

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

JUNE 6, 2023

<u>PAGE</u>	<u>ITEM</u>	
31	4E	*REVISED: Proclamation recognizing Joe Bergeron for his " <u>40</u> " Years of Service.
34	5C1	*REVISED SUMMARY / (FDO) / 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 Joseph Tomacic and Mary Tomacic (Tomacic parcel), Philip G. Rathof (Rathof parcel) , and Edward D. Quinn, Jr. (Quinn 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 \$525 for the Tomacic parcel, and \$525 for the Quinn 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 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)

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

* * * * *

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

JUNE 6, 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 7-30)**
- 4. SPECIAL PRESENTATIONS (Page 31)**
- 5. REGULAR AGENDA (Pages 32 - 34)**
- 6. BOARD APPOINTMENTS (Page 35)**
- 7. STAFF COMMENTS (Page 36)**
- 8. BCC COMMENTS (Page 37)**
- 9. MATTERS BY THE PUBLIC – 2:00 P.M. (Page 38)**
- 10. ADJOURNMENT (Page 39)**

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- 3B-1 Warrant list
- 3B-2 Minutes
- 3B-3 Contracts and claims settlements list
- 3B-4 Reports of County Officials Bonds

C. ENGINEERING & PUBLIC WORKS

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- 3C-1 Supplement No. 1 under the Annual Intersection Improvements Services Contract with Propel Engineering, Inc. for professional services.

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- 3C-2 Approve contract with B&B Underground Construction, Inc. for the construction of the Highview Road Drainage Improvements; receive/file Interlocal Agreement with City of Boynton Beach for joint participation and project funding for construction of utility adjustments; and approve Budget Amendment.

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- 3C-3 Approve Traffic Signal Design Professional Continuing Services Contract with Simmons & White, Inc.; and Traffic Signal Design Professional Continuing Services Contract with HBC Engineering Company.

D. COUNTY ATTORNEY

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- 3D-1 Approval Legal Services Agreement with Kaplan Kirsch & Rockwell LLP for legal services.

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- 3D-2 Approve Second Amendment to contract with Furr and Cohen, P.A. to increase the amount.

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

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- 3G-1 Approve a negotiated settlement for full satisfaction of code enforcement lien.
- 3G-2 Approve a Budget Amendment to establish a budget for the bond process, costs of insurance, and project costs in the 34.55M NAV Pub Imp Rev Bonds.
- 3G-3 Approve a Budget Amendment to establish a budget for the bond proceeds, costs of insurance, and project costs in the 86.5M NAV Pub Imp Rev Bonds.

H. FACILITIES DEVELOPMENT & OPERATIONS

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- 3H-1 Contract with WGM Quality Painting, Inc. for annual painting and weatherproofing services.

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3H-4 Work Order No. 23-004 to the annual electrical contract with Protect Video, Inc. for the North County Aquatic Center – Pool Heat Pump Replacement project

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3H-5 Approve annual contract with Saffold Paving, Inc. for asphalt, pavers and pathway construction services.

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3H-6 Approve annual contracts with Key Mechanical Services, Inc. and Air Conditioning Filters Plus, Inc. for an as needed basis.

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3H-7 Approve Sovereignty Submerged Lands Lease Renewal at Ocean Inlet Park Marina located at Ocean Ridge.

3H-8 Approve Utility Easement with FPL for overhead and underground electrical services and above ground pad-mounted transformer to service the new Fire Station No. 40 Facility located at White Feather Trail.

K. WATER UTILITIES

Page 19

3K-1 Two executed Standard Potable Water and Wastewater Development Agreements; along with Amendment to Standard Potable Water with Boca Raton Associates IX, LLLP.

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3K-2 Approve Change Order No. 2 with Insituform Technologies, LLC for the Sanitary Sewer Collection System Rehabilitation project for a contract extension of time.

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L. ENVIRONMENTAL RESOURCES MANAGEMENT

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3L-1 Amendment No. 1 to the Material Removal Agreement with Florida Inland Navigation District to provide for the upfront payment.

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3L-2 Approve Governmental Agreement with South Florida Water Management District for collection and analysis of water quality data in Lake Worth Lagoon; and authorize County Administrator or designee.

3L-3 Approve Supplemental with Aptim Environmental & Infrastructure, LLC for a decrease amount and removing provisions for sea turtle monitoring.

M. PARKS & RECREATION

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3M-1 Entertainment Contractor Agreement with NHS Consulting Inc. for the Legends of Motown concert.

3M-2 Sound and Light Production Service Contractor Agreement with Sanderford Sound, Inc. for the Legends at Motown concert.

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3M-3 Downward Budget Amendment in the Park Improvement Fund that the Department was ineligible to receive.

Q. CRIMINAL JUSTICE COMMISSION

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3Q-1 Ratify the Mayor's signature for grant application on Justice Assistance grant application; and authorize County Administrator or designee.

U. INFORMATION SYSTEMS SERVICES

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3U-1 Interlocal Agreement to provide support services with the Town of Jupiter.

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3U-2 Interlocal Agreement for application hosting services with St. Johns County Clerk; and authorize County Administrator or designee.

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X. PUBLIC SAFETY

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3X-1 Agreements with Barry University, Inc. and Nova Southeastern University, Inc. for mental health consulting services for student interns.

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3X-2 Amendment 6 with Florida Council Against Sexual Violence revising Amendment 5 to provide sexual assault services.

CC. SHERIFF

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3CC-1 Accept Sub-Recipient Agreement for Federal Grant Funding Assistance with Florida Department of Law Enforcement; and approve Budget Amendment.

3CC-2 Federally Funded Sub-Award and Grant Agreement for FY19 State Homeland Security Grant; and approve Budget Amendment.

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3CC-3 Grant Modification 2 with the State of Florida, Division of Emergency Management to extend the grant period.

3CC-4 Modification 3 to Subgrant Agreement to extend grant period.

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3CC-5 Federal Railroad Administration FY2022 Law Enforcement Strategies grant award for Reducing Trespassing.

SPECIAL PRESENTATIONS

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4A Gerry O'Reilly Day

4B Code Enforcement Officers Appreciation Week

4C National Gun Violence Awareness Day

4D Alzheimer's Community Care Day

4E Joe Bergeron Years of Service

4F Juneteenth Day

4G American Association of Caregiving Youth Day

4H Certificate of Recognition Marsha Solomon

4I Palm Beach County Veteran Service Officers Appreciation Month

JUNE 6, 2023

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A. ADMINISTRATION

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5A-1 2023 Legislative Session Report.

B. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

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5B-1 Approve preliminary reading and to advertise for Public Hearing Ordinance for the Unified Land Development Code Impact Fees.

C. FACILITIES DEVELOPMENT AND OPERATIONS

Page 33 - 34

5C-1 Approve the purchase of vacant land.

BOARD APPOINTMENTS (Page 35)

STAFF COMMENTS (Page 36)

COMMISSIONER COMMENTS (Page 37)

MATTERS BY THE PUBLIC – 2:00 P.M. (Page 38)

ADJOURNMENT (Page 39)

3. CONSENT AGENDA APPROVAL

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>
February 07, 2023	Regular

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:**
 - A) **review** for sufficiency Report of County Officials Bonds dated January 2023, and
 - B) **receive and file** Report of County Officials Bonds dated June 2023.

SUMMARY: Ordinance No. 98-51 sets the various bond amounts for specified County officers and provides for examination of the sufficiency of all the bonds at the regular meeting of the Board of County Commissioners in January and June of each year. Countywide (DB)

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** Supplement No. 1 (Supplement) to the Work Task Order (WTO) dated May 6, 2021 under the Annual Intersection Improvements Services Contract (R2020-0542), dated June 2, 2020 (Contract) with Propel Engineering, Inc. (PEI) in the amount of \$114,548.77 for professional services for the Belvedere Road and SR 7 Intersection Improvements (Project). **SUMMARY:** Approval of this Supplement will provide the professional services necessary to prepare construction plans for the intersection improvements. The original WTO provided analysis of three different alternatives. This supplement will now provide services to design construction plans for the approved alternative. 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 has agreed to 89% SBE participation for the Contract. They agreed to 100% SBE participation for this Supplement. Their cumulative SBE participation to date for the Contract including this Supplement is 94.22%. PEI has an office located in Palm Beach County and is a certified SBE company. Prior to this meeting date, approximately \$1,152,453.02 has been encumbered under this Contract. District 6 (YBH)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to:

A) approve a contract with B & B Underground Construction, Inc. (B&B) in the amount of \$698,935 with a contract time of 270 calendar days for the construction of the Highview Road Drainage Improvements (Project);

B) receive and file an interlocal agreement (ILA) with the City of Boynton Beach (City) for joint participation and project funding for construction of utility adjustments in the amount of \$82,281.25 for the Project; and

C) approve a Budget Amendment of \$82,282 in the Transportation Improvement Fund to recognize reimbursement funding from the City and appropriate it to the Project.

SUMMARY: Approval of this contract and Budget Amendment will authorize the construction services necessary to provide drainage improvements to Ridge Road, Highland Road, and Highview Road, between Summit Road and Overlook Road, and Overlook Road between Ridge Road and Highview Road. The Project 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. B&B agreed to 100% SBE participation. Bids for the contract were received by the Engineering Department on December 13, 2022. Approval of the Budget Amendment will recognize the reimbursement funding from the City, as agreed to in the ILA, for utility work they requested. The City shall be responsible for operation and maintenance of their utility work upon completion of the Project. The ILA with the City was approved by the County Engineer by way of delegated authority in accordance with Palm Beach County Administrative Code Section 404.00. The ILA is submitted in accordance with Countywide PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating department as a receive and file as part of the corresponding agenda item. B&B was the lowest responsive bidder of four bidders. The contract time for the Project is 270 calendar days. B&B 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 7 (YBH)**

3. CONSENT AGENDA APPROVAL

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

3. Staff recommends motion to approve:

- A) the Traffic Signal Design Professional Continuing Services Contract with Simmons & White, Inc. (S&W) to be in effect for 36 months from the date of approval by the Board of County Commissioners (BCC); and
- B) the Traffic Signal Design Professional Continuing Services Contract with HBC Engineering Company (HBC) to be in effect for 36 months from the date of approval by the BCC.

SUMMARY: Approval of these contracts will provide the professional engineering services necessary for traffic signal design throughout Palm Beach County (County) on a consultant service authorization basis. The contract period for these contracts is thirty-six months from the date of approval by the BCC. The Affirmative Procurement Initiatives selected for these contracts on January 5, 2022 by the Goal Setting Committee are a 20% minimum mandatory Small Business Enterprise (SBE) participation and an SBE evaluation preference. S&W agreed to 28% SBE participation for the contract. HBC agreed to 93% SBE participation for the contract. On January 5, 2023, the Consultant's Competitive Negotiations Act Selection Committee selected S&W and HBC and, in accordance with PPM CW-O-048, the BCC was notified of the selection on January 6, 2023. S&W and HBC have offices located in the County. HBC is a certified SBE company. Countywide (YBH)

D. COUNTY ATTORNEY

- 1. Staff recommends motion to approve: a Legal Services Agreement between Palm Beach County and Kaplan Kirsch & Rockwell LLP for legal services in an amount not to exceed \$322,500 for the period August 31, 2023, through September 30, 2025, with two additional two-year renewal periods. **SUMMARY:** This Agreement is for expert legal services with Kaplan, Kirsch & Rockwell in an amount not to exceed \$300,000 plus \$22,500 for out of pocket expenses for various legal matters requiring expertise in aviation law. This Agreement is necessary for the continued legal services by Kaplan, Kirsch and Rockwell, whose current contract expires on August 30, 2023. Countywide (AH)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY (cont'd.)

2. Staff recommends motion to approve: Second Amendment to Contract for Professional legal Services By and Between Palm Beach County and Furr and Cohen, P.A., to increase the contract amount by \$30,000. **SUMMARY**: On January 10, 2022, the County Attorney's Office entered into a contract with Furr and Cohen, P.A. (the Contract) for pre-suit legal services to be provided to the County and four additional taxing authorities: The School District of Palm Beach County; The Town of Palm Beach; The Health Care District of Palm Beach County; and the Children's Services Council of Palm Beach County (the taxing authorities). The taxing authorities were threatened with a lawsuit by a bankruptcy trustee who sought reimbursement of property taxes paid in 2013 and 2014 by individuals alleged to have made fraudulent transfers of funds received as part of a Ponzi scheme, in order to pay those taxes. The taxing authorities each entered into contracts for representation with Furr and Cohen, with each bearing a percentage of the total legal expenses proportional to their potential liability. The County's potential liability is approximately \$125,000, which is approximately 28% of the amount sought by the trustee. The County's Contract was in the amount of \$10,000, and was executed by the County Attorney. The taxing authorities determined to challenge the bankruptcy trustee's claim, and when suit was filed, the County executed a First Amendment to the Contract to expand the scope of legal representation, and to increase the not-to-exceed contract amount to \$40,000.00. It is now necessary to increase the contract amount by an additional \$30,000, which is the amount Furr and Cohen estimates as the County's share of the total fees necessary to submit and receive a ruling on a summary judgment motion on behalf of the taxing authorities. A summary judgment ruling will resolve the outstanding legal issues in this case, including the taxing authorities' affirmative defenses of sovereign immunity, statute of limitations, and *res judicata*, among others. Staff recommends approval of this Amendment. Countywide (HH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to approve: a negotiated settlement offer in the amount of \$17,802 for the full satisfaction of a code enforcement lien entered against Walter Ungermann on May 12, 2021. **SUMMARY:** The Code Enforcement Special Magistrate (CESM) entered an order on March 6, 2020 for the property owned by Mr. Walter Ungermann, giving him until July 2, 2020 to bring his property located at 11368 165th Rd N., Jupiter, Florida into full code compliance. The property was cited for the construction of a fence and gate without a valid building permit. Compliance with the CESM's Order was not achieved, and a fine of \$50 per day was imposed. The CESM entered an order imposing a code lien against Walter Ungermann on May 12, 2021. The Code Enforcement Division (Code Enforcement) issued an affidavit of compliance for the property on January 27, 2023. The total fine on February 24, 2023 was \$44,506, the date on which settlement discussions began. Ms. Leslie Taylor, heir of Mr. Walter Ungermann, has agreed to pay Palm Beach County \$17,802 (40%) for full settlement of the outstanding code enforcement lien. District 1 (RS)

2. Staff recommends motion to approve: a Budget Amendment of \$39,487,510 to establish the budget for the bond proceeds, costs of issuance, and project costs in the 34.55M NAV Pub Imp Rev Bonds, Series 2023A Capital Project Fund. **SUMMARY:** On March 14, 2023, the Board approved Resolution No. R2023-0371 which authorized the issuance of the Series 2023A Bonds. The tax exempt Series 2023A Bonds are for the purpose of funding the construction of the Roger Dean Jupiter Stadium Expansion and to pay the cost of issuance of the bonds. The bonds, issued for a 25 year term at 4.097%, will provide the amount needed to fully fund the County's commitment to the project. Through an electronic bid process, the County awarded the sale to BNY Mellon Capital Markets, LLC. The average annual debt service is \$2.967 million and interest payments will begin FY 2024. This budget amendment will establish the budget for the proceeds of the sale of the tax exempt Series 2023A Bonds. Countywide (DB)

3. Staff recommends motion to approve: a Budget Amendment of \$87,630,905 to establish the budget for the bond proceeds, costs of issuance, and project costs in the 86.5M NAV Pub Imp Rev Bonds, Tax Series 2023B Capital Project Fund. **SUMMARY:** On March 14, 2023, the Board approved Resolution No. R2023-0371 which authorized the issuance of the Series 2023B Bonds. The taxable Series 2023B Bonds are for the purpose of funding the construction of the Roger Dean Jupiter Stadium Expansion and to pay the cost of issuance of the bonds. The bonds, issued for a 19 year term at 4.720%, will provide the amount needed to fully fund the County's commitment to the project. Through an electronic bid process, the County awarded the sale to Wells Fargo Bank, N.A. Municipal Finance Group. The average annual debt service is \$7.112 million and interest payments will begin FY 2024. This budget amendment will establish the budget for the proceeds of the sale of the tax exempt Series 2023B Bonds. Countywide (DB)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: an annual contract with the following contractor for painting and weatherproofing services on an as-needed basis through April 3, 2028.

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
WGM Quality Painting, Inc.	Local	S/M/WBE

SUMMARY: On April 4, 2023, the Board of County Commissioners (Board) approved the annual painting and weatherproofing services contract (R2023-0416 though R2023-0420). The work consists of painting and weatherproofing services to County-owned properties on an as needed basis. The Contractor now joins the list of five (5) prequalified contractors for a total of six (6) prequalified contractors with a contract expiration date of April 3, 2028. The specific requirements of the work will be determined by individual work orders issued against this annual painting and weatherproofing 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 painting and weatherproofing 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 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. The annual painting and weatherproofing services contract was presented to the Goal Setting Committee on December 7, 2022 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.)

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

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
JF Acquisition, LLC DBA	Non-Local	Non-SBE
JF Petroleum Group		

SUMMARY: On February 11, 2020, the Board of County Commissioners (Board) approved the annual minor construction contract (R2020-0142 through R2020-0151). The work consists of construction services associated with repairs, improvements and renovations to County-owned properties on an as needed basis. The Contractor now joins the list of thirty-seven (37) prequalified contractors for a total of thirty-eight (38) prequalified contractors with a contract expiration date of February 10, 2025. The specific requirements of the work will be determined by individual work orders issued against this annual minor construction contract. These contracts are five (5) year indefinite-quantity contracts with a maximum cumulative value of \$25,000,000 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 minor construction 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 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. The annual minor construction contract was presented to the Goal Setting Committee on August 21, 2019 and the Committee established 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. 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. To date, the cumulative S/M/WBE participation for all work orders under the annual minor construction contract is 59.13%. (Capital Improvements) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

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

3. Staff recommends motion to receive and file: Consultant Services Authorization (CSA) No. 21 to the project specific contract (R2020-1045) with Currie Sowards Aguila Architects, Inc. (Consultant) in the amount of \$22,010 for the Fire Rescue Station No. 27 Restroom Renovations project. **SUMMARY:** On August 25, 2020, the Board of County Commissioners (Board) approved the project specific contract (R2020-1045) with the Consultant to provide professional services for the Fire Rescue Comprehensive Fire Station Capital Improvements Program. CSA No. 21 authorized professional services necessary for renovations and improvements to the existing restrooms at Fire Station No. 27 in order to meet Fire Rescue's new building standards in the amount of \$22,010. 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 \$267,275.30. 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 contract was presented to the Goal Setting Committee on December 4, 2019 and the Committee established Affirmative Procurement Initiatives (APIs) of a minimum mandatory 25% Small Business Enterprise (SBE) participation and an SBE evaluation preference for the selection. The Consultant committed to achieving an SBE goal of 52%. The SBE participation on this CSA is 100%. Cumulative SBE participation on the contract is 74.40%. The Consultant is a certified SBE firm and a Palm Beach County business. Funding for this project is from the Fire Rescue Improvement Fund. (Capital Improvements Division) District 6 (MWJ)

3. CONSENT AGENDA APPROVAL

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

4. Staff recommends motion to approve: Work Order No. 23-004 (Work Order) to the annual electrical contract (R2019-1756) with Protect Video, Inc. (Contractor) in the amount of \$230,162 for the North County Aquatic Center - Pool Heat Pump Replacement project for a period of 180 calendar days from notice to proceed. **SUMMARY:** The existing geothermal heat pump/chilling units are failing and are in need of replacement to better accommodate the needs of the aquatic center. This project includes, but is not limited to, the removal and replacement of the existing six (6) geothermal heat pump/chilling units with twelve (12) heat pump/chilling units, together with the accompanying electrical and plumbing work necessary to facilitate the additional heat pump/chilling units. The new geothermal heat pump/chilling units will benefit all users of the aquatic center especially the large swim programs that rely heavily on a targeted water temperature year-round. This project was competitively advertised and new contractors were invited to bid on the project 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 \$120 per day. This Work Order was solicited pursuant to the annual electrical contract and the requirements of the Equal Business Opportunity (EBO) Ordinance. The annual electrical contract was presented to the Goal Setting Committee on June 5, 2019 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. The SBE participation on this Work Order is 100%. The cumulative SBE participation on the annual electrical contract is 87.02%. The Contractor is a local SBE certified business. Funding for this project is from the Park Improvement Fund. (Capital Improvements Division) District 1 (MWJ)

3. CONSENT AGENDA APPROVAL

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

5. Staff recommends motion to approve: an annual contract with the following contractor 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>
Saffold Paving, Inc.	Local	S/MBE

SUMMARY: On May 16, 2023, the Board of County Commissioners (Board) approved the annual asphalt, pavers and pathway construction services contract. The work consists of asphalt, pavers and pathway construction services to County-owned properties on an as needed basis. The Contractor now joins the list of two (2) prequalified contractors for a total of three (3) prequalified contractors with a contract expiration date of May 15, 2028. The specific requirements of the work will 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 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. 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.)

6. Staff recommends motion to approve: an annual contract with the following contractors for Heating, Ventilation and Air Conditioning (HVAC) services on an as-needed basis through January 6, 2025.

<u>Contractors</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
Key Mechanical Services, Inc.	Non-Local	Non-SBE
Air Conditioning Filters Plus, Inc.	Local	S/MBE

SUMMARY: On January 7, 2020, the Board of County Commissioners (Board) approved the annual HVAC contract (R2020-0019 through R2020-0023). The work consists of HVAC services related to system and component installations, upgrades, replacements, modifications and repairs to County-owned properties on an as needed basis. The Contractors now join the list of nineteen (19) prequalified contractors for a total of twenty-one (21) prequalified contractors with a contract expiration date of January 6, 2025. The specific requirements of the work will be determined by individual work orders issued against this annual HVAC contract. These contracts are five (5) year indefinite-quantity contracts with a maximum cumulative value of \$23,000,000 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 HVAC 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 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. The annual HVAC contract was presented to the Goal Setting Committee on August 21, 2019 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. To date, the cumulative S/M/WBE participation for all work orders under the annual HVAC contract is 28.33%. (Capital Improvements) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

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

7. Staff recommends motion to approve: a Sovereignty Submerged Lands Lease Renewal with the Board of Trustees of the Internal Improvement Trust Fund at Ocean Inlet Park Marina located in Ocean Ridge retroactively from October 24, 2022 through October 24, 2032 at an initial annual rent of \$6,210.03. **SUMMARY:** The County owns and operates the Ocean Inlet Marina, located at 6970 N. Ocean Boulevard in Ocean Ridge, a portion of which was constructed over sovereign submerged lands owned by the Board of Trustees of the Internal Improvement Trust Fund (TIITF). The County currently leases 46,240 sf (1.06 acres) of sovereign submerged lands from TIITF as part of the operations of 21-slips of commercial docking facility with boatlifts. The current lease (R2020-0434) expired on October 24, 2022. Staff had been working with TIITF to finalize this renewal which was finally approved by TIITF's legal department on February 23, 2023. This Lease will extend the term for ten years through October 24, 2032. The County agrees to pay an initial annual rent of \$6,210.03, plus sales tax within 30 days of receipt of the fully executed Lease. The annual fee for the remaining years of the Lease shall be adjusted pursuant to provisions of Rule 18-21.011, Florida Administrative Code. The State of Florida Department of Environmental Protection, Division of State Lands (Division) will notify the County in writing of the amount and the due date of subsequent annual rent each year throughout the term of this Lease. All annual rent is budgeted by Parks and Recreation Department (Parks) under their annual operating expenses for Ocean Inlet Park. Parks will continue to have administrative responsibility for this Lease. (PREM) District 4 (HJF)

8. Staff recommends motion to approve: a Utility Easement Agreement (Easement) in favor of Florida Power & Light Company (FPL) for overhead and underground electrical services and an above ground pad-mounted transformer to service the new Fire Station No. 40 Facility (Facility) located on White Feather Trail in unincorporated Palm Beach County. **SUMMARY:** The Facility is located at 4700 White Feather Trail, just east of Military Trail in unincorporated Palm Beach County. During the development process, underground electric service and an above ground pad-mounted transformer were installed. The Easement includes two easement areas, Easement Premise 1 and Easement Premise 2. Easement Premise 1 is an underground utility being approximately 39 feet in length and 10 feet in width, containing approximately 353.78 square feet (0.01 acre) and provides service to the Facility's transformer that connects to Easement Premise 2. Easement Premise 2 is for existing overhead and underground utility lines being approximately 660 feet in length and 10 feet in width, containing approximately 6,629.7 square feet (0.1522 acre). A non-exclusive easement will be granted at no charge as the electrical utility provides service to the Facility. (Property & Real Estate Management) District 2 (HJF)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. Staff recommends motion to receive and file: Two (2) executed Standard Potable Water and Wastewater Development Agreements and One (1) Amendment to Standard (Potable Water, Wastewater, and/or Reclaimed Water) Development Agreement for the month of February 2023.
 - A) Standard Potable Water and Wastewater Development Agreement with PBA Holdings, INC., SDA #11-01020-000 (District 6), Recorded in OR BK 34140 PG 1832;
 - B) Standard Potable Water and Wastewater Development Agreement with Finrock Properties South Florida, LLC, SDA #14-01006-000 (District 6), Recorded in OR BK 34140 PG 1821; and
 - C) Amendment to Standard (Potable Water, Wastewater and/or Reclaimed Water) Development Agreement with Boca Raton Associates IX, LLLP, SDA # 09-01098-000 (District 5), Recorded in OR BK 34140 PG 1844.

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 5 & 6 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

2. Staff recommends motion to approve: Change Order (CO) No. 2 with Insituform Technologies, LLC (Contractor) for the Sanitary Sewer Collection System Rehabilitation (Project) in the amount of \$158,238.90 and for a Contract time extension of two hundred (200) calendar days. **SUMMARY:** On November 2, 2021, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2021-1619) with Contractor. The Project provides for the rehabilitation of gravity sewer mains, gravity sewer laterals using cured-in-place pipe and the rehabilitation of gravity sewer manholes in lift station (LS) basins LS104, LS109, LS114, LS160, LS165, LS169, LS170, LS181, LS193 located in West Palm Beach and LS303 located in Delray Beach. Contractor has identified eighteen (18) gravity sewer laterals out of seven hundred thirty-six (736) that cannot be lined as a result of deterioration. Therefore, CO No. 2 provides for the replacement of those sewer laterals and the appurtenances thereof, installation of clean outs, pavement restoration, driveway restoration, sod installation and a time extension. The Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On October 7, 2020 the Goal Setting Committee applied an Affirmative Procurement Initiative of a Small Business Enterprise (SBE) Price Preference. The Contract provides for 9.08% SBE participation. CO No. 2 includes 100.00% SBE participation. The Cumulative SBE participation including CO No. 2 is 3.53%. Contractor is headquartered in Chesterfield, Missouri. The Project is included in the PBCWUD FY23 budget. (PBCWUD Project 20-063) Districts 2, 3 and 7 (MWJ)

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to approve: Amendment Number 1 to the Material Removal Agreement (Agreement) with Florida Inland Navigation District (District) to provide for the upfront payment of \$3,247,200 to the County. **SUMMARY:** On August 23, 2022, the Board of County Commissioners (BCC) approved Agreement (R2022-0884) for payment from the District to the County on a reimbursement basis of up to \$3,500,000 or \$20 per cubic yard, whichever amount is less, for the removal of an estimated 164,000 cubic yards of spoil material from the Dredge Material Management Area Peanut Island (DMMA PI). The spoil material will be used to construct the Bonefish Cove Project (Project), in partnership with the U.S. Army Corps of Engineers (USACE), with the County as the local sponsor. The County is required to provide its share of funds to USACE before it releases the Project for bid. This upfront payment by the District will serve as a portion of the County's monetary contribution to USACE as the local sponsor. **There is no cost to the County associated with this item.** Districts 1, 2, 4, 7 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (cont'd.)

2. Staff recommends motion to:

A) approve a Governmental Agreement No. 4600004724 (Agreement) with the South Florida Water Management District (District) for the collection and analysis of water quality data in Lake Worth Lagoon (LWL) effective July 1, 2023 for a term of five years; and

B) 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 outlines the cooperative process in which Palm Beach County (PBC) Environmental Resources Management (ERM) will collect monthly surface water quality samples and associated field parameters at 14 stations in LWL and will deploy and retrieve calibrated sondes provided by the District. The District shall operate two sondes and one autosampler, analyze the samples collected and post the data on the District's data base, DBHYDRO. Each party is responsible for their own expenses under this Agreement. The Agreement contains indemnification and liability provisions that differ from that adopted for use by the County under PPM CW-F-049. In accordance with PPM CW-F-049, Risk Management and the County Attorney's Office have reviewed the language and advised the Department of the associated risks. Due to business needs and the benefits to be derived from the agreement, Risk Management and the County Attorney's Office have agreed to allow the Department to move the agreement forward for Board of County Commissioner approval. Countywide (SF)

3. Staff recommends motion to approve: Supplement No. APTIM-01A to Consultant Services Authorization (CSA) No. APTIM-01 to Contract (R2023-0019), approved on January 10, 2023 with Aptim Environmental & Infrastructure, LLC (APTIM) for a credit, in the deductive amount of \$111,820.16 removing provisions for sea turtle monitoring services during the 2023 sea turtle nesting season. **SUMMARY:** The Board of County Commissioners approved the Contract (R2023-0019) with APTIM, a Palm Beach County (PBC) company, on January 10, 2023. This Supplement removes sea turtle monitoring services in association with the Singer Island Dune Restoration Project for the months of April through December 2023. The CSA is funded by the Beach Improvement Fund and is eligible for cost sharing from the Florida Department of Environmental Protection (FDEP). The Contract requires APTIM to adhere to 20% mandatory Small Business Enterprise (SBE) subcontracting goal as the Affirmative Procurement Initiative. APTIM committed to an overall 22.0% SBE participation in the contract. SBE participation for this CSA, including the Supplement reduction, is 95.7%. Districts 1 and 4 (YBH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: an executed Entertainment Contractor Agreement with NHS Consulting Inc., in an amount not to exceed \$1,600 for the Legends of Motown concert at Seabreeze Amphitheater, on April 8, 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 \$20,000 for the Carlin Park After Dark concert series from Vic Canales Media Group LLC offset the expenses of this event at the Seabreeze 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 1 (AH)

2. 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 \$2,285 for the Legends of Motown concert at Seabreeze Amphitheater, on April 8, 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 \$20,000 for the Carlin Park After Dark concert series from Vic Canales Media Group LLC offset the expenses of this event at the Seabreeze Amphitheater. 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 1 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (cont'd.)

3. Staff recommends motion to approve: a downward Budget Amendment of \$125,000 in the Park Improvement Fund to recognize a decrease in revenue of \$125,000 from a Florida Inland Navigation District (FIND) Waterways Assistance Program (WAP) Grant that the Department was ineligible to receive. **SUMMARY:** On May 7, 2019, the Board of County Commissioners (BCC) authorized submission of a \$125,000 FIND WAP grant application, (R2019-0648), to fund a portion of the planning, design and permitting costs associated with the redevelopment of the southern portion of Bert Winters Park. The grant was awarded (Project Number PB19-206) and submitted to the BCC to receive and file and establish budget on January 7, 2020 (R2020-0036). The grant reimbursement was contingent upon completing the planning, design and permitting by September 30, 2022 and executing a construction contract by September 30, 2023. The project was delayed and the grant deadlines were not met. The Department of Parks and Recreation reapplied for the grant which was ratified by the Mayor on the October 4, 2022 BCC agenda. The grant reapplication received FIND approval on November 1, 2022. This Budget Amendment in the Park Improvement Fund is necessary to correct the appropriations. District 1 (AH)

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to:
 - A) **ratify** the Mayor's signature on a Justice and Mental Health Collaboration Bureau of Justice Assistance (BJA) grant application for Federal Fiscal Year 2023 (County Fiscal Year 2024) in the amount of \$550,000 beginning October 1, 2023 through September 30, 2026 to be used for cross-system collaboration programs to reduce criminal justice system involvement and improve outcomes for individuals with mental health disorders (MHDs) or co-occurring mental health and substance use disorders (MHSUDs) who have come into contact with the criminal justice system or are leaving a custodial setting; and
 - B) **authorize** the County Administrator or designee to execute the grant award, amendments, documents, and electronic grant reporting forms, related to this grant, on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budget allocations.

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (cont'd.)

1. **SUMMARY:** In February of 2023, the Criminal Justice Commission (CJC) was notified about this BJA grant (CFDA 16.745). Funding is being requested for a one-year planning grant in the amount of \$100,000 and a two-year implementation grant of \$450,000 to create, and in some cases, enhance the systems and processes serving youth with MHDs or MHSUDs who are at risk of, or who have, encountered the juvenile/criminal justice system. Through this initiative, a well-coordinated system of care will be developed that targets youth at the high school level when they are facing disciplinary actions, such as in-school or out-of-school suspensions, or when they encounter law enforcement. This systems approach will offer two highly effective evidence-based programs, the Icelandic Prevention Model (IPM), and the Teen Intervene Model (TIM), both of which show empirical evidence of reducing recidivism, improving school attendance, and lowering substance use among youth. Funds for this collaboration afford the CJC the opportunity to provide direct funding to community-based providers to address the needs of youth, particularly females, with MHDs and to intentionally engage youth, families and residents historically underserved, marginalized and adversely affected by system inequalities and disproportionately impacted by crime, violence and the criminal justice system. The emergency procedure was used because of the limited time for submission of the grant application. **County cash or in-kind matching funds of 20% years one and two, and 40% year three are required, total of \$231,250. The application includes an additional in-kind overmatch of \$296,418 totaling \$527,668 provided by CJC and Southeast Florida Behavioral Health Network (SEFBHN) in terms of staff time and operating expenses.** Countywide (HH)

U. INFORMATION SYSTEMS SERVICES

1. **Staff recommends motion to approve:** Interlocal Agreement for Information Systems Services (ISS) support services to provide the Town of Jupiter assistance in preparing their non-ad valorem (NAV) assessment rolls. **SUMMARY:** Section 197.3632, Florida Statutes, establishes a uniform method for levying collection and enforcement of non-ad valorem assessments imposed by counties, municipalities, and special districts. These assessments are calculated on a unit basis rather than on property value and are used to pay for an improvement or service to the property such as drainage, lighting, paving or fire hydrants. ISS has historically assisted special districts and municipalities in the final preparation of their assessment rolls. Countywide (DB)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES (cont'd.)

2. Staff recommends motion to:

A) **approve** Interlocal Agreement for application hosting services with St. Johns County Clerk for an annual revenue total of \$7,915; and

B) **authorize** the County Administrator or designee, to approve and execute Task Orders associated with these services, up to a maximum dollar value of \$50,000 per Task Order.

SUMMARY: St. Johns County Clerk is requesting to lease a version of the County's Inspector General Information Management System (IGIMS). IGIMS is a case management application designed to track activity for Audits, Investigations, and Contracts. The application will be hosted on Palm Beach County servers with connectivity provided through the Florida LambdaRail. The Agreement is for an initial period of one (1) year with four (4) automatic one-year renewals unless notice is given by either party and will generate \$7,915 in annual revenue to Palm Beach County. In addition, St. Johns County Clerk will fully reimburse Palm Beach County \$4,375 for one-time installation and professional services. Countywide (DB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to approve: the following Agreements to collaborate as partners for the placement of mental health counseling student interns for the period June 6, 2023 through June 5, 2028 unless terminated earlier, with no financial obligation.

A) Agreement with Barry University, Inc. (Barry); and

B) Agreement with Nova Southeastern University, Inc. (NSU).

SUMMARY: In 2018, Palm Beach County (County) entered into five year Agreements with Barry and NSU for the placement of student interns. The parties wish to continue the partnerships. These Agreements formalize the cooperative arrangements between Barry, NSU and the County for the development and implementation of the practicum and internship program for social work and mental health counseling students. It outlines the respective duties, responsibilities, policies, and procedures for Barry, NSU and the County. Barry and NSU will refer students to the County that completed the required prerequisites for the internship. The County's Public Safety Department and Palm Beach County Fire Rescue (PBCFR) already have internship programs in place to train students from local colleges and universities who are seeking degrees in social work or mental health counseling. The County will provide a training program and training facilities, designate a supervisor, ensure students receive the required service hours, and evaluate performance by completing evaluations for each semester. The County, Barry and NSU are each responsible for their own costs. Countywide (RS)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (cont'd.)

2. Staff recommends motion to: receive and file executed Amendment 6 for subcontract 18SAS26 with the Florida Council Against Sexual Violence (FCASV) revising Amendment 5 to provide sexual assault services for the period retroactive to January 1, 2023 through July 31, 2023. **SUMMARY:** This is year five of a Sexual Assault Services Program (SASP) Formula Grant (CFDA#16.017) that was awarded by FCASV to Palm Beach County Public Safety Department's Division of Victim Services (PBCDVS) to support and provide sexual assault services to primary and secondary victims. Amendment 6 to contract #18SAS26 (R2018-1038) revises Attachment I, Section C.1.a.Task List, 1) Services, b) as follows: Identify a minimum of two unduplicated social service providers with whom the provider has never had contact or has limited contact and create a list of each provider; conduct a minimum of one meeting with each identified local social service provider and ensure that each meeting promotes diversity, equity, and inclusion outreach to survivors of sexual assault; gather feedback at each meeting identifying best practices for providing Sexual Assault Services, service gaps, unique needs of the identified underserved population and action steps for inclusion or outreach to at least one underserved population. The Amendment also requires a sign-in sheet/attendance log for each in person or virtual meeting and a meeting report that is to be submitted with the July 2023 invoice. Amendment 6 also revises Attachment I, Section D.2.adding financial consequences for not conducting the meetings and creating/submitting the required report. This grant provides funding to the County for one full time Victim Advocate position to increase intervention, advocacy, accompaniment and support services to adult, youth, and child victims of sexual assault and those collaterally impacted by the victimization. Emphasis is on the lesbian, gay, bi-sexual, transgender and queer (LGBTQ) communities. If grant funding ceases, the position associated with this grant will be deleted from the PBCDVS complement. R2018-1038 authorizes the County Administrator or designee to execute FCASV grant contracts and amendments on behalf of the County. **No County matching funds are required.** Countywide (RS)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

1. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office a Sub-Recipient Agreement For Federal Grant Funding Assistance between the Florida Department of Law Enforcement and the Palm Beach County Sheriff's Office through a FY22 Paul Coverdell Forensic Sciences Improvement Act Formula Grant in the amount of \$92,476 for the period of October 1, 2022 through September 30, 2024; and

B) approve a Budget Amendment of \$92,476 in the Sheriff's Grant Fund.

SUMMARY: On March 16, 2023, the Florida Department of Law Enforcement awarded \$92,476 in grant funding to the Palm Beach County Sheriff's Office under the FY22 Paul Coverdell National Forensic Sciences Improvement Grant Program which is pass-through the U.S. Department of Justice, Bureau of Justice Assistance. The grant funds will be used to improve forensic science services at the Crime Laboratory through new equipment/instruments, lab supplies and travel/training costs. The Catalog of Federal Domestic Assistance (CFDA) number is 16.742 and the grant number is 15PBJA-22-GG-01948-COVE. There is **no match requirement** associated with this award. Countywide (RS)

2. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, a Federally Funded Sub-Award & Grant Agreement for a FY19 State Homeland Security Grant in the amount of \$79,000 for the period of September 1, 2019 through June 30, 2023; and

B) approve a Budget Amendment in the amount of \$79,000 in the Sheriff's Grant Fund.

SUMMARY: On April 25, 2023, the Palm Beach County Sheriff's Office (PBSO) received a FY19 State Homeland Security Grant Program (SHSGP) award from the State of Florida, Division of Emergency Management. These funds will be used to offset the costs of a training course for Region 7 bomb technicians. **There is no match associated with this award.** The Catalog of Federal Domestic Assistance (CFDA) Number for this program is 97.067 and the contract number is R0737. Countywide (RS)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (cont'd.)

3. Staff recommends motion to: receive and file Grant Modification 2 to the FY21 State Homeland Security Subgrant Agreement with the State of Florida, Division of Emergency Management, to extend the grant period through September 30, 2023. **SUMMARY:** On March 22, 2022, the Board of County Commissioners (BCC) approved a grant award from the State of Florida, Division of Emergency Management in the amount of \$763,240 for the period of January 18, 2022 through March 31, 2023 to support various domestic security initiatives (R2022-0254). On December 6, 2022, the BCC approved grant modification #1 which provided supplemental funds in the amount of \$462,317 to support a statewide law enforcement data sharing system administered by the Florida Department of Law Enforcement, for a total grant award of \$1,225,557 (R2022-1475). This agenda item will extend the grant period through September 30, 2023 to allow more time to complete our domestic security initiatives. There is no match associated with this award. The Catalog of Federal Domestic Assistance (CFDA) Number for this program is 97.067 and the contract number is R0515. Countywide (RS)

4. Staff recommends motion to: receive and file a Modification #3 to Subgrant Agreement between the Florida Division of Emergency Management and the Palm Beach County Sheriff's Office, to extend the grant period through September 30, 2023. **SUMMARY:** The Board of County Commissioners (BCC) accepted this grant for \$1,103,100 on February 2, 2021 (R2021-0205). On March 22, 2022, the BCC approved the extension of this grant through September 30, 2022 (R2022-0256). On October 4, 2022. The BCC approved the extension of this grant through March 31, 2023 (R2022-1164). This agenda item will extend the grant period through September 30, 2023. The Catalog of Federal Domestic Assistance (CFDA) Number for this program is 97.067 and the contract number is R0286. **There is no match associated with this award.** Countywide (RS)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (cont'd.)

5. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office a U.S. Department of Transportation, Federal Railroad Administration FY2022 Law Enforcement Strategies for Reducing Trespassing grant award in the amount of \$120,000 for the period of December 1, 2022 through June 30, 2024; and

B) approve a budget amendment of \$120,000 in the Sheriff's Grants Fund.

SUMMARY: On December 1, 2022 the Palm Beach County Sheriff's Office (PBSO) received a Federal grant award in the amount of \$120,000 to address railroad trespassing in the City of Lake Worth which can be the cause of accidents, injuries, death, and vicarious trauma; due to grant award system technical issues the award was not fully executed until April 27, 2023. Funding provided will be used for overtime costs associated with a robust enforcement campaign. **There is no match associated with this award.** The U.S. Department of Transportation Programs Catalog of Federal Domestic Assistance (CFDA) Number for this program is 20.325 and the agreement # is 69A36523420040CRSFL. Countywide (RS)

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4. SPECIAL PRESENTATIONS – 9:30 A.M.

- A) Proclamation declaring June 6, 2023 as Gerry O'Reilly Day. (District 2)
- B) Proclamation declaring June 6 – 10, 2023 Code Enforcement Officers Appreciation Week. (District 1)
- C) Proclamation declaring the First Friday in June as National Gun Violence Awareness Day. (District 2)
- D) Proclamation declaring June 21, 2023 as Alzheimer's Community Care Day. (District 1)
- E) Proclamation recognizing Joe Bergeron for his 40 Years of Service. (District 2)
- F) Proclamation declaring June 19, 2023 as Juneteenth Day. (District 3)
- G) Proclamation declaring June 6, 2023 as American Association of Caregiving Youth Day. (District 5)
- H) Certificate of Recognition presented to Marsha Solomon. (District 6)
- I) Proclamation declaring June 2023 as Palm Beach County Veteran Service Officers Appreciation Month. (District 5)

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5. REGULAR AGENDA

A. ADMINISTRATION

1. Staff recommends motion to receive and file: 2023 Legislative Session Report **SUMMARY:** County staff will present the 2023 Legislative Session Report for the Board of County Commissioners, including a review of the County's 2023 legislative and appropriation based priorities. Members of the county's professional contract lobbying team will also be present to review legislation affecting Palm Beach County. Topics covered will include, but are not limited to: state budget highlights; Palm Beach County appropriations; statewide legislation; statewide local government preemptions; and local bills affecting Palm Beach County. Countywide (SS)

B. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to: Approve on preliminary reading and grant permission to advertise for Public Hearing on JULY 11, 2023 at 9:30 am: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE PALM BEACH COUNTY UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 2003-067, AS AMENDED, BY AMENDING ARTICLE 2, CHAPTER G, SECTION 3 CONCERNING BOARD MEMBERSHIP QUALIFICATIONS AND TERM LIMITS FOR MEMBERS OF THE IMPACT FEE REVIEW COMMITTEE; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; PROVIDING FOR AN EFFECTIVE DATE. **SUMMARY:** During staff's presentation of the last Impact Fee Rate Update Study and Report (Report) at the Board of County Commissioner's second public hearing on September 13, 2022, the Board voted to add a designated seat on the Impact Fee Review Committee (IFRC) for the Associated General Contractors of America Florida East Coast Chapter (AGC) and indicated their desire to eliminate term limits for IFRC members. This additional Committee member will bring the total number of Committee members to eight members. To maintain the odd number of voting members, staff recommends adding another at-large Committee member. Upon approval of this item, the Committee will have nine voting and three alternate members with no term limits. The membership will include three representatives from municipalities within Palm Beach County, four representatives from the business community of which one seat is designated for AGC, and two members selected at-large. Countywide (RM)

5. REGULAR AGENDA

C. FACILITIES DEVELOPMENT AND OPERATIONS

1. 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 Joseph Tomacic and Mary Tomacic for \$20,150 plus closing, title insurance and recording costs estimated to be \$525;
- B) a Memorandum of Agreement with Joseph Tomacic and Mary Tomacic 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 Edward D. Quinn, Jr., for \$20,150 plus closing, title insurance and recording costs estimated to be \$525; and
- D) a Memorandum of Agreement with Edward D. Quinn, Jr., to be recorded in the public records to provide notice of this Agreement.

5. REGULAR AGENDA

C. FACILITIES DEVELOPMENT AND OPERATIONS (cont'd.)

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 Joseph Tomacic and Mary Tomacic (Tomacic parcel), ~~Philip G. Rathof (Rathof parcel)~~, and Edward D. Quinn, Jr. (Quinn 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 \$525 for the Tomacic parcel, and \$525 for the Quinn 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 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)**

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JUNE 6, 2023

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

JUNE 6, 2023

7. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

1. [Staff recommends motion to receive and file:](#) The updated Board Directive Reports which include in process and completed board directive items. **SUMMARY:** At the February 6, 2018 Board of County Commissioners Meeting, direction was given to the County Administrator to submit monthly a status report of the board directives. The report categorizes: **1)** In Process Items and **2)** Completed Items. The report continues to be updated on an on-going basis. Countywide (DC)

B. COUNTY ATTORNEY

JUNE 6, 2023

8. COMMISSIONER COMMENTS

District 1 – COMMISSIONER MARIA G. MARINO

District 2 – COMMISSIONER GREGG K. WEISS

Request approval for off-site Proclamation declaring June 19-25, 2023 as Amateur Radio Week.
Request approval for off-site Certificate of Recognition for Philippine American Society, Inc. for 24 years of service.

District 3 – COMMISSIONER MICHAEL A. BARNETT

Request approval for off-site Proclamation declaring June 2023 as Summer Reading Month.

District 4 – COMMISSIONER MARCI WOODWARD

District 5 - COMMISSIONER MARIA SACHS

District 6 - COMMISSIONER SARA BAXTER

District 7 – COMMISSIONER MACK BERNARD

JUNE 6, 2023

9. MATTERS BY THE PUBLIC – 2:00 P.M.

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JUNE 6, 2023

10. ADJOURNMENT

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