Palm Beach County Park Airport (LNA) Master Plan Update; Task III Tasks – Miscellaneous Planning, Financial, Airport Business and Management Support Services; and Miscellaneous National Environmental Policy Act (NEPA) Processing Support Services. Work to be completed under these Task III Services will be issued per the level of authority contained in PPM CW-F-050, by way of a separate proposal or task authorization. Ricondo is a Chicago, Illinois based firm; however, the majority of the work contained in this agreement will be completed and/or managed through their Miami, Florida office in conjunction with several Palm Beach County-based sub-consultants and firms. On September 1, 2021, the Goal Setting Committee set an Affirmative Procurement Initiatives (API) for this contract of a mandatory SBE Goal of 10%. Ricondo has committed to 11% SBE participation. The anticipated SMWBE participation based upon the approved tasks is approximately 16.5%, which will increase as the County assigns additional tasks. The SMWBE participation for this Amendment is 14.4%. 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 amendment exceeds the threshold amount and must be approved on the regular agenda. Countywide (AH)

5. REGULAR AGENDA

A. AIRPORTS (cont'd.)

3. Staff recommends motion to approve:

- A) a contract with Ranger Construction Industries, Inc. (Ranger) in the amount of \$20,228,016.90 and 516 Calendar Days for the Central Airfield Improvements at Palm Beach International Airport (PBI);
- B) a Budget Transfer of \$16,242,272 in the Airport's Passenger Facility Charge (PFC) Fund, to transfer PFC funds to the Airport's Improvement and Development Fund; and
- C) a Budget Amendment of \$20,228,017 in the Airport's Improvement and Development Fund to recognize PFC revenue and to provide budget for the Ranger contract.

SUMMARY: This project was advertised utilizing the County's competitive bid process. On March 16, 2023, three (3) bids were received for the Central Airfield Improvements at PBI. Ranger, a Palm Beach County, Florida company has been identified as the lowest responsible/responsive bidder in the amount of \$20,228,016.90. This project includes reconstruction/rehabilitation of Taxiway B, reconstruction/rehabilitation of Runway 14-32 shoulder pavement north of Taxiway C; electrical and pavement marking south of Taxiway C, and grading within the Runway 14-32 safety area and removal of non-standard markings on Taxiway L to comply with current Federal Aviation Administration (FAA) standards. The scope consists of airfield pavement demolition, new airfield pavement, stormwater improvements, airfield markings, signage, and electrical edge lighting improvements. A Disadvantaged Business Enterprise (DBE) goal of 22% was established for this project. Ranger has committed to meet the DBE goal of 22%. 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

B. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to:

A) adopt a Resolution authorizing the conveyance of the County's interest lying within the Olive Street right-of-way as dedicated by the New Palm Beach Heights plat, PB 6, Page 73 (Plat), located east of Ocean Drive, to the Town of Juno Beach (Town) pursuant to F.S. §125.38, without charge and without reservation of mineral and petroleum rights; and

B) approve a County Deed in favor of the Town of Juno Beach.

SUMMARY: In the mid to late 1990s, the County constructed a pedestrian walkover, and the Town made other improvements, within a portion of the undeveloped 46 foot wide Olive Street right-of-way parcel (Right-of-Way Parcel) which is located on the east side of the intersection of Donald Ross Road and Ocean Drive in Juno Beach. The walkover and improvements were constructed to help protect the dune and vegetation along the ocean front Right-of-Way Parcel. Ownership and maintenance responsibilities of the Right-of-Way Parcel has always been an area of uncertainty. To clear up the uncertainty, Town is willing to take over the ownership and maintenance responsibility of the Right-of-Way Parcel and on February 22, 2023, the Town approved the acceptance of the proposed County Deed. This conveyance will resolve any future ownership and maintenance issue with the Town. Since the Right-of-Way Parcel is located within the municipal limits of the Town, the County's Engineering and Public Works Department has no issue with the proposed conveyance. The Right-of-Way Parcel is being conveyed to the Town pursuant to F.S. §125.38 without charge and without reservation of mineral and petroleum rights. **This conveyance must be approved by a Supermajority Vote (5 Commissioners).** (Property & Real Estate Management) District 1 (HJF)

5. REGULAR AGENDA

B. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

2. Staff recommends motion to approve:

- A) an Agreement for Purchase and Sale of a 1.3 acre parcel of vacant land located north of Indiantown Road and east of Bee Line Highway from Krystyna Johns for \$20,150 plus closing, title insurance and recording costs estimated to be \$515;
- B) a Memorandum of Agreement with Krystyna Johns to be recorded in the public records to provide notice of this Agreement;
- C) an Agreement for Purchase and Sale of a 1.3 acre parcel of vacant land located north of Indiantown Road and east of Bee Line Highway from Madeline E. Mackenzie f/k/a Madeline E. Allen for \$20,150 plus closing, title insurance and recording costs estimated to be \$515; and
- D) a Memorandum of Agreement with Madeline E. Mackenzie f/k/a Madeline E. Allen to be recorded in the public records to provide notice of this Agreement.

5. REGULAR AGENDA

B. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

2. **SUMMARY:** On November 2, 2021, the Board of County Commissioners (Board) approved a Fiscal Strategy for the spending of American Rescue Plan Act (ARPA) funds, which included an allocation of \$4,000,000 for the acquisition of environmentally sensitive lands. The parcels owned by Krystyna Johns (Johns parcel), and Madeline E. Mackenzie f/k/a Madeline E. Allen (Mackenzie parcel), are interior parcels located in an area known as Palm Beach Heights (part of the Pal-Mar Ecosite). The Pal-Mar Ecosite is part of a large ecological greenway that stretches from just west of the Atlantic Ocean to just east of Lake Okeechobee. The area provides habitat for a wide variety of native plants and animals and it is part of a hydrologically significant region that includes the headwaters of the federally designated Wild and Scenic Northwest Fork of the Loxahatchee River. Hence its value as environmentally sensitive land. Appraisals were obtained from Anderson & Carr, Inc. and M.R. Ford & Associates, Inc. who assigned a \$15,000 and \$16,000 per acre value for interior Palm Beach Heights parcels, respectively. Callaway & Price, Inc. reviewed the appraisals and concluded a reasonable aggregate value of \$15,500 per acre for interior Palm Beach Heights parcels, which is the basis of the offers. The Agreements allow for the County's due diligence review of the parcels within 45 days of Board approval. The County will pay title insurance policy premiums, closing and recording costs estimated to be \$515 for the Johns parcel, and \$515 for the Mackenzie parcel. The Environmental Resources and Management (ERM) Department will perform pre-acquisition environmental assessments for the parcels prior to closing. Boundary surveys will not be obtained for any of the parcels due to their remote locations. ERM will be responsible for the administration of the parcels. All costs related to the acquisitions will be paid from existing funds received from the American Rescue Plan Act of 2021 (ARPA) Response Replacement Fund. **These are County ARPA Response Replacement funds that do not require a local match. These acquisitions must be approved by a supermajority vote (5 Commissioners).** (Property & Real Estate Management) District 1 (HJF)

5. REGULAR AGENDA

B. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

3. Staff recommends motion to approve: a Host Shelter Contract with the City of Greenacres (City) for use of City-owned property as a Host Shelter (Premises) for those residents who cannot return to their homes due to damage caused by an emergency event for a term of one year, with an automatic one year renewal at a cost to be determined at time of use. **SUMMARY:** Pursuant to Florida Statute, Section 252.38, the County is responsible for safeguarding the life and property of its citizens during and after emergencies, which includes establishing safe public transitional space (aka host shelters) once emergency shelters are closed, to shelter those who cannot return to their homes due to the damage caused by an emergency event. Per County PPM CW-L-023, the County Administrator has authorized an Alternate Source Selection method to allow staff to identify additional host shelter facilities. Staff reviewed several available properties in desired locations. The City is willing to allow the Premises to be used as a Host Shelter. The term of this Contract is for one year, with an automatic one year renewal, at a cost to be determined at time of use. Staff shall seek reimbursement from FEMA, or other applicable State or Federal Agencies, for all related emergency use restoration costs and emergency sheltering expenses incurred as a result of County's use and possession of the Premises. The County's use of the Premises will be twenty-four hours per day, seven days per week through the period the County determines the Host Shelter must be utilized. The County shall provide staff and logistical support to oversee and manage the use of the Premises. (Property & Real Estate Management) District 3 (HJF)

5. REGULAR AGENDA

C. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to approve: the initial Management Plan (Plan) for Loxahatchee Slough Natural Area. **SUMMARY:** The Plan identifies natural resources present on the natural area and identifies the strategies and techniques for the preservation, restoration, management and passive recreational use of those resources. After a public hearing held on February 7, 2023, the Natural Areas Management Advisory Committee unanimously recommended the Plan for approval at its March 24, 2023 meeting. Initial invasive/nonnative vegetation removal, fence and regulatory sign installation, and public use facilities have been completed. Annual management and operating costs, including prescribed burns/mechanical vegetation reduction, ongoing invasive/nonnative animal and plant control, repair and replacement of facilities, and biological monitoring and reporting are estimated to be \$2,064,517, which averages approximately \$159/acre. This cost is for the current fiscal year and is expected to increase as described in the Summary of Fiscal Impact. Funds for capital improvements, and annual management and operation of the site are expected to come from the Natural Areas Fund, Natural Areas Stewardship Endowment Fund, Pollution Recovery Trust Fund, Ag Reserve Land Management Fund, and/or ad valorem funding sources. District 1 (SF)

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MAY 16, 2023

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

MAY 16, 2023

7. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

Request for ratification of the off-site Proclamation recognizing the Urban League of Palm Beach County 50th Anniversary Gala dated May 12, 2023 executed by the Board of County Commissioners.

B. COUNTY ATTORNEY

MAY 16, 2023

8. COMMISSIONER COMMENTS

District 1 – COMMISSIONER MARIA G. MARINO

District 2 – COMMISSIONER GREGG K. WEISS

Request approval for off-site Proclamation declaring May 20 – 26, 2022 as National Safe Boating Week.

District 3 – COMMISSIONER MICHAEL A. BARNETT

District 4 – COMMISSIONER MARCI WOODWARD

District 5 - COMMISSIONER MARIA SACHS

District 6 - COMMISSIONER SARA BAXTER

District 7 – COMMISSIONER MACK BERNARD

Requesting approval for off-site Proclamation declaring May 2023 as Haitian American Heritage Month. (off-site date 5/18/23)

MAY 16, 2023

9. 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."