

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

**ADDITIONS, DELETIONS, & SUBSTITUTIONS**

**AUGUST 20, 2024**

<u>PAGE</u>	<u>ITEM</u>	
16	3A1	* <b>DELETED</b> – pulled for further review. (ADMIN) / Health Care District Funding Agreement
68	3H25	* <b>DELETED</b> – pulled for further review. (FDO) / PBSO Renovation.
89	3N1	* <b>REVISED SUMMARY</b> / (LIBRARY) / <b>SUMMARY:</b> This Plan represents the Library’s mission statement, goals and objectives, and strategic plan for FY2024 through FY2028. This process of strategic planning is done in conjunction with the State’s requirements for libraries receiving State Aid grant funds and with the County’s budget process. The Library Advisory Board endorsed this Plan with Resolution 24-01, dated July 8, 2024. The Plan for FY2024 - FY2028 underwent a complete revision last year to address community needs by reflecting recent changes, including those brought about by the COVID-19 pandemic, along with the public’s demand for electronic resources, access to evolving technology, and population growth. While continuing to meet the needs of those who seek traditional services and resource formats, the Library also recognizes the demand for new technology. The Library will take an active role in serving as a bridge to connect Library members with the community services they require.

Highlights of the Plan for FY2025 include:

- Engaging our communities and partners by promoting and enhancing the role of the Library and offering services beyond the Library’s walls;
- Providing free access to resources and services that reflect and engage Palm Beach County’s diverse communities and people;
- Offering a diverse range of activities designed to enrich, stimulate and engage members from early literacy through adulthood;
- Providing a welcoming environment, both physically and virtually, to spark creativity, stimulate thoughtful conversation and encourage collaboration;
- Serving as a bridge for community members to access social services.

Countywide (AH)

**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**

**AUGUST 20, 2024**

**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 16 - 116)**
  
- 4. SPECIAL PRESENTATIONS (Page 117)**
  
- 5. PUBLIC HEARINGS - 9:30 A.M. (Page 118)**
  
- 6. REGULAR AGENDA (Pages 119 - 139)**
  
- 7. BOARD OF COUNTY COMMISSIONERS SITTING AS THE ENVIRONMENTAL CONTROL BOARD (Page 140)**
  
- 8. BOARD APPOINTMENTS (Page 141)**
  
- 9. STAFF COMMENTS (Page 142)**
  
- 10. BCC COMMENTS (Page 143)**
  
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**SPECIAL PRESENTATIONS - 9:30 A.M.**

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- 4A National Hunger Action Month
- 4B 85<sup>th</sup> Anniversary of the Florida Highway Patrol
- 4C Palm Beach County LIHEAP Action Month
- 4D Florida Water Professional Month
- 4E Congratulations FAU Softball Team
- 4F National Voter Registration Month
- 4G Hoot & Holler FAU Tailgating Day
- 4H 60<sup>th</sup> Anniversary of the War on Poverty

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6D-6 First Amendment with Leonidas Alfaro for the acquisition of three (3) parcels that modifies the acreage, reduces the purchase price and adds a condition precedent to closing.

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

(Page 140)

7A-1 Reappointment of one (1) member to the Environmental Appeals Board.

**BOARD APPOINTMENTS** (Page 141)

**STAFF COMMENTS** (Page 142)

**BCC COMMENTS** (Page 143)

**ADJOURNMENT** (Page 144)



3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. ~~Staff recommends motion to approve: a Funding Agreement (Agreement) with the Health Care District of Palm Beach County (District) under which the County will fund/reimburse up to \$10,000,000 in land acquisition, design services, and construction services for a Central Receiving Facility (CRF) as an infrastructure improvement to the behavioral health system in Palm Beach County. **SUMMARY:** The Palm Beach County Board of County Commissioners (BCC) approved a plan for the use of American Rescue Plan Act (ARPA) funds on July 13, 2021 including a \$10,000,000 allocation for infrastructure improvements to the behavioral health system. The BCC subsequently affirmed this allocation in the amended ARPA plan approved on November 2, 2021. These funds were earmarked for the District to acquire land and construct a CRF as part of their overall behavioral health infrastructure. The District has developed a Crisis Now Model consistent with the Substance Abuse and Mental Health Services Administration (SAMHSA) guidelines. SAMHSA identifies the three critical elements of the model to be “Someone to Call, Someone to Respond and Somewhere to Go.” The CRF will be the “Somewhere to Go” in the model. The District shall have eighteen (18) months from the effective date of this Agreement to complete land acquisition, thirty-six (36) months from land acquisition to complete design and permitting, and forty-eight (48) months from design and permitting completion to complete construction. Funds will be distributed to the District on a reimbursement basis. **This Project is included in the ARPA Response Replacement Fund. Countywide (HH)**~~

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

2. Staff requests Board motion to approve: appointment of Elisa Cramer, Director of Youth Services, to the Community Alliance (Alliance), effective August 20, 2024, to replace the prior appointment of Tammy K. Fields. **SUMMARY:** The Alliance is charged with planning for resource utilization in the community, including resources appropriated to the Department of Children & Families (DCF), needs assessment and establishment of community priorities for service, delivery, determining community outcome goals to supplement state-required outcomes, providing community advocacy and education, and promoting prevention and early intervention services. The Alliance was established under the authority of Section 20.19(5), Florida Statutes and shall have a member of the county government. The Alliance is comprised of statutorily assigned core members: a representative from the DCF, a representative from county government, a representative from the school district, a representative the county United Way, a representative from the county sheriff's office, a representative from the circuit court, and a representative from the county children's board, if one exists. In addition, there are community leaders, client representatives and funders of human services to reflect the diversity of race, culture, geographic location, the faith community, consumers, families, business leaders and other concerned with the well-being of children and their families. In 2016, the Board of County Commissioners (BCC) appointed Tammy K. Fields to the Alliance. This appointment will replace Ms. Fields, who formerly served as Youth Services Director and is now an Assistant County Administrator. Countywide (HH)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

3. Staff recommends motion to approve: appointment of Elisa Cramer, Director of Youth Services, to the Early Learning Coalition of Palm Beach County, Inc., (Coalition) effective August 20, 2024, to replace the prior appointment of Tammy K. Fields. **SUMMARY:** The duties of the Coalition include, but are not limited to planning and implementing a school readiness program and the voluntary prekindergarten education program. The Coalition was established pursuant to Section 1002.83, Florida Statutes, and shall have a member appointed by the Board of County Commissioners (BCC). Section 1002.83(3), Florida Statutes, requires the Governor to appoint the chair and two (2) other members. Pursuant to Section 2 of the Bylaws of the Coalition, the following members are required: Department of Children and Families Services Circuit Administrator, or designee; Palm Beach County District Superintendent of Schools, or designee; Regional Workforce Development Executive Director, or designee; Palm Beach County Health Department Director, or designee; Children's Services Council of Palm Beach County Chair or Executive Director; an agency head of a local licensing agency as defined in Section 402.302, Florida Statutes, where applicable; a central agency administrator, where applicable; a Head Start Director from Palm Beach County; the president of Palm Beach Community College, or designee; a member appointed by the BCC; a representative of programs for children with disabilities under the Federal Individual with Disabilities Education Act; a representative of faith-based child care providers; a representative of private for profit child care providers; a parent with one (1) or more children who are being served in an early care and education program; and a representative from the western Palm Beach County area. In 2017, the BCC appointed Tammy K. Fields to the Coalition. This appointment will replace Ms. Fields, who formerly served as Youth Services Director and is now an Assistant County Administrator. Countywide (HH)

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>
May 07, 2024	Regular
May 21, 2024	Workshop
June 04, 2024	Regular
June 11, 2024	Budget
June 20, 2024	Zoning
July 02, 2024	Regular
July 09, 2024	Workshop
July 17, 2024	Zoning

3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller’s Office. Countywide
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 June 2024. Countywide
5. **Staff recommends motion to receive and file:** two (2) of Palm Beach County’s annual financial reports for fiscal year ended September 30, 2023:
  - A) The Units of Local Government – Annual Financial Report (AFR); and
  - B) Annual Financial Audit Report (AFAR), including the Single Audit Report.

**SUMMARY:** The Units of Local Government Report is an Annual Financial Report which serves to generate input to the state. The Annual Financial Audit Report is a special annual financial report defined in Chapter 10.550 of the rules of the Auditor General. This report is required to be filed annually with the Auditor General in compliance with Section 11.45, Florida Statutes and includes the Single Audit Report. Countywide

3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER

6. Staff recommends motion to approve: list of errors, insolvencies, double assessments, discounts, and Value Adjustment Board reductions on the 2023 Assessment Roll. **SUMMARY:** Section 197.492, Florida Statutes, requires that on or before the 60th day after the tax certificate sale, the Tax Collector shall make out a report to the Board of County Commissioners, separately showing the discounts, errors, double assessments, and insolvencies for which credit is to be given, including in every case except discounts, the names of the parties on whose account the credit is to be allowed. Countywide (DB)

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to:

A) **adopt** a Resolution supporting the submittal of a grant application (Application) to the Florida Department of Transportation (FDOT) Local Road Safety Program (LRSP) for funding the construction of pre-signals in advance of three (3) signalized railroad crossings (Project); committing to fund the local share of Project delivery and the associated ongoing operation and maintenance expenses; and providing for an effective date; and

B) **ratify** the FDOT LRSP Application.

**SUMMARY:** Adopting this Resolution will support Palm Beach County's (County) LRSP Application submittal for funding the construction of three (3) pre-signals at Silver Beach Road and Old Dixie Highway/President Barack Obama Highway; Frederick Small Road and Alternate A1A; and Hypoluxo Road and Dixie Highway/Federal Highway. If selected, the County will enter into a grant reimbursement agreement with the FDOT. The Project will be constructed within County road rights-of-way (ROW) and/or Florida East Coast Railway (FEC) ROW with FEC approval, of which will be determined during design of the Project. As part of the application process, the FDOT requires this Resolution to support the LRSP Application submittal and the County's commitment to design, construct, operate and maintain the Project after construction. The LRSP grant will fund the Project's construction at an estimated cost of \$757,399.89. **The County's local participation funding is estimated at \$580,504.77 of voluntary funding for the Project's design, construction management, and contingency.** Traffic signal timing is designed to flush traffic off of the railroad tracks. Pre-signals stop vehicles prior to railroad crossings when crossing warning devices are activated, and are recommended to control traffic upstream of the railroad crossing warning devices when the crossing is less than 200 feet from the intersection. Districts 1, 4, & 7 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

2. Staff recommends motion to approve: Consultant Service Authorization No. 8 (CSA) to the Annual Structural Engineering Services Contract (R2023-0260) dated March 14, 2023 (Contract) with Alan Gerwig & Associates, Inc. (AGA) in the amount of \$381,514.46 for the Corkscrew Boulevard bridge replacement over the South Florida Water Management District's Miami Canal (934502) (Project). **SUMMARY:** Approval of this CSA will provide the professional services necessary to design the replacement for the existing two (2) lane, five (5) span bridge. The Contract was presented to the Goal Setting Committee on January 5, 2022, and the Committee established Affirmative Procurement Initiatives (API) of a 20% minimum mandatory Small Business Enterprise (SBE) participation of which 5% must be Minority Business Enterprise (MBE) participation for African American owned firms, and an SBE evaluation preference. AGA committed to 98% SBE participation and 15% MBE participation for the Contract, and received 15 Evaluation Preference Points. The proposed SBE participation for this CSA is 18.93%, and the proposed MBE participation is 14.76%. To date, the overall SBE participation achieved on this Contract is 56.58%. AGA has an office located in Palm Beach County (County). **This Project has infrastructure sales tax funding. District 6 (YBH)**

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

3. Staff recommends motion to approve:

- A) Amendment No. 1 to the Annual Traffic Signal Construction Contract (R2022-0791), dated August 23, 2022 (Contract) with Gerelco Traffic Controls, Inc. (Gerelco) to increase the Contract amount by \$5,000,000;
- B) Work Order G-24 in the amount not to exceed \$571,218.31 to the Contract to construct a new mast arm traffic signal at the intersection of Belvedere Road and Cleary Road, Palm Beach County (County) Intersection ID Number 29063 (Project); and
- C) A Budget Amendment of \$200,000 in the County Transport Trust to recognize reimbursement funding from Village at Banyan Ridge LLC (Banyan Ridge) and appropriate it to the Project.

**SUMMARY:** On August 23, 2022, the Board of County Commissioners (BCC) approved the Contract with Gerelco to provide for and install various signal components for traffic control devices. Approval of this Amendment will increase the Contract amount from \$5,000,000 to \$10,000,000. The increased Contract amount is based on updated estimates that exceed the current Contract amount to be expended throughout the County by the user departments. Section 3 of the Special Provisions in the Contract allows for Gerelco to amend the Contract amount while adhering to all other original terms, conditions and unit prices of the Contract. The current Contract will expire August 22, 2025. Approval of this Work Order will allow Gerelco to construct the Project. Per County PPM CW-F-050, this Work Order exceeds the threshold relating to staff approvals of work orders to annual contracts, thus requiring approval from the BCC. Prior to this Work Order, \$3,172,053.00 of Gerelco's \$5,000,000 Contract has been spent or encumbered. Gerelco has an office located in the County. On January 20, 2022, the Office of Equal Business Opportunity (OEBO) granted a waiver of the Affirmative Procurement Initiative (API) based upon the determination that sufficient qualified Small/Minority/Women Business Enterprises (S/M/WBE) providing the goods or services required by the Contract are unavailable in the County to perform the specialized construction of traffic signals. Pursuant to Condition E.5 of Resolution R2019-0257, Banyan Ridge provided \$200,000 to the County as required for the cost of a mast arm traffic signal when warranted. In 2022, the Engineering and Public Works Department (EPW) determined the signal to be warranted and estimated the Project costs to be \$571,218.31. District 2 (WBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

4. Staff recommends motion to receive and file: twenty-one (21) fully executed lighting agreements with Florida Power & Light Company (FP&L) for various locations within Palm Beach County. **SUMMARY:** 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 agenda item. The agreements were executed by the County Engineer on April 22, 26, and 29, 2024, per Resolution R2020-0990. FP&L agreements are based on the type of street lighting fixture and/or pole being installed and/or removed. "Street Lighting Agreements" are utilized for installation and/or removal of High Pressure Sodium street lights and poles. "Premium Lighting Agreements" are utilized for the installation and/or removal of Light-emitting Diode (LED) street lights and poles submitted to FP&L prior to December 31, 2021. "Lighting Agreements" are utilized for the installation and/or removal of LED street lights and poles submitted to FP&L after December 31, 2021. Countywide (YBH)
  
5. Staff recommends motion to approve: Consultant Service Authorization No. 10 (CSA) to the Civil Engineering Annual Services Contract (R2022-0463) dated May 17, 2022 (Contract) with Masse Consulting Services, LLC (MCS) in the amount of \$153,629.92 for the Jupiter Plantation Ditch Pipe Replacement (Project). **SUMMARY:** Approval of this CSA will provide the professional civil engineering services necessary to design the replacement of the existing outfall pipe and the associated headwalls that have deteriorated. The Contract was presented to the Goal Setting Committee on June 16, 2021, and the Committee established Affirmative Procurement Initiatives (API) of a 20% minimum mandatory Small Business Enterprise (SBE) participation and a Minority Business Enterprise (MBE) evaluation preference for African American owned firms. MCS committed to 87% SBE participation and received 15 Evaluation Preference Points. The proposed SBE participation for this CSA is 46.44%. To date, the overall participation achieved on this Contract is 89% SBE. MCS has an office located in Palm Beach County (County) and is a certified SBE company. **This Project is included in the ARPA Response Replacement Fund.** District 1 (YBH)



3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

6. Staff recommends motion to approve: Change Order No. 3 to the contract with R & D Paving, LLC (R&D) dated September 13, 2022 (R2022-0914) (Contract) for a time extension of 201 days for the Lyons Road/Sansbury's Way Buffered Bike Lanes (Project), Federalized FM#444370-1-58-01. **SUMMARY:** Per PPM CW-F-050, the time extension in Change Order No. 3 exceeds allowed staff approval, and requires approval by the Board of County Commissioners (BCC). The original scope of this Project is for the installation of separated bike lanes and medians from Forest Hill Boulevard to Okeechobee Boulevard as well as drainage and swale upgrades throughout the corridor. Change Order No. 3 to provide a 201-day contract time extension is due to delays procuring 8-inch and 4-inch force main materials and an unforeseen Verizon conduit conflict with the proposed drainage. Per Specification 8-7.3.2 of the Contract, R&D promptly started the procurement process for the force main materials. Unfortunately, due to pandemic-induced supply chain challenges, the manufacturer was unable to fulfill the order on time. This delay was critical to the progress of the Project and beyond the control of both the manufacturer and R&D. The Contract was approved on September 13, 2022, in the amount of \$5,862,084.91. The total Contract amount, including this Change Order and previous change orders, is \$5,867,732.38. With the approval of this Change Order, substantial completion expected in September 2024. Because this Project is funded by a federal grant (R2021-1899) through the Florida Department of Transportation's Local Agency Program, the Equal Business Opportunity Ordinance is not applicable. Districts 2 & 6 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

7. Staff recommends motion to approve: Change Order No. 8 in the amount of \$20,374.61 and a time extension of 18 days to the contract dated October 19, 2021 (R2021-1465) (Contract) with Ranger Construction Industries, Inc. (Ranger) for Seminole Pratt Whitney Road from Orange Boulevard to south of Northlake Boulevard, and Seminole Pratt Whitney Road and Northlake Boulevard Intersection Improvements (Project). **SUMMARY:** Per PPM CW-F-050, the total of this Change Order exceeds the allowed threshold of \$100,000 and allowable time extensions relating to staff approvals of change orders to contracts, as the sum for the daily value of the 18 days exceeds \$100,000, and requires the Board of County Commissioners (BCC) approval. The original scope of this Project is to widen 2.5 miles of both Seminole Pratt Whitney Road and Northlake Boulevard to 4-lane divided roadways, including new stormwater drainage systems, shoulders/bike lanes, retention ponds and sidewalks, as well as the addition of new traffic signals at the intersection of Seminole Pratt Whitney Road and Northlake Boulevard. Approval of Change Order No. 8 will compensate Ranger for additional drainage work necessitated by the discovery of an unforeseen underground rock shelf at Hamlin Boulevard. The Contract was approved on October 19, 2021, in the amount of \$17,999,999. Previous change orders totaling \$776,434.38 plus this Change Order bring the total change order amount to \$796,808.99 for the Contract. The total Contract amount, including this Change Order and previous change orders, is \$18,796,807.99. With the approval of this Change Order, the new revised completion date will be March 20, 2025. This Project was presented to the Goal Setting Committee on March 4, 2020, and the Committee established an Affirmative Procurement Initiative (API) of a 20% minimum mandatory Small Business Enterprise (SBE) participation. The proposed SBE participation for Change Order No. 8 is 90%. To date, the overall participation achieved is 20.95%. **This Project is included in the Five-Year Road Program. District 6 (YBH)**

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

8. Staff recommends motion to adopt: six (6) Resolutions declaring the acquisition of fee simple rights-of-way designated as Parcels 102, 103, 104, 105, 106, and 107 and temporary construction easements designated as Parcels 302 and 306 necessary for the construction of intersection improvements at Woolbright Road and South Seacrest Boulevard (Project). **SUMMARY:** Adoption of these Resolutions will initiate eminent domain proceedings pursuant to Chapters 73, 74, 127, and Section 337.27(1), Florida Statutes, as amended, against eight (8) parcels having a total appraised value of \$678,150. The parcels are necessary to provide an eastbound to southbound right turn lane on Woolbright Road. The Project includes additional drainage, sidewalks and traffic signal improvements. The property owners have not accepted the offers to purchase made by Palm Beach County (County) and attempts to negotiate the purchases have been unsuccessful. Eminent domain proceedings are necessary to acquire the parcels at this time in order to expedite construction of the Project. **This Project is included in the Five Year Road Program. District 7 (DO)**

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

9. Staff recommends motion to approve: Change Order No. 6 in the amount of \$239,860.17 and a contract time extension of 69 days to the contract dated October 5, 2021 (R2021-1412) (Contract) with Ranger Construction Industries, Inc. (Ranger) for 6th Avenue South over Lake Osborne Drive (Project). **SUMMARY:** Per PPM CW-F-050, the total of this Change Order exceeds the threshold of \$100,000 and allowable time extensions relating to staff approvals of change orders to contracts and requires the Board of County Commissioners (BCC) approval. The original scope of this Project includes complete bridge demolition and reconstruction, signal replacement, drainage improvements, roadway reconstruction, resurfacing, and widening. Pursuant to Contract specification Sections 4-3, 5-12.2.2, and 8-7.3.2, approval of Change Order No. 6 will provide compensation to Ranger for additional time and costs incurred while maintaining the Project during delays from January 3, 2023 to March 16, 2023, which was before the complete closure of 6th Avenue South for the Project's bridge demolition and reconstruction. The delays were caused by a conflict with overhead electrical transmission lines owned by the City of Lake Worth Beach Electric Utilities, that affected the bridge's demolition and reconstruction schedule. The Contract was approved on October 5, 2021, in the amount of \$11,074,000. Previous change orders totaling \$1,197,176.26 plus this Change Order bring the total change order amount to \$1,437,036.43 for the Contract. The total Contract amount, including this Change Order and previous change orders, is \$12,511,036.43. This Project was presented to the Goal Setting Committee on January 20, 2021, and the Committee established an Affirmative Procurement Initiative (API) of a 10% minimum mandatory Small Business Enterprise (SBE) participation. The proposed SBE participation for Change Order No. 6 is 0%. To date, the overall participation achieved is 10.21%. **This Project is included in the Five-Year Road Program and has infrastructure sales tax.** Districts 2 & 3 (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 \$150,000, in the employment termination action styled Craig Williams v. Palm Beach County, Case No. 2019CA015663MB. **SUMMARY:** Mr. Williams was employed as the Assistant Director of Finance & Administration with the Palm Beach County Water Utilities Department (WUD). On July 8, 2019, the Director of WUD terminated his employment. Mr. Williams subsequently filed a lawsuit against Palm Beach County, Craig Williams v. Palm Beach County, Case No. 2019CA015663MB (the "Pending Lawsuit"), alleging that he was terminated in violation of the Florida Public Whistleblower's Act, Florida Statutes §112.3187 (WBA), for making various disclosures of information protected by the statute. Mr. Williams seeks to recover damages authorized by the statute, including lost wages and benefits, emotional distress, front pay, and attorney's fees. Countywide (AMP)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to approve: the reappointment of three (3) members to the Palm Beach County HIV Comprehensive AIDS Resources Emergency Act Council (HIVCC), for the term August 20, 2024 to August 19, 2027:

<u>Seat No</u>	<u>Appointment</u>	<u>Recommended By</u>
11	Ashaki Sypher	HIV CARE Council
12	Lysette Perez	HIV CARE Council
22	Mary Jane Reynolds	HIV CARE Council

**SUMMARY:** HIVCC shall establish priorities for the allocation of Ryan White (RW) HIV/AIDS Program funds within Palm Beach County; and develop a comprehensive plan for the organization and delivery of health services described in 42 U.S.C. that is compatible with any existing state or local plan regarding the provision of health services to individuals with HIV disease. The U.S. Department of Health and Human Services, Health Resources and Services Administration (HRSA) requires Palm Beach County to maintain a planning council tasked with establishing priorities and allocations for the RW grant funding. The HIVCC is that Council. Federal law requires that the planning council composition reflect the demographics of the population of individuals with HIV/AIDS in the eligible area, and at least 33% of planning council members be consumers of RW services who are unaffiliated with subrecipient service providers. The law further requires that members of the planning council represent designated categories including: health care providers; social service providers; community-based organizations; local public health agencies; non-elected community leaders; and grantees of Federal HIV programs. Per Resolution No. 2011-1560, the total membership for the HIVCC shall be no more than 33 at-large members. The HIVCC recommends the reappointment of Ms. Ashaki Sypher, Ms. Lysette Perez and Ms. Mary Jane Reynolds. Ms. Sypher is employed by Families First of Palm Beach County and Ms. Perez is employed with Compass Inc. Both agencies contract with Palm Beach County for services; however HIVCC provides no regulation, oversight, management, or policy setting recommendations regarding the contracts or transactions with Families First of Palm Beach County or Compass Inc. Disclosure of this contractual relationship at a duly noticed public meeting is provided in accordance with the provisions of Section 2-443 of the Palm Beach County Code of Ethics. The diversity count for the 25 seats that are currently filled is African-American: nine (9) (36%), Caucasian: eight (8) (32%), Hispanic-American: six (6) (24%) and Asian-American: two (2) (8%). The gender ratio (male: female) is 10:15. Ms. Perez is Hispanic and Ms. Sypher and Ms. Reynolds are African American. Staff is addressing the need to increase diversity within our boards and will continue to encourage this to expand this Board's diversity. Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

2. Staff recommends motion to approve: Contract for Provision of Services with Housing Partnership, Inc., d/b/a Community Partners of South Florida (CPSFL), for the period of August 1, 2024 through February 15, 2025, in an amount not-to-exceed \$40,000 to facilitate the 2024 Securing Our Future Initiative (SOFI) Economic Mobility Summit (Summit). **SUMMARY:** Palm Beach County's Community Services Department (CSD) and CPSFL will jointly organize the 2024 SOFI Summit on December 9, 2024. The first Summit was held December 5, 2022, which brought together over 500 community leaders and stakeholders to assist in the development of an economic recovery plan to ensure short and long-term recovery and sustainability. The Summit serves as a platform to showcase ongoing initiatives within the Health and Human Services System of Care that support families in poverty to increase their household income above the federal poverty level. The Summit will convene local and national leaders in various domains such as housing, employment, transportation, food security, health, education, safety, justice, and childcare. Local leaders will highlight projects aimed at enhancing economic prosperity for families in poverty, while national leaders will share best practices to improve economic opportunities. The 2024 Summit will build upon the success of the inaugural event held on December 5, 2022, to expand and harness area resources for families and discuss ways to improve our Health and Human Services System of Care. CSD and CPSFL will work collaboratively to ensure a successful, educational event and will meet regularly to ensure that expectations, agreements, registrations, budget, and event activities are within scope and are executed with fidelity. CPSFL will handle payments for Summit related activities using a combination of funding sources, namely sponsorships, registration fees, grants, and ad valorem funding. Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

3. Staff recommends motion to adopt: a Resolution to repeal and replace Resolution No. R-2013-1563, regarding the Citizens Advisory Committee on Health and Human Services (CAC/HHS). **SUMMARY:** The CAC/HHS assists the Board of County Commissioners (BCC) in the assessment of need, planning, implementation and evaluation of a System of Care, as defined in the Health and Human Services (HHS) Element of the Palm Beach County Comprehensive Plan (Comp Plan). The proposed resolution brings the membership of the CAC/HHS into alignment with the Comp Plan approved by the BCC in February 2023. In the proposed Resolution the number of board members remains at 11. Two (2) of the previous eight (8) at-large seats will become designated seats, one (1) seat for a representative from the Birth to 22: United for Brighter Futures Alliance (Birth to 22), and the other for a community member with lived experience in the HHS System of Care. The CAC/HHS membership will now consist of six (6) at-large seats and five (5) designated seats to include: at least one (1) member who lives West of the 20 mile bend; at least one (1) member who is a representative of the Palm Beach County League of Cities; at least one (1) member who is a representative of the Florida Department of Health in Palm Beach County; at least one (1) member who is a representative of Birth to 22; and at least one (1) member with lived experience in the HHS System of Care. In addition, Palm Beach County Resolution No. R-2013-0193 prohibits County employees from serving on advisory boards unless technical/professional representation and County employee eligibility are specifically set forth in the Resolution. This proposed Resolution allows County employees to serve as ex-officio members of the CAC/HHS if they have expertise in the HHS System of Care, and it also states that no ex-officio member will be allowed to vote on any matter. Lastly, the quorum requirement has been updated to reflect the twenty-five percent (25%) requirement indicated in Palm Beach County Ordinance No. 2021-009. Countywide (HH)



3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

4. Staff recommends motion to approve: Retroactive Sub-recipient Agreement for Ryan White HIV/AIDS Program (RWHAP) Part A for Core Medical and Support Services with AIDS Healthcare Foundation Inc. (AHF) for the provision of services to improve health outcomes for persons with HIV, for the three (3) year period March 1, 2024 through February 28, 2027, in an amount totaling \$2,080,785 of which \$693,595 is budgeted in Grant Year (GY) 2024 with an anticipated annual allocation of \$693,595 in each subsequent grant year. **SUMMARY:** On May 16, 2024, the U.S. Department of Health and Human Services (HHS), Health Resources and Services Administration (HRSA) issued a partial notice of award in an amount totaling \$5,554,458. This funding allows the Community Services Department (CSD) to continue funding much needed medical and support services to people with HIV/AIDS (PWH) in Palm Beach County. This agreement is retroactive to beginning of GY 2024 to allow AHF to be reimbursed for services provided while CSD was awaiting the Notice of Award from HRSA. Additional delays were due to contract negotiation and routing of signatures from AHF at their out-of-state headquarters. In GY 2023, AHF's total number of clients served was 726 with 437 unduplicated PWH across all programs and initiatives. The viral suppression rate was 87%. Kristen Harrington is an employee of AHF. She is a member of the Palm Beach County Ryan White HIV CARE Council (HIVCC). HIVCC provides no regulation, oversight, management, or policy-setting recommendations regarding the agency's contract. Disclosure of this contractual relationship is duly noticed at public meetings provided in accordance with the provisions of Section 2-443, of the Palm Beach County Code of Ethics. **No County match is required.** Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

5. Staff recommends motion to:

**A) receive and file** the following Notice of Awards (NOA) from the U.S Department of Health and Human Services (HHS), Health Resources and Services Administration (HRSA) as follows:

1. No. 6 H89HA00034-31-01 for the budget period March 1, 2024 through February 28, 2025, in the amount of \$5,554,458, for Grant Year (GY) 2024, for a total grant award amount of \$7,690,271, for new and existing programs to continue improving health outcomes for clients with HIV/AIDS for the Ryan White program;
2. No. 6 H89HA00034-31-02 for the budget period March 1, 2024 through February 28, 2025, with no change to existing award amount, to update terms and conditions with additional reporting requirements;
3. No.6 UT8HA33954-05-01 for the budget period of March 1, 2024 through February 28, 2025, carryover funding in the amount of \$357,533 for GY 2024, for a total amount of \$6,453,261 for project period March 1, 2020 through February 28, 2025 for Ending the HIV Epidemic: A Plan for America (EHE) program;
4. No.6 UT8HA33954-05-02, for the budget period of March 1, 2024, through February 28, 2025, in the amount of \$1,285,200.00, for a total grant award amount of \$2,357,533, for the budget period and \$7,738,461, for the project period March 1, 2020 through February 28, 2025 for EHE; and

**B) approve** a Budget Amendment of \$5,664,869 in the Ryan White fund to align the budget with the grant awards.

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

5. **SUMMARY:** On May 16, 2024, the Community Services Department (CSD) received the final notice of award for the GY 2024 Ryan White program. The grant allows CSD to continue providing needed medical and support services to Palm Beach County people with HIV/AIDS (PWH). In GY 2023, the approximate number of clients served was 2,868 across all programs and initiatives. The percentage retained in care was 87%. The viral suppression rate was 84%. For GY 2023 for Minority Aids Initiative (MAI), 88.3% of clients who received a service in the first 6 months of the GY 2022 were retained in care (770/872) and 85.5% were virally suppressed (928/1085). Under this grant, the program will serve approximately 3,600 people with HIV annually through our RW and MAI programs. On December 17, 2019, the Board of County Commissioners (BCC) ratified the Mayor's signature on the EHE Grant application (R2019-1875). This grant focuses on reducing HIV infections by 90% in the United States by the year 2030. On April 30, 2024, HHS HRSA issued a re-authorization of carryover funding from GY 2023 to GY 2024 in the amount of \$357,533 for EHE. Carryover amounts vary from year to year based on funds that were left over from any prior grant year. On May 7, 2024, HHS HRSA issued a final NOA for EHE in the amount of \$1,285,200. In GY 2023, the total number of clients served was 380 across all programs and initiatives. In GY 2023, the approximate number of PWH served was 2,868 across all programs and initiatives. The percentage of PWH who were engaged in care to EHE was 76%. The percentage of PWH retained in care was 87%. The viral suppression rate was 84%. **These are RW and EHE grant funds, no County match is required.** Countywide (HH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. **Staff recommends motion to approve:** Amendment No. 5 (Amendment) to the Contract with AVCON, Inc. (AVCON) for Consulting/Professional Services (Consulting Agreement), exercising the first one (1) year renewal option for the continued performance of professional planning and design services related to the Palm Beach County Department of Airports Capital Improvement Program. **SUMMARY:** The Consulting Agreement with AVCON was approved by the Board of County Commissioners (BCC) on September 13, 2022 (R2022-1029) in the amount of \$796,697.19. Amendments No. 1 through No. 4 increased the contract amount by \$1,106,662.91 and provided for various services, including, but not limited to, design services for the replacement of air handler units at Palm Beach International Airport (PBI), terminal and concourse fire alarm strobe synchronization at PBI, and annual stormwater pollution prevention plan updates for the County's airports. The cumulative contract value of the Consulting Agreement is \$1,903,360.10. A detailed contract history is included in Attachment 1. Approval of this Amendment will allow the County, in its sole discretion, to exercise the first one-year renewal option for the continuation of services provided under this Consulting Agreement. AVCON is an Orlando, Florida based firm; however, the majority of the work will be completed through its Boca Raton, Florida office. This project was presented to the Goal Setting Committee on September 1, 2021, and the Committee established an Affirmative Procurement Initiative (API) of a mandatory 20% Small Business Enterprise (SBE) subcontracting goal and a Minority/Women Business Enterprise (M/WBE) Evaluation Preference up to 15%. AVCON committed to 37.75% S/M/WBE participation and received eight (8) Evaluation Preference Points. To date, the overall participation achieved on this project is 51.02% Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

2. Staff recommends motion to approve: A Contract with Alen Construction Group, Inc. (Alen) in the amount of \$325,000 for a project duration of 135 calendar days for the Rotating Beacon Replacement Project (Project) at North Palm Beach County General Aviation Airport (North County Airport). **SUMMARY:** The Contract provides for the replacement of the rotating beacon and tower at the North County Airport. The Project was advertised on April 9, 2024, utilizing the County's competitive bid process. On May 14, 2024, one bid was received for the Project from Alen in the amount of \$325,000. The Department of Airports has applied for a grant from the Federal Aviation Administration to reimburse 90% of the eligible cost of the Project up to \$292,500, which will reduce the overall cost to the County to \$32,500. Alen is located in Broward County, Florida. A Disadvantaged Business Enterprise (DBE) goal of 5.7% was established for this Project. Alen is a certified DBE and has committed to 29% DBE participation. Countywide (AH)
  
3. Staff recommends motion to receive and file: An Amendment for Extension (Amendment) of Public Transportation Grant Agreement (PTGA) No. 440102-1-94-01 (R-2019-1842) with the Florida Department of Transportation (FDOT) for the Runway 10-28 Surface Treatment Project (Project) at Palm Beach County Park Airport (Lantana Airport). **SUMMARY:** The PTGA provides for a pavement surface treatment to Runway 10-28 at the Lantana Airport to extend the useful life of the pavement. The contract for completion of the Project by Ranger Construction Industries, Inc., was approved on June 11, 2024 (R-2024-0692). The PTGA was scheduled to expire on July 31, 2024. This Amendment extends the PTGA to May 30, 2025, to provide additional time to complete the Project. Delegation of authority for execution of this Amendment was approved by the Board of County Commissioners on August 25, 2020 (R-2020-1017). Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

4. Staff recommends motion to approve: A Contract (Contract) with Rio-Bak Corporation (Rio-Bak) in the amount of \$899,315 with a project duration of 192 calendar days for Miscellaneous Drainage Repairs – Package 2 (Project) at the Palm Beach International Airport (PBI). **SUMMARY:** This Contract will provide for the repair and replacement of existing drainage facilities at various locations within the property limits of PBI. The Project was advertised utilizing the County's competitive bid process. On April 25, 2024, three (3) bids were received for the Project. Rio-Bak was identified as the lowest responsible, responsive bidder in the amount of \$899,315. Rio-Bak is located in Palm Beach County. The Project was presented to the Goal Setting Committee (Committee) on January 17, 2024, and the Committee established an Affirmative Procurement Initiative (API) of Small Business Enterprise (SBE) Subcontracting (Minimum Mandatory of 15%, of which 10% is for African/Hispanic Americans - AA/HA). The proposed SBE participation for this Project is 16.94% SBE, of which 16.94% is HA. Countywide (AH)
  
5. Staff recommends motion to approve: A Budget Transfer in the amount of \$1,100,000 from the Airport's Improvement and Development Fund to Reserves. **SUMMARY:** This item will provide for the transfer of \$1,100,000 in local funding budgeted for four (4) projects in the Airport's Improvement and Development Fund to Reserves due to changes in project funding priorities and fund sources. The County was awarded Federal Aviation Administration (FAA) Grant Agreement No. 3-12-0085-062-2019 (R2020-1748) for the Palm Beach International Airport Sustainability Master Plan project (SMP Project) after \$300,000 in local funding was budgeted for the SMP Project, reducing the local funding required for the SMP Project. The SMP Project has been completed and the FAA grant has been closed. This item will provide for the transfer of the remaining balance of \$300,000 for the SMP Project to Reserves. Public Transportation Grant Agreement (PTGA) No. 440104-1-94-01 (R2019-1840) was awarded by the Florida Department of Transportation for the construction of an aircraft hangar and related infrastructure (Hangar Project) at the North County General Aviation Airport (North County Airport), which required a local match of \$500,000. The PTGA was terminated (R2020-0820) due to higher than anticipated costs to complete the Hangar Project and financial impacts associated with the COVID-19 pandemic. This item will provide for the transfer of the \$500,000 budgeted as the local match for the Hangar Project to Reserves. Security system improvements at the North County Airport and Palm Beach County Glades Airport (Security System Projects) were anticipated to be performed by third-party contractors. A capital budget in the amount of \$300,000 was established for the Security System Projects in Fiscal Year 2022; however, the improvements were ultimately completed by the Department of Airports Maintenance Division; therefore, this item will transfer the \$300,000 budgeted for the Security System Project to Reserves. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

6. Staff recommends motion to approve: Amendment No. 4 (Amendment) to the Contract for Consulting/Professional Services (Agreement) with Ricondo & Associates, Inc. (Ricondo) in the amount of \$472,327.69, providing for the continued performance of professional consulting services and the exercise of the first one (1) year renewal option. **SUMMARY:** The Agreement with Ricondo was approved on August 23, 2022 (R-2022-0888) in the amount of \$2,021,165. Amendment No. 1 through Amendment No. 3 (R-2023-0700, R-2024-0045, R-2024-0545) increased the contract amount by \$2,108,374.34 and provided for various services, including, but not limited to, the Palm Beach County Park Airport (LNA) Safety Assessment, LNA Master Plan Update, Palm Beach International Airport (PBI) Cyber Security Implementation Support, and 2024 Bond Feasibility Report. A detailed contract history is included in Attachment 1. This Amendment provides for the exercise of the first one-year renewal option and will increase the contract amount by \$472,327.69, resulting in a total contract amount of \$4,601,867.03. This Amendment includes the following Consultant Service Authorizations (CSA): Task I Services – PBI Consolidated Rental Car Facility (CONRAC) Advanced Planning; General Aviation Airport Exhibit A Property Map Updates; and Task III Miscellaneous Services. Task III Miscellaneous Services are services that are not defined at the time of approval of an amendment to the Agreement and are approved pursuant to delegated authority in accordance with in accordance with PPM CW-F-050 by way of a separate task authorization. Ricondo is based in Chicago, Illinois; however, the majority of the work will be completed and managed through its Miami, Florida office. The Agreement was presented to the Goal Setting Committee (Committee) on September 1, 2021, and the Committee established an Affirmative Procurement Initiative (API) of a mandatory 10% Small Business Enterprise (SBE) subcontracting goal and a Minority/Women Business Enterprise (M/WBE) Evaluation Preference of up to 15%. Ricondo committed to 11% SBE participation and received fifteen (15) Evaluation Preference Points. The proposed SBE participation for this Amendment is 0%. To date, the overall participation achieved on this Agreement, including this Amendment, is 11.1%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

7. Staff recommends motion to approve: a Release to Travelers Casualty and Surety Company of America (Travelers) for the release and return of Payment and Performance Bond No. 107012392 in the amount of \$43,000,000 (Bond), securing the construction of improvements at the Palm Beach International Airport (PBI) by Gulfstream Product Support Corporation (Gulfstream) pursuant to the Fixed Based Operator Lease Agreement (Lease) (R2017-0281, as amended) with Gulfstream. **SUMMARY:** Gulfstream was required to construct an aviation facility and related improvements at PBI pursuant to the Lease. The Bond was issued by Travelers to secure the completion of the improvements and payment for labor and materials for the construction by Gulfstream. The improvements are complete; therefore, Travelers has requested return of the original Bond as well as the Release. The Release includes a Tenant Certification by Gulfstream certifying the improvements have been completed, all contractors, subcontractors and suppliers have been paid, and there are no outstanding or pending claims. Countywide (HJF)



3. CONSENT AGENDA APPROVAL

F. AIRPORTS

8. Staff recommends motion to:

- A) **receive and file** Federal Aviation Administration (FAA) Grant Agreement Number 3-12-0085-075-2024 with an effective date of July 10, 2024, and an expiration date of July 9, 2028, in the amount of \$17,235,573 for construction services for central airfield improvements at Palm Beach International Airport (PBI);
- B) **approve** a Budget Amendment of \$22,237,907 in the Airport's Improvement & Development Fund to recognize Passenger Facility Charge (PFC) revenue, including a transfer from Reserves in the amount of \$742,857; and
- C) **approve** a Budget Transfer of \$5,002,334 in the Airport's PFC Fund to transfer PFC funds to the Airport Improvement & Development fund, including a transfer from PFC Reserves in the amount of \$5,002,334.

**SUMMARY:** The FAA has issued a Grant Offer (Assistance Listing Number 20.106) for Bipartisan Infrastructure Law (BIL) – Airport Infrastructure Grant (AIG) Grant Agreement Number 3-12-0085-075-2024 (Grant), reflecting its commitment of funding in the amount of \$17,235,573 for central airfield improvements at PBI, including the reconstruction of Taxiways F and Taxiway H and rehabilitation of the Runway 14-32 shoulders south of Taxiway C. The Grant provides funding for Amendment No. 1 (Ranger Amendment) to the Contract with Ranger Construction Industries, Inc. (Ranger) for the construction of the Central Airfield Improvement Project (Project) at PBI (R2023-071). The Ranger Amendment provides for the completion of Bid Alternate No. 1, which includes the work funded by the Grant. Due to insufficient funding, Bid Alternate No. 1 was not initially awarded to Ranger. The award of additional grant funding by the FAA provides the necessary funding to award Bid Alternate No. 1 and complete the remainder of the Project. Item 6C-1 on this agenda recommends approval of the Ranger Amendment. The Grant also provides funding for related construction phase consulting services, including Amendment No. 3 to the Contract with HDR Engineering, Inc. (HDR Amendment). Item 6C-2 on this agenda recommends approval of the HDR Amendment. The Grant was executed pursuant to a delegation of authority approved by the Board of County Commissioners (BCC) on August 25, 2020 (R2020-1017). The Grant became effective on July 10, 2024, and expires on July 9, 2028. The grant award is based on a total estimated project cost of \$22,980,764, which includes consulting and construction costs. The Grant requires a **match of 25% of the total estimated project cost in the amount of \$5,745,191**, which includes PFC revenues in the amount of \$5,002,334 and local funds in the amount of \$742,857. This Item provides the necessary funding and budget for Items 6C-1 and 6C-2 on this agenda. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

9. Staff recommends motion to approve: Change Order No. 13 (Change Order) to Amendment No. 1 to the Construction Manager (CM) at Risk Contract (Contract) with Suffolk Construction Company Inc. (Suffolk) for CM at Risk Services in the amount of \$405,512.06 for Concourse B Expansion – Package 1 at Palm Beach International Airport (PBI). **SUMMARY:** On June 15, 2021, the Contract (2021-0843) with Suffolk for CM at Risk Services was approved for the Concourse B Expansion Project (Concourse B Expansion Project), which included pre-construction services in the amount of \$60,000. The Concourse B Expansion Project is being constructed in phases. On February 7, 2023, Amendment No. 1 (R2023-0217) in the amount of \$12,398,676 with a project duration of 368 calendar days was approved for the construction of the first phase of the Concourse B Expansion Project (Phase 1), which includes expansion of restroom facilities and construction of new concession space between Gates B5 and B7. Change Orders 1-12 increased the total contract amount by \$1,676,812.11, extended the project duration for Phase 1 by 190 calendar days and provided for services associated with the mitigation of materials identified in a pre-renovation asbestos survey, contract adjustments under contingency and procurement of a lift station. On June 11, 2024, Amendment No. 2 (R2024-0721) in the amount in the amount of \$10,047,843.24 with a project duration of 689 calendar days for the second phase of the Concourse B Expansion Project was approved, which includes the update of the finishes in the existing concourse to match the final phase, installation of mechanical chilled water piping on the roof and the relocation of a water main needed to complete the final phase of construction. Approval of this Change Order in the amount of \$405,512.06 will increase the total construction cost of Phase 1 to \$14,481,000.17 and the total contract amount to \$24,588,843.41. A detailed contract history is included in Attachment No. 1. During construction, Suffolk discovered a communication duct bank in the location where a gravity sewer line was planned to be installed, resulting in an unforeseen conflict. Approval of this Change Order will provide for the installation of a lift station in lieu of the gravity sanitary sewer line to resolve the conflict. An overall Disadvantaged Business Enterprise (DBE) goal of 20% was established for the Contract. The DBE participation for this Change Order is 0%. The total DBE participation for Phase 1, including this Change Order, is 16%. The total DBE participation to date for the Contract, including this Change Order, is 12%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to approve: the recording of the FY 2023 retirements of tangible personal property (equipment, vehicles, and publications) in the official minutes of the Board of County Commissioners’ meeting as prescribed by Florida Statutes, Chapter 274. **SUMMARY:** Florida Statutes, Chapter 274, and the Palm Beach County “Surplus Property Ordinance” require the recording of the disposal (retirement) of tangible personal property from the official records of Palm Beach County at historical value. Disposal, retirement, and adjustments total \$36,628,779.99. Countywide (DB)

Disposal/Retirement	Historical Costs	Depreciated Value
Engineering Traffic Signal Database Reconciliation	\$58,188.82	\$58,188.82
Vendor Electronics Recycling Reconciliation – Terminated Contract	\$310,506.60	\$309,332.14
Donation to Qualified Non-Profit	1,219,519.53	\$1,202,387,.08
Destroyed	\$189,085.00	\$166,927.68
Reconciliation Adjustments	\$101,560.90	\$74,934.92
Donation to Other Government Entity	\$1,033,475.70	\$1,007,570.68
Inventory Adjustments	\$2,257,670.44	\$2,183,164.74
Other Disposals	\$307,775.25	\$307,775.25
Sold (Components Included)	\$19,619,259.53	\$19,254,276.48
Trade-In Disposals	\$3,847,647.39	\$3,779,185.52
Inventory Loss (Property Loss Report Processed)	\$1,105.02	\$1,105.02
Vandalism/Theft (Police Report Processed)	\$49,337.25	\$31,140.21
Worn-Out/Scrapped	\$7,633,648.56	\$7,623,923.35
<b>Grand Total</b>	<b>\$36,628,779.99</b>	<b>\$35,999,911.89</b>

2. Staff recommends motion to receive and file: The Annual Operating and Debt Service Budget for Fiscal Year 2025 for Briger Community Development District (BCDD). **SUMMARY:** The BCDD has submitted their Annual Operating and Debt Service Budget for Fiscal Year 2025 as per section number 190.008(2)(b). Countywide (DB)
3. Staff recommends motion to receive and file: The Fiscal Year 2024/2025 Proposed Budget for Children’s Services Council of Palm Beach County (CSCPBC). **SUMMARY:** The CSCPBC has submitted their Fiscal Year 2024/2025 Proposed Budget as per section number 125.901(3)(f), Florida Statutes. Countywide (DB)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

4. Staff recommends motion to receive and file: The Quarterly Report for quarter ending June 30, 2024 for Children’s Services Council of Palm Beach County (CSCPBC). **SUMMARY:** The CSCPBC has submitted their Quarterly Report for quarter ending June 30, 2024 as per section number 125.901(3)(f), Florida Statutes. Countywide (DB)
  
5. Staff recommends motion to:
  - A) **approve** request by Palm Beach County Tax Collector, Anne M. Gannon, for Board of County Commissioners to order the 2024 tax roll to be extended prior to completion of the Value Adjustment Board (VAB) hearings; and
  
  - B) **direct** the VAB to certify the assessment roll pursuant to Section 193.122, Florida Statutes and as otherwise required by applicable law.

**SUMMARY:** Approval of this request will avoid a delay in the issuance of tax notices beyond November 1, 2024, and will permit the collection of property taxes prior to completion of the VAB hearings. Countywide (DB)
  
6. Staff recommends motion to approve: A Budget Amendment of \$94,696,158 to establish the budget for the bond proceeds, costs of issuance, and project costs in the Housing Bond Fund. **SUMMARY:** On June 4, 2024, the Board of County Commissioners (BCC) approved Resolution No. R2024-0665 which authorized the issuance of the Series 2024 General Obligation (GO) Bonds. The taxable Series 2024 GO Bonds are for the purpose of financing the cost of acquiring, constructing and equipping of Workforce and Affordable housing units and to pay the cost of issuance of the bonds. The bonds, issued for a 20 year term at 4.938%, will provide the amount needed to establish the low interest housing loan program, where developers can borrow funds during the project construction phase. Through an electronic bid process, the County awarded the sale to J.P. Morgan Securities, LLC. The average annual debt service is \$7.539 million and will begin FY 2025. The bond proceeds provide funding of \$94,200,000 for low interest loans to developers constructing workforce and affordable housing units. This budget amendment will establish the budget for the proceeds of the sale of the taxable Series 2024 GO Bonds. Countywide (DB)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

7. Staff recommends motion to approve: a negotiated settlement offer in the amount of \$5,950 for the full satisfaction of a code enforcement lien entered against Everardo Perez and Gloria Perez on May 12, 2021. **SUMMARY:** On December 2, 2020, a Code Enforcement Special Magistrate (CESM) issued an order giving Everardo Perez and Gloria Perez (the Perezes) until January 1, 2021 to bring their property located at 170 Old Spanish Trail Rd, Lake Worth into full code compliance. Violations imposed against the property included storage of two unlicensed vehicles and open storage of trash and debris. Compliance with the CESM's order was not timely achieved, and a fine of \$50 per day was imposed. The CESM executed an order imposing a code lien against the Perezes on May 12, 2021. The Code Enforcement Division (Code Enforcement) issued an affidavit of compliance for the property stating that the violations have been corrected as of April 4, 2024. Settlement discussions began on April 29, 2024, when the total accrued fines amounted to \$59,474.30. Ms. Diana Lopez, the real estate representative for the Perezes, has agreed to pay Palm Beach County \$5,950 (10%) for full settlement of the outstanding code enforcement lien. District 7 (SF)
  
8. Staff recommends motion to approve: a negotiated settlement offer in the amount of \$6,100 for the full satisfaction of a code enforcement lien entered against Todd R. Peterson on July 21, 2021. **SUMMARY:** On December 2, 2020, a Code Enforcement Special Magistrate (CESM) issued an order giving Todd R. Peterson until January 1, 2021 to bring the property located at 6802 Osborne Drive, Lake Worth into full code compliance. The violation imposed against the property was for storage of three commercial trucks on the property. Compliance with the CESM's Order was not timely achieved and a fine of \$50 per day was imposed. The CESM executed an order imposing a code lien against Todd R. Peterson on July 21, 2021. The Code Enforcement Division (Code Enforcement) issued an affidavit of compliance for the property on April 22, 2024. Settlement discussions began on April 23, 2024, when the total accrued fines amounted to \$60,435.09. Ms. Natalie Kucera, the legal representative for Mr. Peterson, has agreed to pay Palm Beach County \$6,100 (10%) for full settlement of the outstanding code enforcement lien. District 2 (SF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to receive and file: an Amended and Restated Temporary Construction Easement (Amended Easement) in favor of South Florida Regional Transportation Authority (SFRTA) for the purpose of allowing SFRTA to temporarily use a portion of the County's Intermodal Transit Center (located at 134 Clearwater Drive, West Palm Beach) as a construction staging site, while SFRTA makes renovations to its pedestrian bridge. **SUMMARY:** On March 12, 2024 (R2024-0296), the Board of County Commissioners (BCC) received and filed a Temporary Construction Easement (TCE) in favor of SFRTA granting SFRTA the right to temporarily use a portion of the County's Intermodal Transit Center as a construction staging site while SFRTA makes renovations to its pedestrian bridge. Said TCE was for a term of ninety (90) days. SFRTA requested an additional ninety (90) days to complete the improvements. The proposed Amended Easement extends the term for an additional ninety (90) days, expiring on August 5, 2024. All other terms remain the same. 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 Amended Easement has been fully executed on behalf of the Board by the County Administrator's designee, who in this case was the Director of the Facilities Development and Operations Department. The standard form Temporary Construction Easement was approved by the Board on July 1, 2014. The executed Amended Easement is now being submitted to the Board to receive and file. There is no fiscal impact associated with approval of this item. (Property & Real Estate Management) District 2 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

2. Staff recommends motion to approve: Budget Transfer in the amount of \$2,000,000 within the Public Building Impact Fees Fund to Reserves. **SUMMARY:** Unimproved space on the first floor of the Judge Daniel T.K. Hurley Courthouse in downtown West Palm Beach was formerly planned to support an expansion of the existing Jury Assembly room. An allocation of Public Building Impact Fees totaling \$2,000,000 was assigned to complete the design, permitting and construction of that planned improvement. Subsequently, the Palm Beach County Judicial Facilities Master Plan Update was completed and approved by the Board of County Commissioners (BCC) on June 7, 2022. As a result, that same first floor space has now been committed to other purposes that are currently pending design and will be constructed using Infrastructure Sales Tax proceeds assigned for Courthouse Buildout and Renovations. Therefore, the subject \$2,000,000 is being transferred to the Public Building Impact Fee Reserves for reallocation to another eligible capital improvement project. There is no fiscal impact associated with this item. (Strategic Planning Division) District 7/Countywide (MWJ)
  
3. Staff recommends motion to approve: First Amendment to the Amended and Restated Agreement (R2019-0958) (Agreement) with Delray Medical Center, Inc., (Hospital), to extend the term of the Agreement for interoperable communications through the countywide emergency medical services (EMS) and common talk groups of the County's Public Safety Radio System (County's System) retroactively (due to the Hospital's delay in executing the amendment) from July 2, 2024 through July 1, 2029. **SUMMARY:** The Agreement (R2019-0958), which provides the terms and conditions under which the Hospital can program into its radios and utilize the countywide EMS and common talk groups for certain types of interagency communications, expired on July 1, 2024. The Agreement provided for two (2) renewal options, each for a period of five (5) years. Hospital has approved the amendment to extend the term of the Agreement to July 1, 2029, and the renewal now requires approval by the Board of County Commissioners (BCC). The terms of the Agreement are standard and have been offered to all hospitals, and ambulance service providers with 800 MHz trunked radio capabilities. There are no charges associated with this Agreement. The Hospital is required to pay all costs associated with the Hospital's subscriber units and to comply with the established operating procedures for the County's System. This Agreement may be terminated by either party, with or without cause, upon ten (10) days prior written notice to the other party. This First Amendment extends the term of the Agreement, updates the standard operational provisions and adds the E-verify provisions. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

4. Staff recommends motion to receive and file:

- A) Standard License Agreement for Use of County-Owned Property (Office of the Medical Examiner) for the period of May 2, 2024 through May 1, 2027, with Legacy Donor Services Foundation Inc. for tissue procurement, entailing a license fee of \$325 monthly and \$225 per case;
- B) Standard License Agreement for Use of County-Owned Property (West County Senior Center) for the period of April 30, 2024 through April 29, 2025, with Senior Friendly Fitness LLC., for fitness classes, without a license fee; and
- C) Standard License Agreement for Use of County-Owned Property (Judicial Center Parking Garage and Surface Lot, Governmental Center parking garage and 4<sup>th</sup> Street parking lot) for the period of March 21, 2024 through March 24, 2024, with United Parking Systems Inc., for parking, entailing a license fee of \$22,000.

**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 (BCC) by the County Administrator or designee, who in this case was the Director of the Facilities Development and Operations Department. The Standard License Agreements were approved in accordance with R2010-0333, as amended and approved by the BCC on October 1, 2013. The executed documents are now being submitted to the BCC to receive and file. (FDO Admin) Countywide (YBH)



3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

5. Staff recommends motion to:

**A) approve** an interlocal agreement (Agreement) with the City of West Palm Beach (City) to allow the County to share security camera feeds at the Convention Center with the City's police department through the City's video integration program (Program) for a period of five (5) years, at no cost to the County; and

**B) authorize** the County Administrator or designee, which in this case shall be the Director of Facilities Development & Operations (FDO), to execute future amendments and/or renewals to this Agreement, that do not substantially change the scope of work, terms, or conditions of the Agreement.

**SUMMARY:** The Agreement provides the terms and conditions under which the County will participate in the City's Program and share its Convention Center security camera video feeds with the City's police department to improve community safety and police response. The City has contracted with a third party for its Program and will provide, at no cost to the County, the equipment to be installed into the County's network video recorder at the Convention Center. The representatives from the City and County will meet at least once per year to discuss any operational or maintenance issues related to this Agreement. The City recognizes that the video footage obtained from the County's security cameras is confidential and exempt security information, and not subject to public disclosure under Florida's public records laws. Staff now seeks approval of this Agreement and authorization for the FDO Director, upon County Attorney review and approval, to execute any amendments and/or renewals to this Agreement. There are no charges associated with this Agreement. The Agreement provides for two (2) renewal options, each for a period of five (5) years. This Agreement may be terminated by either party, with or without cause, upon ten (10) days written notice to the other party. Upon notice of termination, the City will instruct its third party provider to permanently delete all footage it has in its possession or on the equipment and City will provide County with notification when it confirms that all video footage has been permanently deleted. (FDO ESS) District 2 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

6. Staff recommends motion to approve: Work Order No. 24-003 (Work Order) to the annual flooring contract (R2021-0638) with Joe Schmidt Construction, Inc. (Contractor) in the amount of \$248,298.53 for the Herman Brice, 2<sup>nd</sup> Floor Carpet Replacement project for a period of 180 calendar days from notice to proceed. **SUMMARY:** The project consists of the flooring replacement on the 2<sup>nd</sup> floor of the Herman Brice facility (located at 405 Pike Road, West Palm Beach). The existing carpet flooring and base will be removed and replaced with new vinyl plank style flooring and vinyl wall base. The flooring on the 2<sup>nd</sup> floor of the Herman Brice facility has outlived its useful life and will be replaced with a new durable and lower maintenance flooring and vinyl wall base system. The Work Order authorizes the construction services necessary to furnish all labor, equipment, devices, tools, materials, transportation, professional services, supervision, drawings, permitting and all miscellaneous requirements necessary for the Herman Brice, 2<sup>nd</sup> Floor Carpet 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 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 flooring contract and the requirements of the Equal Business Opportunity (EBO) Ordinance. The annual flooring contract was presented to the Goal Setting Committee on January 20, 2021. 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. SBE participation for this Work Order is 100%. To date, the Contractor's overall SBE participation is 82.86%. To date, the overall SBE participation on the annual flooring contract is 67.61%. The Contractor is a certified SBE firm. Funding for this project is from the Fire Rescue Improvement Fund. (Capital Improvements Division) District 2 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

7. Staff recommends motion to approve:

- A) a Construction Manager (CM) at Risk Services contract with D. Stephenson Construction, Inc. (D. Stephenson) for the 45th Street Complex project; and
- B) Task Order No. 1 with D. Stephenson for preconstruction services in the amount of \$197,904 for the 45<sup>th</sup> Street Complex project.

**SUMMARY:** The existing Community Services Department (CSD) main building located at 810 Datura Street, West Palm Beach will be relocated to the County's 45<sup>th</sup> Street Complex located at 4200 North Australian Avenue, West Palm Beach. The new CSD office building will consist of a two (2) level, approximately 60,000 square feet, stand-alone building structure. Site clearing and infrastructure improvements are required for a portion of the site in order to add the new CSD office building and required site amenities to include right-of-way improvements and road access into the site from Australian Avenue. The completed project will require surface parking for the CSD office building as per code requirements. Task Order No. 1 authorizes preconstruction services for the 45th Street Complex project. Preconstruction services include, but are not limited to, design reviews, value analysis, scheduling services and cost estimates, prequalification of trade contractors, competitive public bidding of trade contracts and the development of the Guaranteed Maximum Price (GMP). Once the construction documents are completed, the CM will publicly bid the construction subcontracts to establish a GMP. The construction of the facility will be authorized through a GMP amendment to the contract, which will be presented to the appropriate approval authority. The preliminary construction cost is estimated to be \$22,000,000. The solicitation for selection of the CM was advertised on September 17, 2023 according to the Equal Business Opportunity (EBO) Ordinance, with final selection taking place on February 29, 2024. On December 7, 2022, the Goal Setting Committee established Affirmative Procurement Initiatives (APIs) of a Small Business Enterprise (SBE) evaluation preference of up to 10 points for SBE participation plan and 5 points for CM/SBE partnering. D. Stephenson partnered with Total Solution Contractors, Inc., a Small/Minority Business Enterprise (S/MBE) firm for services in an amount not less than 20% of its preconstruction and construction phase fees. The CM is on notice that all GMP Amendments for construction services issued pursuant to this contract will be subject to the requirements of the Equal Business Ordinance, including requesting that an API be set prior to bidding the subcontracts. Funding for this project is from the Infrastructure Sales Tax Fund. (Capital Improvements Division) District 7 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

8. Staff recommends motion to approve: Work Order No. 24-018 (Work Order) to the annual minor construction services contract (R2020-1575) with Ralph Della-Pietra Inc. (Contractor) in the amount of \$1,073,958 for the Peanut Island-Floating Dock Replacement (Re-bid) project for a period of 180 calendar days from notice to proceed. **SUMMARY:** The project consists of the replacement of the Peanut Island floating dock. The Work Order authorizes the construction services necessary to furnish all labor, equipment, devices, tools, materials, transportation, professional services, supervision, drawings, permitting and all miscellaneous requirements necessary for the Peanut Island-Floating Dock Replacement (Re-bid) project. The new floating dock system will better serve the public who utilize Peanut Island for recreational activities. 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 \$120 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 single-trade project greater than \$100,000, the SBE price preference API was applied. The SBE participation for this Work Order is 57.94%. To date, the Contractor's overall SBE participation is 29.34%. To date, the overall SBE participation on the annual minor construction services contract is 62.46%. The Contractor is a certified SBE company. Funding for this project is from the 50.0M GO 06. Waterfront Access Fund. (Capital Improvements Division) Districts 1 & 7 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

9. Staff recommends motion to approve: Work Order No. 24-002 (Work Order) to the annual electrical contract (R2022-0694) with Zabatt Engine Services, Inc. dba Zabatt Power Systems, Inc. (Contractor) in the amount of \$1,212,591.51 for the Vista, Information Systems Services (ISS) Data Center-Redundant Generator Installation project for a period of 240 calendar days from notice to proceed. **SUMMARY:** The project consists of the supply and installation of one (1) stand-by power generator. The ISS Data Center located at the Operations and Support Center (OSC, 2601 Vista Parkway) is a critical site which supports data equipment to various County agencies. It is essential that a secondary generator is installed to provide 24/7 uninterrupted emergency power for the ISS Data Center OSC Facility. The Work Order authorizes the construction services necessary to furnish all labor, equipment, devices, tools, materials, transportation, professional services, supervision, drawings, permitting and all miscellaneous requirements necessary to install a diesel powered, 600 Kilowatt (KW) stand-by power generator for the ISS Data Center OSC Facility. The new generator will provide 24/7 uninterrupted emergency power to the facility. 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 240 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 electrical annual 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 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 for projects \$100,000 or greater. Since this project is greater than \$100,000, the SBE price preference API was applied. The SBE participation on this Work Order is 0.42%. To date, the Contractor's overall SBE participation is 1.94%. To date, the overall SBE participation on the annual electrical contract is 37.76%. Funding for this project is from the Information Technology Capital Improvements Fund. (Capital Improvements Division) District 7 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

10. Staff recommends motion to approve: Work Order No. 24-017 (Work Order) to the annual minor construction services contract (R2020-0150) with Joe Schmidt Construction, Inc. (Contractor) in the amount of \$410,388.43 for the West Detention Center-Dishwasher Replacement project for a period of 120 calendar days from notice to proceed. **SUMMARY:** The project consists of the removal and replacement of the high capacity commercial grade dishwasher at the West Detention Center Facility. The Work Order authorizes the construction services necessary to furnish all labor, equipment, devices, tools, materials, transportation, professional services, supervision, drawings, permitting and all miscellaneous requirements necessary for the West Detention Center-Dishwasher Replacement project. The new commercial grade dishwasher is designed to serve high volume food service operations washing thousands of dishes per hour. This equipment will more efficiently serve the users of the West Detention Center Facility. The project includes removal and disposition of the existing equipment, and supply and installation of the new commercial grade dishwasher. 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 120 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 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 over \$100,000, the mandatory 25% SBE subcontracting goal API was applied. The SBE participation for this Work Order is 25%. To date, the Contractor's overall SBE participation is 81.61%. To date, the overall SBE participation on the annual minor construction services contract is 62.27%. The Contractor is a certified SBE company. Funding for this project is from Public Building Improvement Fund. (Capital Improvements Division) District 6 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

11. Staff recommends motion to approve: continuing contracts with two (2) firms to provide building systems commissioning and energy engineering reports/studies on an as needed basis through August 19, 2029:

<u>Consultants</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
A) EXP U.S. Services Inc.	Non-Local	Non-SBE
B) SGM Engineering, Inc.	Non-Local	Non-SBE

**SUMMARY:** The purpose of these continuing contracts is to pre-select consultants to provide building systems commissioning and energy engineering studies/reports for various capital improvement/renovation projects county wide on a task assignment basis. Work may include commissioning reports/studies for the modification, expansion, or addition of existing facilities or of new facilities for County buildings including general governmental offices and facilities throughout the County. Services will consist of the production of a report/study that verifies and documents the design, installation, and performance of building systems according to the requirements of the project specifications and owner requirements. Pursuant to Florida Statutes 287.055 (Consultants Competitive Negotiation Act, as may be amended), the professional fee for each individual commissioning report/study assigned under this continuing contract will not exceed \$500,000. Consultant fees will be negotiated on an individual basis for the identified projects. These contracts will be for five (5) years. This continuing contract was solicited pursuant to the requirements of the Equal Business Opportunity Ordinance (EBO). This continuing contract was presented to the Goal Setting Committee on June 21, 2023, and the Committee established Affirmative Procurement Initiatives (API) of a mandatory minimum Small Business Enterprise (SBE) goal of 20% participation on the contract and a Minority Business Enterprise (MBE) evaluation preference for African American owned businesses for the selection. EXP U.S. Services Inc. committed to an SBE participation goal of 30%, of which 30% is MBE and received 15 Evaluation Preference Points. SGM Engineering, Inc. committed to an SBE participation goal of 40%, of which 27.50% is MBE and received 13.75 Evaluation Preference Points. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each Consultant Services Authorization (CSA), and will be tracked cumulatively over all CSAs issued under the contract. (Capital Improvements Division) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

12. Staff recommends motion to approve: Amendment No. 5 to the continuing Construction Manager (CM) at Risk Services contract (R2020-1689) with D. Stephenson Construction, Inc. (D. Stephenson), establishing a Guaranteed Maximum Price (GMP) in the amount of \$3,117,581 for the Vista Government Center-Permit Area Modifications project for a period of 457 calendar days from notice to proceed. **SUMMARY:** On November 17, 2020, the Board of County Commissioners (BCC) approved the continuing CM at Risk Services contract (R2020-1689) with D. Stephenson for construction management services for various capital projects. Amendment No. 5 establishes a GMP in the amount of \$3,117,581 for construction management services necessary for the Vista Government Center-Permit Area Modifications project. The Vista Government Center-Permit Area Modifications project includes, but is not limited to, the reconfiguration and renovation of the existing first floor permit area, customer service area and support office space. Renovations will also include the inspections area and records area within the first floor of the Vista Government Center. Modifications will allow for an improved usage of the available space to accommodate increased staffing and public service needs. The CM will have 457 calendar days from notice to proceed to substantially complete the construction phase of the project. Liquidated damages for failure to achieve certification of substantial completion within the contract time or approved time extension thereof are \$210 per day. This continuing CM at Risk Services contract was solicited pursuant to the requirements of the Equal Business Opportunity Ordinance (EBO). This continuing CM at Risk Services contract was presented to the Goal Setting Committee on December 4, 2019 and the Committee established Affirmative Procurement Initiatives (APIs) of a Small Business Enterprise (SBE) evaluation preference up to 10 points for the SBE Participation Plan and a mandatory minimum 20% SBE subcontracting goal on the contract. D. Stephenson received 10 Evaluation Preference Points. The SBE participation on the construction trade contracts for this Amendment is 67.17%. To date, the overall SBE participation on the continuing CM at Risk Services contract is 42.56%. In accordance with Attachment 3 of Policy and Procedures Memorandum (PPM) CW-O-043, the GSC applies the APIs applicable to the construction phase of the contract (i.e. the subcontracts) before subcontractor bidding so that the SBE participation for the GMP is based on the subcontracting trades associated with the GMP and does not include the CM's fees. Funding for this project is from the Building Capital Projects Fund. (Capital Improvements Division) District 7 (MWJ)



3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

13. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 2 to the consulting services/design professional services contract (R2020-0425) with Ohlson Lavoie Corporation (Consultant) in the amount of \$1,530,254 for the Aqua Crest Pool Complex Renovation project. **SUMMARY:** On May 05, 2020, the Board of County Commissioners (BCC) approved the consulting services/design professional services contract (R2020-0425) with the Consultant to provide consulting services/design professional services for the Aqua Crest Pool Complex Renovation project. This item will authorize professional services necessary for CSA No. 2 for the Aqua Crest Pool Complex Renovation project. Under CSA No. 2, the Consultant will provide professional services which include all design development, construction document preparation, permitting, and construction administration phase services necessary for the renovations for the Aqua Crest Pool Complex. The renovations include, but are not limited to, the demolition and replacement of the existing fifty (50) meter pool with a new fifty-two (52) meter pool, a new ticket and administration building with new men's and women's locker rooms, multipurpose room, changing rooms, offices, concessions, storage and pool equipment room. The renovations also include associated civil engineering work, parking, fencing, site lighting, signage and site amenities. The renovations for the Aqua Crest Pool Complex will better serve the community and surrounding schools who use the facility for recreational needs. This consulting services/design professional services contract was presented to the Goal Setting Committee on May 15, 2019, and the Committee established Affirmative Procurement Initiatives (APIs) of a 20% mandatory Small Business Enterprise (SBE) participation goal on the contract and an SBE Evaluation Preference of up to 15 points for the selection. The Consultant committed to an SBE participation goal of 28.5% and received 5 Evaluation Preference Points. The SBE participation on this CSA is 26.98%. To date, the overall SBE participation on the contract is 27.29%. Funding for this project is from the Infrastructure Sales Tax Fund. (Capital Improvements Division) District 7 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

14. Staff recommends motion to approve: Work Order No. 24-019 (Work Order) to the annual minor construction services contract (R2020-0143) with Andrea Construction, Inc. (Contractor) in the amount of \$1,046,754 for the Fire Rescue, Fleet-Canopy Installation project for a period of 120 calendar days from notice to proceed. **SUMMARY:** The project consists of the supply and installation of one (1) 204' x 40' metal canopy with concrete filled bollards at each supporting column, weather proof LED light fixtures and associated electrical for the Fire Rescue Fleet Facility located at 2601 Vista Parkway, West Palm Beach. The Work Order authorizes the construction services necessary to furnish all labor, equipment, devices, tools, materials, transportation, professional services, supervision, drawings, permitting and all miscellaneous requirements necessary for the Fire Rescue, Fleet-Canopy Installation project. The new metal canopy will provide the necessary covering to protect Fire Rescue's apparatus and equipment from weather conditions and also provide electrical support for vehicle/equipment readiness and immediate response. 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 120 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 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, a mandatory 25% SBE subcontracting goal was applied. The SBE participation for this Work Order is 85.43%. To date, the Contractor's overall SBE participation is 64.62%. To date, the overall SBE participation on the annual minor construction services contract is 63.07%. The Contractor is a certified SBE company. Funding for this project is from the Fire Rescue Improvement Fund. (Capital Improvements Division) District 7 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

15. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 8 to the consulting services/design professional services contract (R2019-0984) with PGAL, Inc. (Consultant) in the amount of \$2,959,495 for the Animal Care and Control Renewal/Replacement project. **SUMMARY:** On July 2, 2019, the Board of County Commissioners (BCC) approved the consulting services/design professional services contract (R2019-0984) with the Consultant to provide consulting services/design professional services for the Animal Care and Control Renewal/Replacement project located at 7100 Belvedere Road, West Palm Beach. This item will authorize the remaining professional services necessary for CSA No. 8 for the Animal Care and Control Renewal/Replacement project. Under CSA No. 8, the Consultant will provide professional services necessary for the renewal/replacement of the Animal Care and Control facility which comprises design services, including architecture, animal shelter design, structural engineering, mechanical engineering, electrical engineering, plumbing engineering, civil engineering and landscape/irrigation design for the completion of 100% construction documents, permitting assistance, bidding and construction administration services for the remaining design and construction administration effort. This consulting services/design professional services contract was presented to the Goal Setting Committee on March 6, 2019, and the Committee established Affirmative Procurement Initiatives (API) of an SBE Evaluation Preference of up to 15 Points for selection and a mandatory minimum 20% Small Business Enterprise (SBE) participation goal on the contract. The Consultant committed to an SBE participation goal of 32% and received 6 Evaluation Preference Points. The SBE participation on this CSA is 30.87%. To date, the overall SBE participation on the contract is 30.45%. **Funding for this project is from the Infrastructure Sales Tax Fund.** (Capital Improvements Division) District 2 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

16. Staff recommends motion to receive and file: a zero-dollar (\$0) Change Order No. 20, documenting an increase in the amount of \$7,093.84 to the project contingency fund of Amendment No. 1 (R2021-1793) for the Construction Manager (CM) at Risk Services contract (R2019-1751) with Kast Construction Company LLC (Kast) for the Supervisor of Election (SOE) Production Facility project. **SUMMARY:** On December 7, 2021, the Board of County Commissioners (BCC) approved Amendment No. 1 (R2021-1793) to the CM at Risk Services contract (R2019-1751) with Kast establishing a Guaranteed Maximum Price (GMP) in the amount of \$53,206,963 for construction management services for the SOE Production Facility project. Change Order No. 20 to Amendment No. 1 (Change Order No. 20) authorizes the increase of project contingency funds in the amount of \$160,000 for the radio repeater allowance reconciliation for the SOE Production Facility project, as allowed by the contract provisions. Change Order No. 20 also authorizes the use of project contingency funds in the amount of \$152,906.16 for scope gap items which resulted in additional material and services for the SOE Production Facility project, as allowed by the contract provisions. In accordance with Policy and Procedure Memorandum (PPM) CW-F-050, Lead Departments are authorized to approve \$0 Change Orders associated with a Contingency Use Directive (CUD), then an agenda item notifying the BCC of such \$0 Change Orders must be presented as a receive and file. Change Order No. 20 is a \$0 CUD Change Order. This agenda item is being submitted to notify the BCC of a \$0 CUD Change Order established by PPM CW-F-050. The solicitation for a CM was advertised on July 21, 2019 according to the requirements of the Equal Business Opportunity (EBO) ordinance. On July 21, 2021, the Goal Setting Committee established an Affirmative Procurement Initiative (API) of 20% Small Business Enterprise (SBE) participation for the construction phase of the project, of which 8% must be African American or Hispanic American firms. The SBE participation for this change order is 56.62%. There is no African American or Hispanic American participation for this change order. To date, the overall SBE participation for this contract is 23.57%, of which 9.24% is African American or Hispanic American participation. **Funding for this project is from the 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

17. Staff recommends motion to approve: a Utility Easement Agreement (Easement) in favor of Florida Power & Light (FPL) Company for underground electrical improvements to service the County-owned Cypress Creek Natural Area and Riverbend Park (County Property) and surrounding areas on and around Indiantown Road in Jupiter. **SUMMARY:** FPL is improving electrical service to the County Property located on Indiantown Road, west of I-95, in Jupiter. FPL requires underground electric utility facilities and an above ground pad-mounted transformer to be installed within portions of the County Property. Easement Area A-1 is 10' wide and encompasses approximately 48,090.70 square feet (1.04 acres); Easement Area A-2 is 10' wide and encompasses approximately 17,932.94 square feet (0.41 acres); Easement Area A-3 is 10' wide and encompasses approximately 2,946.02 square feet (0.07 acres); and Easement Area A-4 is 10' wide and encompasses approximately 403.99 square feet (0.01 acres). A non-exclusive easement will be granted to FPL at no charge as the electrical improvements provide service to the County Property and neighboring customers in the surrounding area. There is no fiscal impact associated with the approval of this agenda item. (Property & Real Estate Management) District 1 (HJF)
18. Staff recommends motion to approve: a Declaration of Easement in favor of Palm Beach County to provide utility services to the new Supervisor of Elections Office (SOE) located at 4301 Cherry Road in unincorporated West Palm Beach. **SUMMARY:** The new SOE facility is located at the County's Cherry Road Complex, east of Military Trail, in unincorporated West Palm Beach. The Declaration of Easement is for water/sewer services to the SOE facility provided by the County's Water Utilities Department (WUD). There are two (2) easement areas, B-1 and B-2. Area B-1 is 20 foot wide and varies in length encompassing approximately 15,495.54 sq. ft. (0.3557 acres) and area B-2 varies in width from approximately 26 feet to 31 feet and encompasses approximately 20,008.62 square feet (0.4593 acres). The Declaration of Easement is a perpetual easement being granted at no charge since it provides service only to the SOE facility. The easement will be recorded in the public records of Palm Beach County. There is no fiscal impact associated with the approval of this agenda item. (Property & Real Estate Management) District 7 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

19. Staff recommends motion to approve: Task Order No. 4 (Task Order) to the Construction Manager (CM) at Risk Services contract (R2019-1515) with Wharton-Smith, Inc. for preconstruction services in the amount of \$222,463 for the Animal Care and Control Renewal/Replacement project. **SUMMARY:** On October 8, 2019, the Board of County Commissioners (BCC) approved the CM at Risk Services contract (R2019-1515) with the CM for the construction management services necessary for the Animal Care and Control Renewal/ Replacement project. The Task Order authorizes additional preconstruction services for the Animal Care and Control Renewal/Replacement project. Preconstruction services include, but are not limited to, design reviews, value analysis, scheduling services and cost estimates, prequalification of trade contractors, competitive public bidding of trade contracts and the development of the Guaranteed Maximum Price (GMP). Once the construction documents are completed, the CM will publicly bid the construction subcontracts to establish a GMP. The construction of the facility will be authorized through a GMP amendment to the contract, which will be presented to the BCC for approval. The solicitation for selection of the CM was advertised on April 7, 2019 according to the Equal Business Opportunity (EBO) Ordinance, with final selection taking place on July 19, 2019. On March 20, 2019, the Goal Setting Committee established Affirmative Procurement Initiatives (APIs) of a Small Business Enterprise (SBE) Evaluation Preference of up to 10 points for SBE participation plan and 5 points for CM/SBE partnering. The CM received 13 Evaluation Preference Points. The CM is not a certified Small/Minority/Women-owned Business Enterprise (S/M/WBE) but has partnered with Asset Builders, LLC dba Messam Construction, an S/M/WBE firm for services in an amount not less than 15% of the CM fees. The SBE participation on this Task Order is 13.45%. The CM is on notice that all GMP Amendments for construction services issued pursuant to this contract will be subject to the requirements of the Equal Business Ordinance, including requesting that an API be set prior to bidding the subcontracts. Funding for this project is from the Infrastructure Sales Tax Fund. (Capital Improvements Division) District 2 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

20. 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>
A) Air-Ways Mechanical Services L.L.C.	Non-Local	Non-SBE
B) Big Air Mechanical, LLC	Local	SBE

**SUMMARY:** On January 7, 2020, the Board of County Commissioners (BCC) 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 twenty-four (24) prequalified contractors for a total of twenty-six (26) 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 and are bid among the pool of pre-qualified contractors while projects \$200,000 or greater are advertised on the VSS website and additionally advertised in the newspaper. The bidding pool is further expanded, for projects \$100,000 or greater, 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 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 31.82%. (Capital Improvements) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

21. Staff recommends motion to:

- A) **approve** an Indemnity Agreement (Agreement) with Town of Jupiter (Town) in order to obtain Town's approval for encroachment on an utility easement for renovations at Roger Dean Chevrolet Stadium (RDCS); and
- B) **authorize** the County Administrator or designee, which in this case shall be the Director of Facilities, Development & Operations (FDO) to execute the Agreement on behalf of the Board of County Commissioners (BCC).

**SUMMARY:** The County entered into a developer agreement (R022-0520) with Jupiter Stadium, Ltd. (JSL) for the renovation of RDCS. The renovations include the installation of a covered removable canopy with supporting columns within a small portion of a utility easement benefitting the Town. To obtain the Town's approval to encroach with the improvements upon the utility easement, Town is requiring County execute the Agreement, which includes non-standard indemnification language. The non-standard language provides that the County will indemnify and hold the Town harmless for any and all liabilities, damages and costs, including attorney's fees, arising from the Town's acquiescence to the installation of the covered removable canopy with supporting columns within the easement. The non-standard language does acknowledge that the indemnification does not constitute a waiver of the County's sovereign immunity under section 768.28, Florida Statutes. Due to the potential delay to the underlying renovation project, in accordance with PPM CW-F-049, the Department of Risk Management and the County Attorney's Office have approved the non-standard provision and staff now seeks BCC approval of this Agreement and authorization permitting the FDO Director to execute the same. There are no charges associated with this Agreement. (FDO ADMIN) District 1/Countywide (MWJ)



3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

22. Staff recommends motion to approve:

- A) An Assignment of the Judicial Facilities Architectural Services (R2018-0917); Palm Beach Sheriff's Office (PBSO) Headquarters Renovations (R2017-0594); Detention Facilities (R2015-1459); PBSO Evidence/Impound Facility (R2015-0851); and Convention Center Parking Garage (R2014-0677) design professional services contracts (collectively the Contracts) from Leo A. Daly Company to Leo A. Daly LLC (Consultant); and
- B) Consultant Services Authorization (CSA) No. 10 to the consulting services/design professional services contract (R2017-0594) with Consultant in the amount of \$62,472 for the PBSO Headquarters Renovations project.

**SUMMARY:** Leo A. Daly Company requested that Palm Beach County accept an assignment of the Contracts to Consultant. Consultant has acquired Leo A. Daly Company, and will assume the Contracts from Leo A. Daly Company. Many of the staff and management team members of Leo A. Daly Company have joined Consultant. Since projects being worked on by Leo A. Daly Company are open, the assignment to Consultant will provide for the continuation and completion of these projects. Staff recommends this assignment of the Contracts from Leo A. Daly Company to Consultant. CSA No. 10 authorizes the professional services necessary for additional construction administration services and project close out support for the PBSO Headquarters Renovations project. The consulting services/design professional services contract for the PBSO Headquarters Renovations project was awarded pursuant to the prior Small Business Enterprise (SBE) Ordinance. The Consultant committed to an SBE participation goal of 26.50%. The SBE participation on this CSA is 20.19%. To date, the overall SBE participation on the contract is 40.89%. Funding for this project is from the Public Building Improvement Fund. (Capital Improvements Division) Countywide/District 3 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

23. Staff recommends motion to approve: Memorandum of Understanding (MOU) with the U.S. Fish and Wildlife Service (USFWS), an agency of the United States Department of the Interior, to construct and maintain a multimodal bridge connecting Burt Aaronson South County Regional Park (Park) to the Arthur R. Marshall Loxahatchee National Wildlife Refuge (Refuge) effective upon execution for a period of twenty-five (25) years plus two (2) automatic renewal options of twenty-five (25) years each. **SUMMARY:** The Park is located at 12551 Glades Road in unincorporated Palm Beach County and adjacent to the Refuge. USFWS is a federal agency responsible for managing the Refuge. The County is seeking to construct a multi-modal bridge connecting the Park to the Refuge. The initiative mutually benefits the County and the Refuge. The County will seek grant funding to design, permit and construct the bridge and any associated facilities such as an access trail, trailhead and site lighting. A fully executed MOU is necessary to demonstrate site control and partnership with the Refuge for future grant applications. The Refuge has updated its Visitor Services Plan to allow horses and equestrian use on its levees and permits 24-hour trail use within the Refuge. The bridge, which will be located in the southwest corner of the Park, adjacent to the Osprey Point Golf Course, will provide bicycle, pedestrian, and equestrian access from the Park to the Refuge's 40 miles of shell rock trails. Site security will be provided by County Park Rangers for all facilities located on County owned property. Palm Beach County assumes responsibilities such as excavation, bridge construction, and maintenance while the USFWS commits to maintaining necessary regulatory permits. The MOU will be effective for 25 years with two automatic renewals of 25 years each, subject to review. Both parties have pledged cooperation on management, funding approvals, and ensuring a safe working environment, among other shared responsibilities. Palm Beach County Parks and Recreation Department (Parks) is responsible for administering and maintaining the property. (Property & Real Estate Management) District 5 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

24. Staff recommends motions to:

A) **approve** an increase to the maximum cumulative value for the annual painting and weatherproofing services contract in the amount of \$3,000,000 for painting and weatherproofing services on an as-needed basis through April 3, 2028;

B) **approve** an annual contract with the following contractor for painting and weatherproofing services on an as-needed basis through April 3, 2028; and

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
Joe Schmidt Construction, Inc.	Local	SBE

C) **authorize** the County Administrator, or designee, which in this case shall be the Director of Facilities Development and Operations to execute a work order to the annual painting and weatherproofing services contract with Joe Schmidt Construction, Inc. for the Main Detention Center (MDC), East Tower-Painting & Minor Metalwork (Re-Bid) project in an amount not to exceed \$2,300,000 for a period of 90 calendar days from notice to proceed.

**SUMMARY:** On April 4, 2023, the Board of County Commissioners (BCC) approved the annual painting and weatherproofing services contract (R2023-0416 through R2023-0420). The work consists of painting and weatherproofing services to County-owned properties on an as needed basis. To date, the County has awarded work orders in the amount of \$72,350. In order to accommodate additional anticipated new projects required to be accomplished before this contract expires on April 3, 2028, staff is requesting to increase the maximum cumulative value for the annual painting and weatherproofing services contract in the amount of \$3,000,000. This increase will bring the maximum cumulative value of the annual painting and weatherproofing services contract to \$6,000,000. The Contractor now joins the list of eleven (11) prequalified contractors for a total of twelve (12) 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.

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

24. **SUMMARY (cont'd.):** Projects \$100,000 or greater are advertised on the vendor self-service (VSS) website and are bid among the pool of pre-qualified contractors while projects \$200,000 or greater are advertised on the VSS website and additionally advertised in the newspaper. The bidding pool is further expanded, for projects \$100,000 or greater, 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. The MDC East Tower is in need of interior painting and minor metalwork. This wing of the facility is currently unoccupied and will remain unoccupied during construction. This work order will authorize Joe Schmidt Construction, Inc. to proceed with the construction services necessary to furnish all labor, equipment, devices, tools, materials, transportation, professional services, supervision, drawings, permitting and all miscellaneous requirements necessary for the interior painting and minor metalwork for the MDC, East Tower-Painting & Minor Metalwork (Re-Bid) project. Bids for this project were received on July 18, 2024. Authority to execute the work order is being requested to allow for the work order to be finalized prior to the next BCC meeting. Operational needs call for the space to be occupied as soon as feasible, which cannot occur until, the interior painting and metalwork is completed. The work order form to be signed is substantially similar to those presented to the BCC in the past. The County Attorney's approval of the work order will be secured prior its execution under this delegation of authority. The work order will be submitted as a Receive and File item after it is executed. To date, there is no S/M/WBE participation for work orders under the annual painting and weatherproofing services contract. (Capital Improvements) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

~~25. Staff recommends motion to:~~

- ~~A) receive and file a zero-dollar (\$0) value Change Order No. 5 documenting an increase in the amount of \$83,494.83 to the project contingency fund of Amendment No. 3 (R2021-0345) to the Construction Manager (CM) at Risk Services contract (R2020-0249.1) with Kast Construction Company LLC (Kast) for the Palm Beach Sheriff's Office (PBSO) Headquarters Renovations-Exterior and Interior project (Project);~~
- ~~B) receive and file a zero-dollar (\$0) value Change Order No. 7 documenting a decrease in the amount of \$1,205,551.68 to the project contingency fund of Amendment No. 3 (R2021-0345) to the CM at Risk Services contract (R2020-0249.1) with Kast for the Project;~~
- ~~C) receive and file a zero-dollar (\$0) value Change Order No. 9 documenting a decrease in the amount of \$267,930.66 to the project contingency fund of Amendment No. 3 (R2021-0345) to the CM at Risk Services contract (R2020-0249.1) with Kast for the Project;~~
- ~~D) approve Change Order No. 10 to Amendment No. 3 (R2021-0345) to the CM at Risk Services contract (R2020-0249.1) with Kast for the Project in the amount of \$789,932, increasing the project duration by 116 calendar days; and~~
- ~~E) approve Change Order No. 11 to Amendment No. 3 (R2021-0345) to the CM at Risk Services contract (R2020-0249.1) with Kast for the Project in the amount of (\$419,947.32).~~

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

~~25. SUMMARY: On March 9, 2021, the Board of County Commissioners (BCC) approved Amendment No. 3 (R2021-0345) to the contract with Kast in the amount of \$33,653,792 establishing a Guaranteed Maximum Price (GMP) for interior and exterior renovations for the Project. The Project entails interior and exterior work including, but not limited to, hardening the existing exterior wall and window systems including new wall cladding to be installed for hurricane protection; adding new reinforced concrete walls; replacement of the existing roofing system; replacement and upgrades to the Heating, Ventilation and Air Conditioning (HVAC) systems; renovation of the fire suppression and lighting systems; and renovations and modifications to the interior of all three levels of the facility to accommodate additional offices, workstations and conference spaces. Change Order No. 5 to Amendment No. 3 (Change Order No. 5) authorized an increase to the project contingency fund for additions and deletions to the scope of work for the Project resulting from field conditions, as allowed by the contract provisions. Change Order No. 7 to Amendment No. 3 (Change Order No. 7) authorized the use of project contingency funds for unforeseen field conditions and scope gap items requiring additional material and services for the Project, as allowed by the contract provisions. Change Order No. 9 to Amendment No. 3 (Change Order No. 9) authorized the use of project contingency funds for allowance reconciliation, unforeseen field conditions and scope gap items requiring additional material and services for the Project, as allowed by the contract provisions. In accordance with Policy and Procedure Memorandum (PPM) CW-F-050, Lead Departments are authorized to approve \$0 Change Orders associated with a Contingency Use Directive (CUD), then an agenda item notifying the BCC of such \$0 Change Orders must be presented as a receive and file. Change Orders No. 5, No. 7 and No. 9 are \$0 CUD Change Orders and being submitted to the BCC as receive and file items pursuant to PPM CW-F-050. Change Order No. 10 to Amendment No. 3 (Change Order No. 10) authorizes the labor and materials necessary for additional work and modifications to the low voltage, electrical, plumbing and mechanical systems as well as additional general contracting work for the Project that were unforeseen and unknown at the scope development phase and that were requested by PBSO during the construction phase. Change Order No. 10 also increases the project duration by 116 calendar days as a result of the time required to procure, coordinate and complete the work. Change Order No. 11 to Amendment No. 3 (Change Order No. 11) authorizes the final reconciliation of project funds for the Project.~~

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

~~25. SUMMARY (cont'd.): The CM at Risk Services contract with Kast was awarded pursuant to the Small Business Enterprise (SBE) ordinance however Amendment No. 3, having been initiated after January 1, 2019, is subject to the requirements of the Equal Business Opportunity (EBO) Ordinance. Kast is not an SBE, but has partnered with All-Site Construction, Inc., an SBE CM. In September 2020, prior to subcontractor advertisement and bidding, the Goal Setting Committee applied an Affirmative Procurement Initiative (API) to the construction subcontracts of 25% SBE participation, of which 5% must be a Minority Business Enterprise (MBE) African American or Hispanic American. The SBE participation on Change Order No. 10 is 11.37%, of which 0.17% is MBE participation. There is no SBE participation on Change Order No. 11. To date, the overall SBE participation on this project is 39.19%, of which 6.55% is MBE participation. Kast is a Palm Beach County business. Funding for this project is from the Public Building Improvement Fund. (Capital Improvements Division) District 3 (MWJ)~~

3. CONSENT AGENDA APPROVAL

I. HOUSING & ECONOMIC DEVELOPMENT

1. Staff recommends motion to receive and file: Amendment 001 to the Agreement with the City of Riviera Beach (R2023-0792) to reallocate \$18,000 in additional Community Development Block Grant (CDBG) funding and to extend the Agreement expiration date to June 30, 2025 to allow for project completion and time to request 100% CDBG reimbursement from the County's Department of Housing and Economic Development (DHED). **SUMMARY:** The original 2023 Agreement (R2023-0792) provided \$200,000 in funding to develop a STEM themed playground on lots 33 and 34 adjacent to the Brooks Center, located at 595 West 5<sup>th</sup> Street in the City of Riviera Beach. Amendment 001 to the Agreement is necessary due to the unforeseen extended product lead times and increased costs to obtain playground equipment, which have impacted project progress and funding requirements. The City has requested an additional \$18,000 in CDBG funds to be reallocated from Agreement (R2023-0793) Urban Farm Phase II, which was terminated at the request of the City, to Agreement (R2023-0792) Brooks Center Playground and to also extend Agreement expiration date to June 30, 2025. These changes would allow time for project implementation and the City to request CDBG reimbursements from the County. Therefore, DHED has amended its FY2020-2021 and FY2022-2023 Action Plans to reallocate CDBG funds under the Agreement (R2023-0792) for a total of \$218,000 and the expiration date of January 31, 2024 has been extended to June 30, 2025. The original 2023 Agreement was received and filed by the Board of County Commissioners (BCC) on June 13, 2023 (R2023-0792). Amendment 001 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 to execute forms, certifications, funding agreements, amendments thereto, and all other documents necessary for implementation of the Consolidated Plan, Action Plan, CDBG, HOME and ESG activities. County PPM CW-O-051 provides that all contracts, agreements and grants signed with delegated authority must be submitted by the initiating department as a receive and file agenda item. **These are Federal CDBG funds which do not require a local match.** District 7 (HJF)



3. CONSENT AGENDA APPROVAL

I. HOUSING & ECONOMIC DEVELOPMENT

2. Staff recommends motion to:

- A) **receive and file** Notice of Withdrawal Letter terminating the Economic Development Incentive Agreement R2020-0385; dated April 7, 2020, with Esports Play LLC (Esports);
- B) **approve** a Budget Amendment of \$4,419 from the Economic Development Incentive Fund to establish budget for the repayment received and a transfer back to the General Fund; and
- C) **approve** a Budget Amendment of \$21,000 in the General Fund to recognize the transfer of funds from the Economic Development Incentive Fund to the General Fund.

**SUMMARY:** On April 7, 2020, the Board of County Commissioners (BCC) entered into an Economic Development Incentive Agreement with Esports to provide a cash grant in an amount not to exceed \$21,000 in local matching support under the State of Florida (State) Qualified Target Industry Tax (QTI) Refund Program (\$210,000). Esports is a professional video game team operating in a global league of professional gaming. The Economic Development Incentive Agreement required Esports to make a minimum capital investment of \$1.35 million, and create 30 new jobs over a three (3) year period. Esports 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 May 31, 2024. The \$9,669.20 funds paid to Esports comprising of \$4,419 paid in prior years and \$5,251 paid in 2024 under the Agreement (R2020-0385) have been refunded to Palm Beach County. The total amount of \$21,000 funded by the general fund contingency reserve are being returned to the general fund. District 7 (DB)

3. CONSENT AGENDA APPROVAL

I. HOUSING & ECONOMIC DEVELOPMENT

3. Staff recommends motion to receive and file: a Loan Agreement with Gulfstream Goodwill Industries, Inc. for State Housing Initiatives Partnership (SHIP) Program funds in the amount of \$1,620,000. **SUMMARY:** The Loan Agreement with Gulfstream Goodwill, Inc., provided \$1,620,000 (the "Loan") in SHIP funding toward the acquisition of a property located at 921 North M Street, Lake Worth Beach, FL 33460, a multifamily rental housing property that includes four (4) single story apartment buildings with nine (9) total rental units (the "County Assisted Units"). Seven (7) of the County Assisted Units shall be made available to households whose annual gross incomes, adjusted for family size, are at not more than eighty percent (80%) of the Area Median Income ("AMI"), and the remaining two (2) units shall be made available to households whose annual gross incomes, adjusted for family size, are at not more than one hundred and ten percent (110%) of the AMI for no less than 50 years. This is an interest-free loan over a period of 30 years with monthly payment of principal. Total development cost is \$1,875,800. The County-assisted per unit cost is \$180,000. The project will provide a mix of four (4) two-bedroom units and five (5) one-bedroom units. The document has been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development (DHED) in accordance with Agenda Item 5C-1, as approved by the BCC on April 9, 2024 that delegated authority to the County Administrator or designee to execute agreements, amendments thereto, and all other related documents necessary for project implementation. County PPM CW-O-051 provides that all contracts, agreements and grants signed with delegated authority must be submitted by the initiating department as a receive and file agenda item. **These are SHIP Program grant funds which require no local match.** District 2 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & ECONOMIC DEVELOPMENT

4. Staff recommends motion to receive and file: a Loan Agreement with Housing Partnership, Inc. d/b/a Community Partners of South Florida for State Housing Initiatives Partnership (SHIP) Program funds in the amount of \$1,867,500. **SUMMARY:** The Loan Agreement with Housing Partnership, Inc. d/b/a Community Partners of South Florida, provided \$1,867,500 (the “Loan”) in SHIP funding toward the acquisition of two (2) abutting properties located at 1741 & 1747 4<sup>th</sup> Avenue North, Lake Worth Beach, FL, a multifamily rental housing properties that includes two (2) single story apartment buildings with ten (10) total rental units (the “County Assisted Units”). Eight (8) of the County Assisted Units shall be made available to households whose annual gross incomes, adjusted for family size, are at not more than eighty percent (80%) of the Area Median Income (“AMI”), and the remaining two (2) units shall be made available to households whose annual gross incomes, adjusted for family size, are at not more than sixty percent (60%) of the AMI for no less than 50 years. This is an interest-free loan over a period of 30 years with monthly payment of principal made out of available Net Cash Flow. Total development cost is \$2,070,000. The County-assisted per unit cost is \$186,750. The project will provide a mix of eight (8) one-bedroom units and two (2) two-bedroom units. The document has been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development (DHED) in accordance with Agenda Item 5C-2, as approved by the BCC on April 9, 2024 that delegated authority to the County Administrator or designee to execute agreements, amendments thereto, and all other related documents necessary for project implementation. County PPM CW-O-051 provides that all contracts, agreements and grants signed with delegated authority must be submitted by the initiating department as a receive and file agenda item. **These are SHIP Program grant funds which require no local match.** District 3 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & ECONOMIC DEVELOPMENT

5. Staff recommends motion to:

- A) **approve** an Impact Fee Affordable Housing Assistance Program (IFAHAP) funding award in the total amount of \$392,754 to DM Redevelopment II, Ltd. (DMR II);
- B) **authorize** the Mayor to execute a Certificate of Award to be released to the recipient pursuant to IFAHAP Guidelines;
- C) **approve** a Budget Transfer of \$345,035 in Impact Fee Assistance Program – Roads Zone 5 to appropriate funds for DMR II;
- D) **approve** a Budget Transfer of \$28,310 in Impact Fee Assistance Program – Parks Zone 3 to appropriate funds for DMR II; and
- E) **approve** a Budget Transfer of \$19,409 in Impact Fee Assistance Program – Public Building to appropriate funds for DMR II.

**SUMMARY:** On April 24, 2024, the Department of Housing and Economic Development issued a Notice of Funding Availability (NOFA) making \$3,272,281 in IFAHAP funding available from Palm Beach County's Fiscal Year 2024 allotment funding cycle. DMR II, a partnership between Boca Raton Housing Authority and developer Atlantic Pacific Communities, submitted an application in response to the NOFA. Staff recommends that up to \$392,754 be provided as a credit for impact fees associated with the construction of The Residences at Martin Manor II which consists of 105 rental apartments located at the intersection of Glades Road and N. Dixie Highway in the City of Boca Raton. DMR II will be given credits for Roads Zone 5 Impact Fees (\$345,035), Parks Zone 3 (\$28,310), and Public Building Impact Fees (\$19,409). DMR II will pay impact fees above the allocated \$392,754. The Certificate of Award and related documents will be issued to the entity identified herein and its successors and/or assigns. DMR II will provide 16 units at 30% Area Median Income (AMI), three (3) units at 40% AMI, 16 units at 50% AMI, and 70 units at 70% AMI or below for a period of 50 years. **These funds are from interest earned by the Impact Fee Fund.** District 4 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & ECONOMIC DEVELOPMENT

6. Staff recommends motion to:

- A) **approve** an Impact Fee Affordable Housing Assistance Program (IFAHAP) funding award in the total amount of \$3,855 to Community Land Trust of Palm Beach County and the Treasure Coast (CLT of PBCTC);
- B) **authorize** the Mayor to execute a Certificate of Award to be released to the recipient pursuant to IFAHAP Guidelines;
- C) **approve** a Budget Transfer of \$1,949 in Impact Fee Assistance Program – Roads Zone 2 to appropriate funds for CLT of PBCTC;
- D) **approve** a Budget Transfer of \$1,435 in Impact Fee Assistance Program – Parks Zone 2 to appropriate funds for CLT of PBCTC; and
- E) **approve** a Budget Transfer of \$471 in Impact Fee Assistance Program – Public Building to appropriate funds for CLT of PBCTC.

**SUMMARY:** On April 24, 2024, the Department of Housing and Economic Development issued a Notice of Funding Availability (NOFA) making \$3,272,281 in IFAHAP funding available from Palm Beach County's Fiscal Year 2024 allotment funding cycle. CLT of PBCTC submitted an application in response to the NOFA. Staff recommends that up to \$3,855 be provided as a credit for impact fees associated with the construction of the Lake Worth Beach CLT Villas which consists of eight (8) single family residences on four (4) scattered sites in the City of Lake Worth Beach. CLT of PBCTC will be given credits for Roads Zone 2 Impact Fees (\$1,949), Parks Zone 2 (\$1,435), and Public Building Impact Fees (\$471). CLT of PBCTC will pay impact fees above the allocated \$3,855. The Certificate of Award and related documents will be issued to the entity identified herein and its successors and/or assigns. All eight (8) units will remain affordable to homebuyers at or below 80% Area Median Income (AMI) in perpetuity. **These funds are from interest earned by the Impact Fee Fund. District 3 (HJF)**

3. CONSENT AGENDA APPROVAL

I. HOUSING & ECONOMIC DEVELOPMENT

7. Staff recommends motion to:

- A) **approve** an Impact Fee Affordable Housing Assistance Program (IFAHAP) funding award in the total amount of \$221,936 to Sun Foundation, Inc. (SFI);
- B) **authorize** the Mayor to execute a Certificate of Award to be released to the recipient pursuant to IFAHAP Guidelines;
- C) **approve** a Budget Transfer of \$144,704 in Impact Fee Assistance Program – Roads Zone 2 to appropriate funds for SFI;
- D) **approve** a Budget Transfer of \$53,697 in Impact Fee Assistance Program – Parks Zone 2 to appropriate funds for SFI; and
- E) **approve** a Budget Transfer of \$23,535 in Impact Fee Assistance Program – Public Building to appropriate funds for SFI.

**SUMMARY:** On April 24, 2024, the Department of Housing and Economic Development issued a Notice of Funding Availability (NOFA) making \$3,272,281 in IFAHAP funding available from Palm Beach County’s Fiscal Year 2024 allotment funding cycle. SFI submitted an application in response to the NOFA. Staff recommends that up to \$221,936 be provided as a credit for impact fees associated with the construction of Waterview Apartments at Mangonia Park which consists of 140 rental apartments located at the corner of W. Tiffany Dr. and S. Tiffany Dr. in the Town of Mangonia Park. SFI will be given credits for Roads Zone 2 Impact Fees (\$144,704), Parks Zone 2 (\$53,697), and Public Building Impact Fees (\$23,535). SFI will pay impact fees above the allocated \$221,936. The Certificate of Award and related documents will be issued to the entity identified herein and its successors and/or assigns. SFI will provide 56 units at 30% AMI and 84 units at or below 80% Area Median Income (AMI) for a period of 50 years. **These funds are from interest earned by the Impact Fee Fund.** District 7 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & ECONOMIC DEVELOPMENT

8. Staff recommends motion to:

- A) **approve** an Impact Fee Affordable Housing Assistance Program (IFAHAP) funding award in the total amount of \$189,256 to Roseland Gardens, LLLP (RG);
- B) **authorize** the Mayor to execute a Certificate of Award to be released to the recipient pursuant to IFAHAP Guidelines;
- C) **approve** a Budget Transfer of \$152,972 in Impact Fee Assistance Program – Roads Zone 2 to appropriate funds for RG;
- D) **approve** a Budget Transfer of \$10,390 in Impact Fee Assistance Program – Parks Zone 2 to appropriate funds for RG; and
- E) **approve** a Budget Transfer of \$25,894 in Impact Fee Assistance Program – Public Building to appropriate funds for RG.

**SUMMARY:** On April 24, 2024, the Department of Housing and Economic Development issued a Notice of Funding Availability (NOFA) making \$3,272,281 in IFAHAP funding available from Palm Beach County’s Fiscal Year 2024 allotment funding cycle. RG, a partnership between West Palm Beach Housing Authority and developer Smith & Henzy, submitted an application in response to the NOFA. Staff recommends that up to \$189,256 be provided as a credit for impact fees associated with the construction of Roseland Gardens which consists of 148 rental apartments located at 3801 Georgia Avenue in the City of West Palm Beach. RG will be given credits for Roads Zone 2 Impact Fees (\$152,972), Parks Zone 2 (\$10,390), and Public Building Impact Fees (\$25,894). RG will pay impact fees above the allocated \$189,256. The Certificate of Award and related documents will be issued to the entity identified herein and its successors and/or assigns. RG will provide 15 units at 30% AMI, and 133 units at or below 60% Area Median Income (AMI) for a period of 50 years. **These funds are from interest earned by the Impact Fee Fund.** District 2 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & ECONOMIC DEVELOPMENT

9. Staff recommends motion to:

- A) **approve** an Impact Fee Affordable Housing Assistance Program (IFAHAP) funding award in the total amount of \$309,263 to Richman Lake Worth Apartments, LLC (RLWA);
- B) **authorize** the Mayor to execute a Certificate of Award to be released to the recipient pursuant to IFAHAP Guidelines;
- C) **approve** a Budget Transfer of \$253,810 in Impact Fee Assistance Program – Roads Zone 2 to appropriate funds for RLWA;
- D) **approve** a Budget Transfer of \$53,270 in Impact Fee Assistance Program – Parks Zone 2 to appropriate funds for RLWA; and
- E) **approve** a Budget Transfer of \$2,183 in Impact Fee Assistance Program – Public Building to appropriate funds for RLWA.

**SUMMARY:** On April 24, 2024, the Department of Housing and Economic Development issued a Notice of Funding Availability (NOFA) making \$3,272,281 in IFAHAP funding available from Palm Beach County's Fiscal Year 2024 allotment funding cycle. RLWA, an affiliate of developer The Richman Group of Florida, submitted an application in response to the NOFA. Staff recommends that up to \$309,263 be provided as a credit for impact fees associated with the construction of the Residences of Lake Worth Beach which consists of 195 rental apartments located at 2431 2<sup>nd</sup> Ave. N. in the City of Lake Worth Beach. RLWA will be given credits for Roads Zone 2 Impact Fees (\$253,810), Parks Zone 2 (\$53,270), and Public Building Impact Fees (\$2,183). RLWA will pay impact fees above the allocated \$309,263. The Certificate of Award and related documents will be issued to the entity identified herein and its successors and/or assigns. RLWA will provide all 195 units at or below 100% Area Median Income (AMI) for a period of 50 years. These funds will cover the balance of fees not covered by the IFAHAP award approved by the BCC on June 11, 2024 (Agenda Item # 31-2). **These funds are from interest earned by the Impact Fee Fund.** District 3 (HJF)



3. CONSENT AGENDA APPROVAL

I. HOUSING & ECONOMIC DEVELOPMENT

10. Staff recommends motion to:

- A) **approve** an Impact Fee Affordable Housing Assistance Program (IFAHAP) funding award in the total amount of \$276,308 to City View Associates, Ltd. (CVA);
- B) **authorize** the Mayor to execute a Certificate of Award to be released to the recipient pursuant to IFAHAP Guidelines;
- C) **approve** a Budget Transfer of \$229,909 in Impact Fee Assistance Program – Roads Zone 4 to appropriate funds for CVA;
- D) **approve** a Budget Transfer of \$30,053 in Impact Fee Assistance Program – Parks Zone 3 to appropriate funds for CVA; and
- E) **approve** a Budget Transfer of \$16,346 in Impact Fee Assistance Program – Public Building to appropriate funds for CVA.

**SUMMARY:** On April 24, 2024, the Department of Housing and Economic Development issued a Notice of Funding Availability (NOFA) making \$3,272,281 in IFAHAP funding available from Palm Beach County's Fiscal Year 2024 allotment funding cycle. CVA, a joint venture between Landmark Companies and the West Palm Beach Housing Authority, submitted an application in response to the NOFA. Staff recommends that up to \$276,308 be provided as a credit for impact fees associated with the construction of City View which consists of 90 rental apartments located at the S.W. corner of the intersection of S. Federal Hwy. and S.E. 5th Ave. in Boynton Beach. CVA will be given credits for Roads Zone 4 Impact Fees (\$229,909), Parks Zone 3 (\$30,053), and Public Building Impact Fees (\$16,346). CVA will pay impact fees above the allocated \$276,308. The Certificate of Award and related documents will be issued to the entity identified herein and its successors and/or assigns. CVA will provide all 90 units at or below 60% Area Median Income (AMI) for a period of 50 years. **These funds are from interest earned by the Impact Fee Fund.** District 7 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & ECONOMIC DEVELOPMENT

11. Staff recommends motion to:

- A) **terminate** the Economic Development Incentive Agreement R2019-0787, dated June 4, 2019, with ORBCOMM LLC.;
- B) **receive and file** Notice of Termination Letter by Florida Department of Economic Opportunity (DEO) to ORBCOMM LLC under a Qualified Target Industry Tax Refund Program agreement;
- C) **approve** a Budget Transfer of \$19,200 from the Economic Development Incentive Fund to the General Fund; and
- D) **approve** a Budget Amendment of \$19,200 in the General Fund to recognize the transfer from the Economic Development Incentive Fund.

**SUMMARY:** On June 4, 2019, the Board of County Commissioners (BCC) entered into an Economic Development Incentive Agreement with ORBCOMM LLC to provide a cash grant in an amount not to exceed \$19,200 in local matching support under the State of Florida (State) Qualified Target Industry Tax (QTI) Refund Program. ORBCOMM LLC is a single source provider of multi-network connectivity, devices, and applications for a variety of industries including transportation and distribution, oil and gas, and heavy equipment. The Economic Development Incentive Agreement required the company to make a minimum capital investment of \$580,000 to lease, renovate and equip an 11,500 square foot facility and to create 32 new jobs over a two (2) year period. The DEO has issued a Termination Letter to the Company under the QTI Tax Refund Program Agreement #SB19-050 due to the determination the company is ineligible to receive the tax refunds per the agreement. Since Palm Beach County's (County) commitment was contingent on the State program, the County is hereby terminating the Economic Development Incentive Agreement R2019-0787 with ORBCOMM LLC pursuant to paragraph X(1) of the incentive agreement. The undisbursed \$19,200 funded by the general fund contingency reserve is being returned to the general fund. District 4 (DB)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to approve: Reappointment of one (1) member to the Historic Resources Review Board (HRRB):

<u>Reappointment</u>	<u>Seat</u>	<u>Requirement</u>	<u>Term</u>	<u>Recommended By</u>
Rose Guerrero	7	Archaeologist/ Historian	8/20/2024 - 8/19/2027	Vice Mayor Marino Commissioner Woodward Commissioner Weiss Commissioner Bernard

**SUMMARY:** The HRRB was established by the Historic Preservation Ordinance adopted on February 2, 1993, to make recommendations to the Board of County Commissioners (BCC) regarding historic designations and related matters. The Unified Land Development Code (ULDC) Article 2.G.3.H specifies the membership of the HRRB. The term of office of each member is for three (3) years. HRRB seats are at-large positions appointed by the BCC. The Planning Division forwarded a memo (dated June 24, 2024) to the BCC notifying the BCC of the vacancies, and requesting nominations. The advisory board has nine (9) seats, eight (8) seats are currently filled, with a diversity count of Caucasian: 8 (100%). The gender ratio (male: female) is 3:5. The nominee is Rose Guerrero, who is a Caucasian female. Staff is addressing the need to increase diversity within our boards and will continue to encourage this in an effort to expand the Board’s diversity. Unincorporated (DL)

2. Staff recommends motion to approve: reappointment of one (1) applicant to the Construction Board of Adjustments and Appeals (CBAA):

<u>Reappointment</u>	<u>Seat</u>	<u>Requirement</u>	<u>Term</u>	<u>Nominated by</u>
Manuel Oyola	7	Roofing Contractor	08/20/2024 - 06/14/2027	Palm Beach County Roofing & Sheet Metal Association

**SUMMARY:** The CBAA hears appeals of decisions and interpretations of the Building Official, and consider variances of the technical codes. The CBAA was established by Palm Beach County Ordinance 89-31 and amended in 2002. The term of office for Board members is three (3) years, with a limit of three (3) consecutive three (3) year terms. The Board is comprised of eight (8) regular members: one (1) architect, one (1) engineer, one (1) HVAC contractor, one (1) plumbing contractor, two (2) Division 1 contractors, one (1) electrical contractor; and two (2) alternate members. The Board has 11 seats, 8 currently filled and 3 vacancies, and a diversity count of Caucasian: 6 (75%), African-American: 1(12.5%) and Hispanic: 1(12.5%). The gender ratio (male: female) is 7:1. The nominee is a Hispanic male. Staff is addressing the need to increase diversity within its 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: Amendment No. 1 to the Western Region North Wastewater Treatment Facility (WRNWWTF) Electrical and Wet Weather Improvements (Contract) with DMR Construction Services, Inc. (Contractor). **SUMMARY:** On March 12, 2024, the Board of County Commissioners (BCC) approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2024-0310) with Contractor to provide construction services for the WRNWWTF Electrical and Wet Weather Improvements Project (Project). The Project is to provide electrical and wet weather improvements to allow the facility to continue providing resilient and reliable service to the public. The Project is co-funded with Florida Commerce Community Development Block Grant Mitigation Program (CDBG-MIT) Federal Grant Agreement No. I0166 (R2022-0121). During the Florida Commence procurement document review on April 9, 2024, the Contract is requested to be modified to meet 2 CFR Part 200 regulations. A Contract Amendment is required to incorporate the required regulatory language and clauses. The Project has accepted a Community Development Block Grant Mitigation Program (CDBG-MIT) with the State of Florida Department of Economic Opportunity (DEO) in the amount of \$2,710,000. The Contract is exempt from Sections 2-80.20-2-80.40 of the Palm Beach County Code, the Equal Business Opportunity (“EBO”) program because it is funded by federal or state funds. The project is included in the PBCWUD FY24 budget. (PBCWUD Project No. 19-035R) District 6 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

2. Staff recommends motion to approve: Change Order (CO) No. 1 with Hinterland Group Inc., (Contractor) for Improvements to Lift Stations (LS) 1043, 1045 and 5209 (Project) in the amount of \$113,404.03 and for a Project time extension of 171 calendar days. **SUMMARY:** On April 12, 2022, the Board of County Commissioners (BCC) approved the Palm Beach County Water Utilities Department (PBCWUD) Contract for the Improvements to LS 1043, 1045 and 5209 (Contract) (R2022-0359). The Project provides for the rehabilitation of Lift Stations 1043, 1045, and 5209; and includes mechanical, electrical, and civil rehabilitation including new pumps, control panels and appurtenances, discharge piping, wet well and manhole coating, new potable water services, one (1) new wet well, and temporary bypass pumping. CO No. 1 provides modifications to the original design that includes revising electrical connections between the control panels and County issued back up power generators, additional concrete work, increasing the entry hatch size for easier access and maintenance at each lift station and unforeseen conditions during construction that created additional work. The additional time of 171 days is due to manufacturing and shipping delays from the vendor, permits were delayed, time to redesign due to larger generators creating site issues and construction schedule impacts to build and install these changes. This Contract was presented to the Goal Setting Committee (Committee) on May 19, 2021 and the Committee established an Affirmative Procurement Initiative (API) of 20% Small Business Enterprise (SBE) subcontracting participation of which 3% shall be among certified African American (AA) and/or Hispanic American (HA) owned firms. Contractor committed to 21.69% SBE and 5.67% Minority Business Enterprise (MBE) (AA/HA). The SBE proposed participation for this CO No. 1 is 0%. To date, the overall participation achieved on the Contract is 9.28% SBE and 5.35% MBE (AA/HA). Contractor is a Palm Beach County based company. The Project is included in the PBCWUD FY24 budget. (PBCWUD Project No. 20-008) Districts 3 and 5 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

3. Staff recommends motion to:

- A) **approve** a Petroleum Cleanup Participation Program (PCPP) Agreement (Agreement) with the Florida Department of Environmental Protection (FDEP); and
- B) **delegate** authority to the County Administrator, or her designee which in this case shall be the Director of Palm Beach County Water Utilities Department (PBCWUD), to sign and execute 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 Palm Beach County property located at 1701 S. Jog Road in Greenacres, Palm Beach County, Florida (Site) is listed by the FDEP as requiring remediation. The Site was previously the location of a drinking water repump station purchased by Palm Beach County (PBC). The release of diesel fuel occurred in March 1992 before PBC took possession of the property. On January 22, 2022, FDEP notified PBCWUD that FDEP funds were available for cleanup of the site under the Petroleum Cleanup Participation Program (PCPP). The PCPP requires the property owner to complete a Limited Contamination Assessment Report (LCAR). On December 5, 2023, PBCWUD submitted the LCAR to the FDEP which was approved on January 12, 2024. The LCAR described a small volume of soil beneath the eastern parking lot that is contaminated by the release of diesel fuel (petroleum hydrocarbons). Now that the LCAR has been approved, PBCWUD is eligible for the FDEP funds under the PCPP to remediate the site. The FDEP will fund 75% of the cleanup costs and WUD is responsible for the remaining 25%. The cost to remediate the site is estimated to be \$100,000. Once FDEP executes the PCPP Agreement then a FDEP approved environmental consultant will start work at the property. The Agreement requires a 25% match which will be funded from a one-time expenditure from Water Utilities user fees, connection fees and balance brought forward. District 2 (MWJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to receive and file: a 20-year term State of Florida Department of Environmental Protection (FDEP) Florida Greenways and Trails System (FGTS) Designation Agreement (Agreement) for the 124.3-acre Acreage Pines Natural Area (Natural Area). **SUMMARY:** On March 5, 2024, the Board of County Commissioners (BCC) approved an FDEP Office of Greenways and Trails Application for Designation of Public Lands or Waterways as part of the FGTS (Application, R2024-0258) for the Natural Area. The BCC concurrently authorized the County Administrator, or designee, to execute the Agreement for the Natural Area on behalf of the County if the County's Application was approved by the State's Greenways and Trails Council, and to sign a Resource Certification (Certification) required under the Agreement every five (5) years during the term of the Agreement. The County's Application was approved by the State's Greenways and Trails Council on March 28, 2024. The Agreement was executed on behalf of the County by the Director of the Department of Environmental Resources Management on May 7, 2024. **The Agreement will not have a fiscal impact.** District 6 (SS)
  
2. Staff recommends motion to approve: the revised Detailed Work Plan Budget – Arthropod Control (Budget) and Integrated Mosquito Management Plan (Work Plan) for the State Financial Assistance Recipient Agreement (Agreement) or State Mosquito Control Memorandum of Understanding (MOU) with the Florida Department of Agriculture and Consumer Services (FDACS) for fiscal year beginning October 1, 2024 and ending September 30, 2025. **SUMMARY:** The 2024-2025 FDACS Budget and Work Plan form was approved by the Board of County Commissioners (BCC) on June 11, 2024, as part of the re-application process for state aid for FY2025. Upon returning the approved form, FDACS indicated that an updated version of the form was required in accordance with the Florida Administrative Code (F.A.C.) To comply, a new form has been prepared and brought back to the BCC for approval. The current MOU No. 30506 was approved by the BCC on May 7, 2024. The County anticipates receiving a new Agreement or MOU for FY2025 from FDACS in September to support mosquito control activities as approved by FDACS. An Agreement would be required if FDACS awards grant assistance to the County, but the County anticipates there will be no grant assistance awarded for FY2025. However, even if there is no Agreement for a grant award, an MOU would still be required by F.A.C. Rule 5E-13.022 for counties that are not eligible to receive state aid for control of arthropods, but want to remain in the state approved program. Under the MOU, the Mosquito Control Division would be responsible for the completion of monthly deliverables as stated in the MOU. State aid determination is based on a tier system. Based on Mosquito Control's Annual Certified Budget FY2025, FDACS placed Mosquito Control into Tier 1, which receives no state funding, which resulted in the current MOU instead of an Agreement. Countywide (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

3. Staff recommends motion to receive and file: Change Order No. 1, to Task Assignment No. PM3, Contract No. FWC21149 (R2022-0361) with Florida Fish and Wildlife Conservation Commission (FWC), to decrease funding allocation by \$28,600 for fiscal year 2023-2024 for Task PM3. This Change Order No. 1 does not alter the original completion date of June 30, 2024. **SUMMARY:** On April 12, 2022, the Board of County Commissioners (BCC) approved FWC Contract No. FWC21149 (R2022-0361) (Contract) for aquatic vegetation control services in the following lakes: Clarke, Ida, Osborne, and Pine. Delegated authority to execute all future time extensions, task assignments, certifications, and any other forms associated with this Contract was approved at that time. This Contract facilitates County treatment and control of aquatic exotic plants within the Chain of Lakes. County work is based on the need for treatment and is reimbursed by FWC. This year our needs were reduced by \$28,600, which FWC is entitled to recover as unexpended funding. 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. **There is no cost to the County.** Countywide (SS)



3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: the following four (4) executed Special Events Rental Agreements:
  - A) Spartan Race, Inc., for the Palm Beaches Spartan Race at Burt Aaronson South County Regional Park, from April 11, 2024 through April 23, 2024. This event generated \$15,601 in revenue, with \$1,401 in direct expenses; thus providing a net fiscal impact of \$14,200;
  - B) Quadlife Entertainment LLC, for the 2024 Fizzle Racing HydroDrags Nationals at Burt Aaronson South County Regional Park, from May 10, 2024 through May 12, 2024. This event generated \$4,876 in revenue, with \$876 in direct expenses; thus providing a net fiscal impact of \$4,000;
  - C) Sportera Events USA, Inc., for the MUDGIRL Run Palm Beach at Burt Aaronson South County Regional Park, from May 13, 2024 through May 20, 2024. This event generated \$13,905 in revenue, with \$1,305 in direct expenses; thus providing a net fiscal impact of \$12,600; and
  - D) Full-A-Vybez Inc., for the Florida Jerk Festival at John Prince Park, from May 23, 2024 through May 28, 2024. This event generated \$7,118 in revenue, with \$1,118 in direct expenses; thus providing a net fiscal impact of \$6,000.

**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. Districts 3 & 5 (AH)

3. CONSENT AGENDA APPROVAL

N. LIBRARY

1. **Staff recommends motion to approve:** The County's Library's FY2024-2028 Strategic Plan and FY 2025 Action Plan. **SUMMARY:** This Plan represents the Library's mission statement, goals and objectives, and strategic plan for FY2024 through FY2028. This process of strategic planning is done in conjunction with the State's requirements for libraries receiving State Aid grant funds and with the County's budget process. The Library Advisory Board endorsed this Plan with Resolution 24-01, dated July 8, 2024. The Plan for FY2024 - FY2028 underwent a complete revision last year to address community needs by reflecting recent changes, including those brought about by the COVID-19 pandemic, along with the public's demand for electronic resources, access to evolving technology, and population growth. While continuing to meet the needs of those who seek traditional services and resource formats, the Library also recognizes the demand for new technology. The Library will take an active role in serving as a bridge to connect Library members with the community services they require.

Highlights of the Plan for FY2025 include:

- Engaging our communities and partners by promoting and enhancing the role of the Library and offering services beyond the Library's walls;
- Providing free access to resources and services that reflect and engage Palm Beach County's diverse communities and people;
- Offering a diverse range of activities designed to enrich, stimulate and engage members from early literacy through adulthood;
- Providing a welcoming environment, both physically and virtually, to spark creativity, stimulate thoughtful conversation and encourage collaboration;
- Serving as a bridge for community members to access social services.

Countywide (AH)

2. **Staff recommends motion to approve:** downward budget amendment of \$1,836 in the County Library Fund to reconcile the State Aid to Libraries Grant Budget to the actual award amount. **SUMMARY:** The State Aid to Libraries Grant Agreement 24-ST54, CSFA 45.030, was approved by the Board of County Commissioners on September 12, 2023 and executed on June 17, 2024 (R2023-1256). Notification by the State of the Grant Award in the amount of \$752,807 was issued to the County Library on June 20, 2024 to begin on that date and end when funds are fully expended, which is anticipated to be on or before June 30, 2024. The State provides an annual operating grant to eligible libraries based upon their annual operating expenditures from local funds. The downward budget amendment is necessary to reconcile the State Aid to Libraries Grant Budget to the actual award amount. There are no matching funds for this grant. Estimated State Aid revenue was included in the County Library's FY 2024 budget. Countywide (AH)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to:

- A) **receive and file** a Contract for Consulting/Professional Services with Housing Partnership, Inc., dba Community Partners (Housing Partnership) in the amount of \$165,188 for the period of May 1, 2024 through May 15, 2025 to fund community engagement, capacity building, and sustainability under the Criminal Justice Commission's (CJC) John D. and Catherine T. MacArthur Foundation's Safety and Justice Challenge (SJC) Project; and
- B) **authorize** the County Administrator or designee to execute any amendments, reports, or documents relating to this agreement on behalf of the Board of County Commissioners (BCC), after approval of legal sufficiency by the County Attorney's Office and within budgeted allocations, that do not substantially change the scope of work, or terms and conditions of the Contract.

**SUMMARY:** Under the SJC Project, the County, through its CJC, has received \$4,350,000 in grant funding to reduce the jail population without compromising public safety, and address racial and ethnic disparities in the criminal justice system. Since 2021, Housing Partnership has been providing services to help the CJC better understand the needs and concerns of the general community of the County as it relates to criminal justice. In 2021 and 2022, over 170 community members participated in facilitated discussions on this topic. Citizens from every corner of the County participated along with our criminal justice partners to convey a better understanding of the criminal justice system. This community engagement project became one of the steadfast pillars for continued support from the John D. & Catherine T. MacArthur Foundation and a model for this work all around the Country. Housing Partnership was integral to the success of this project. The new project provides for further exploration, including discussions with law enforcement, training for community members, and developing an orientation for CJC board members. It also strengthens CJC support and commitment to the principles of community engagement. Regular reporting and deliverables are required. The County Purchasing Department executed this contract pursuant to the Palm Beach County Purchasing Code and PPM CW-L-008. Countywide (HH)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

1. Staff recommends motion to approve: a Sixth Amendment to Interlocal Agreement (R2008-1567) for Fire Vehicle Maintenance with the City of West Palm Beach (“City”) to extend the term of the Agreement from September 9, 2024 through September 8, 2025. **SUMMARY:** The Agreement provides the terms and conditions under which Palm Beach County Fire Rescue Support Services personnel provides maintenance and emergency repair to Aerials/Platforms and Ladders, only, of the City’s Fire-Rescue fleet. This Agreement, as amended, is cost neutral with no supplemental funding from the Fire Rescue MSTU as the City is billed for all time, materials, and services performed to maintain and repair the City’s fire vehicles. During this extension period, the County shall provide maintenance and repair services for the following emergency response apparatus: Aerials/Platforms and Ladders. Countywide (SB)
  
2. Staff recommends motion to authorize: the Mayor to execute Certificate to Non-Ad Valorem Assessment Roll (DR-408A) forms certifying the non-ad valorem assessment roll for the Municipal Service Benefit Unit (MSBU) for Fire Hydrant Maintenance and Rental-Riviera Beach and the non-ad valorem assessment roll for the MSBU for Fire Hydrant Maintenance and Rental-Boca Raton. **SUMMARY:** MSBUs for fire hydrant maintenance and rental for Riviera Beach and Boca Raton were established in February of 1993, as set out in Chapter 26, Article III of the Palm Beach County Code. The current rates as established by resolutions are \$52.86 per parcel for Riviera Beach (R2019-1223) and \$23.00 per parcel for Boca Raton (R2008-0239). Every year the assessment roll must be certified by the Mayor of the Board of County Commissioners (BCC), and the State Department of Revenue (DOR) form DR-408A must be signed by the Mayor for each MSBU in order for the assessment to be included on the property’s annual tax bill. These forms and the assessment rolls must be submitted to the Tax Collector no later than September 15 of each year. Districts 4, 5 & 7 (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

3. Staff recommends motion to:

- A) **ratify** a Memorandum of Agreement (MOA) with the Florida Department of Health (DOH) for an Emergency Medical Services (EMS) Matching Grant award, in the amount of \$24,000, for the period June 1, 2024 through May 31, 2025; and
- B) **approve** a Budget Amendment of \$32,000 within the Fire/Rescue Municipal Service Taxing Unit Fund to recognize the grant award for FY 2024, establish a budget for the approved grant and a budget transfer of \$8,000 from Fire Rescue contingency reserves to meet the required match.

**SUMMARY:** On January 23, 2024 (R2024-0083) the Board of County Commissioners (BCC) authorized the County Administrator, or designee, to sign the State FY 2023-2024 annual EMS Matching Grant Application which requested \$216,674 to fund 75% of the purchase of 13 Hamilton-T1 ventilators, and to execute the grant award and other necessary documents. On June 28, 2024, the County received notification from the DOH of the \$24,000 grant award which will cover two (2) of the 13 requested ventilators. Fire Rescue will purchase the remaining 11 ventilators from the FY 2025 budget. On June 28, 2024, the Fire Rescue Finance Director, an approved designee of the County Administrator, electronically executed the MOA. The Risk Management Department and County Attorney's Office have reviewed the indemnification requirements for this grant and advised staff accordingly. The indemnification clause requires the County to indemnify the DOH, including for court costs and attorneys' fees. The indemnification is limited to the negligence, intentional or unintentional acts or omissions of the County, and the County's agents, assignees, sub-contractors, and employees, that may arise during the course of the operation of the grant MOA, or that arise out of or relating to the subject property, the Project, or the use of grant money. Staff were advised by DOH that no modifications could be made to the MOA. Therefore, staff recommends approval of the MOA. **The required match for this grant is \$8,000 (25% of the project amount),** which will be funded from Fire Rescue's contingency reserve. Countywide (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

4. Staff recommends motion to:

- A) **approve** the submittal of an Application to the Florida Department of Law Enforcement (FDLE), for the Drone Replacement Program Financial Assistance Agreement requesting \$248,944, to fund 100% of the purchase of ten (10) Skydio X10 Drones and operationally necessary accessories with a start date of July 1, 2024 and end date of June 30, 2025; and
- B) **authorize** the County Administrator, or designee, to accept, approve, execute and submit, on County's behalf the grant award, representations, certifications, acknowledgments, assurances, standard forms and documents, reimbursement requests, amendments, time frame changes, program change requests, and any other necessary documents, that does not materially change the general scope of terms and conditions of the grant.

**SUMMARY:** The FY 2024-2025 Drone Replacement Program is a grant from the FDLE (CSFA 71.092). This grant application requests \$248,944 from the Drone Replacement Program for the purchase of ten (10) Skydio X10 Drones and operationally necessary accessories. The total project cost identified in the grant application is \$248,944. **There is no required match for this grant.** If awarded Fire Rescue will relinquish ten (10) drones previously purchased with a value of \$8,022. Countywide (AH)

AUGUST 20, 2024

3. CONSENT AGENDA APPROVAL

T. HEALTH DEPARTMENT

1. Staff recommends motion to adopt: Resolution of the Board of County Commissioners of Palm Beach County, Florida, adopting the FY 2024/2025 budget for the Air Pollution Control Program. **SUMMARY:** This Resolution is required by the August 21, 1984, Agreement with the Department of Health Palm Beach County (DOHPBC) to establish the annual budget for the expenditure of fees deposited into the Air Pollution Control Trust Fund. This Program is solely supported by motor vehicle license registration fees. **The proposed FY 2024/2025 budget for the Air Pollution Control Program from this funding source is \$1,102,464, which is a 6.69% increase from the current year budget.** This increase is partially due to the rise of indirect costs and salary increase to the government employees. This budget can be accommodated by future revenues and a surplus in the Air Pollution Control Trust Fund. Countywide (HH)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to receive and file: a fully executed Amendment to Pricing Schedule for AT&T Switched Ethernet Service for a period of thirty six (36) months. **SUMMARY:** The Amendment to the Pricing Schedule has been fully executed on behalf of the Board of County Commissioners (BCC) by the Chief Information Officer, as delegated by the County Administrator, in accordance with Resolution 2023-0958. Information Systems Services is now submitting the schedule in accordance with County PPM CW-O-051, which requires all delegated schedules to be submitted by the initiating Department to the BCC as a receive and file agenda item. The Pricing Schedule is for a thirty six (36) month extension at current discounted rates. Countywide (DB)
  
2. Staff recommends motion to receive and file: a fully executed Exercise of Renewal Option No. 1 with the Government of The United States Virgin Islands for Software License and Professional Services Agreement for the period of October 1, 2023 to September 30, 2024. **SUMMARY:** The Government of the U.S. Virgin Islands has a Software License and Professional Services Agreement with Palm Beach County to host a maintain their Business License Web Application. On February 1, 2022, the Board of County Commissioners approved a new Agreement for two (2) years effective October 1, 2021, with the option to extend for two (2) successive one-year terms. Due to the contract formation principles under U.S. Virgin Islands' law, this agreement was first executed by the County and now fully executed by U.S Virgin Islands. In approving R2022-0072 the Board authorized the County Administrator or designee to exercise the two successive one-year renewal options and execute change orders associated with these services. Countywide (DB)



3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to:

- A) **approve** Agreement for the installation, operation and maintenance of the 9-1-1 Emergency Call Handling System with Palm Beach County Sheriff's Office (PBSO) for the installation and maintenance of a 9-1-1 emergency call handling system at the PBSO's 9-1-1 Public Safety Answering Point (PSAP) for a five (5) year term commencing August 20, 2024, with three (3) one-year renewal options; and
- B) **authorize** the County Administrator or designee to approve and execute non-material amendments, administrative documents and renewals associated with this agreement, on behalf of the Board of County Commissioners (BCC), after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations that do not substantially change the terms or conditions thereof.

**SUMMARY:** The PSD's Division of 911 Program Services provides the 9-1-1 Call Handling System and Equipment to the PSAPs and is responsible for its maintenance. The PSAPs provide the call takers and personnel to answer the 9-1-1 calls and dispatch the proper emergency response to the incident. The agreement outlines the responsibilities of the County and PBSO to ensure the efficient operation of the system and equipment compliance with the Florida State E911 Plan. This agreement is for services funded by non-ad valorem funding. Currently, there are sixteen (16) PSAPs in Palm Beach County. These PSAPs are located in: Cities of Atlantis, Boca Raton, Boynton Beach, Delray Beach, Palm Beach Gardens, Riviera Beach and West Palm Beach; Towns of Lantana, Manalapan, Ocean Ridge, Palm Beach; Village of Palm Springs, Florida Highway Patrol, Florida Atlantic University, Palm Beach County Fire Rescue and PBSO. As part of the Agreement, there is an Exhibit A, which includes a list of current call handling equipment provided to PBSO's PSAP, which may be modified from time to time, as agreed to in writing by the parties' Contract Monitors, for items such as technology upgrades, equipment replacement, etc. Countywide (SB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

2. **Staff recommends motion to receive and file:** an extension to Memorandum of Agreement (MOA) with the City of Miami (Miami) (R2023-1482) for the Urban Area Security Initiative (UASI) GY 2022 agreement #R0588 extending the grant period through December 15, 2024 in order to complete emergency management equipment purchases and planning projects totaling \$610,726. **SUMMARY:** Miami offered an extension on the original MOA, which expired June 30, 2024, allowing additional time to spend the funds efficiently. The original MOA (CFDA # 97.067) provides a means of funding various domestic security activities within the County using Federal UASI funds through Miami as the UASI’s fiscal agent. Additional time is necessary due to supply chain delivery dates with equipment procurement and contract delays with approved training vendor. The incomplete projects included awards to complete planning, training and exercises, and purchase equipment. **No County matching funds are required.** Countywide (DB)
3. **Staff recommends motion to approve:** One (1) At-Large Appointment to the Emergency Medical Services (EMS) Advisory Council Hospital CEO seat, to complete the unexpired term of the former council member who resigned April 30, 2024. The term will be from August 20, 2024 to September 30, 2026.

<u>Nominee</u>	<u>Seat</u>	<u>Designation</u>	<u>Nominated by</u>
Sheri Montgomery	20	Hospital CEO (Tenet Hospital)	Tenet Hospital Administration

**SUMMARY:** The EMS Council advises the Board of County Commissioners (BCC) on matters relating to EMS; in addition to proposing and discussing ideas and projects which might improve the quality of EMS in Palm Beach County. Per Resolutions R2014-0100 and R2016-1824, the BCC approved a representative make-up of the EMS Council to include twenty (20) members. Thirteen (13) members are representatives of the various components of the EMS system with specific requirements and seven (7) members are Commission District Consumer appointments. The EMS Council currently has 17 seats filled, with a diversity count as follows: Caucasian 16 (94%) and African American: 1 (6%). The gender ratio (male: female) is 14:3. Staff is addressing the need to increase diversity within its boards and will continue to encourage this in an effort to expand the Boards diversity. Countywide (SB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

4. Staff recommends motion to:

- A) **approve and ratify** the Mayor's signature on the U.S. Department of Justice (DOJ), Office on Violence Against Women (OVW) Fiscal Year 2024 Grants to Improve the Criminal Justice Response (ICJR) Program continuation grant application in the amount of \$1,200,000 for an award period of October 1, 2024 through September 30, 2027;
- B) **authorize** the County Administrator or designee to sign future grant applications and execute grant agreements and grant adjustment modifications with the DOJ, OVW on behalf of the Board of County Commissioners (BCC), after approval of legal sufficiency by the County Attorney's Office (CAO), and within budgeted allocations, that do not substantially change the scope of work, terms and conditions of the original grant agreement; and
- C) **authorize** the County Administrator or designee to execute contracts and contract amendments utilizing funding from the DOJ, OVW on behalf of the BCC, after approval of legal sufficiency by the CAO, and within budgeted allocations, that do not substantially change the scope of work, terms or conditions of the original contracts.

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

4. **SUMMARY:** The purpose of this ICJR continuation grant is to elevate victim safety and ensure offender accountability through the enhancement of our Coordinated Community Response (CCR) to domestic violence, dating violence, sexual assault and stalking in Palm Beach County. The need is for a CCR that provides consistent response protocols, comprehensive services and referrals for victims and accountability for offenders. Through partnerships with Aid to Victims of Domestic Abuse, Inc. and the Criminal Justice Commission (CJC), the outcomes of this project will include comprehensive victim safety and support measures, improved options to address offender accountability, multi-sector collaboration, training and capacity building, enriched cultural sensitivity and diversity, and policy and systemic changes. Approximately 40 percent of the project activities will be dedicated to sexual assault response, and 60 percent will address domestic violence, dating violence, and stalking. The grant provides funds for contractual services with project partners, office supplies, travel and training. Additionally, the continuation grant will fund an existing grant coordinator position, and an existing victim advocate position, which are both funded by the current ICJR grant. The grant coordinator and victim advocate positions will be approved for the length of the grant funding, and will be deleted from the Public Safety Department, Division of Victim Services complement if the funding is discontinued. The County's emergency signature process was utilized for this grant application in order to meet the May 2, 2024 deadline for electronic submission. **No County matching funds are required for this grant.** Countywide (RS)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

5. Staff recommends motion to approve: Memorandum of Understanding (MOU) with the Palm Beach County Sheriff's Office (PBSO) to establish procedures for referring and serving justice involved adults for a five (5) year term beginning August 20, 2024 through August 19, 2029. **SUMMARY:** This MOU establishes the general conditions and joint processes that will enable the Palm Beach County (PBC) Public Safety Department's Adult Reentry Program and PBSO to effectively collaborate as partners in regard to serving justice involved adults returning from incarceration to the community from PBSO Detention Centers. The MOU outlines the respective duties, responsibilities, policies, and procedures for both PBSO and the County. It addresses key aspects such as referrals, access procedures, provision of services, and participation in the Reentry Task Force. The Reentry Program's services, administered by contracted community partners, encompass targeted case management, certified peer support, support services, and strategic collaborations with community entities. These services collectively create a continuum of coordinated care across systems and providers. This is the first MOU between PBC Adult Reentry Program and PBSO. Countywide (RS)

BB. YOUTH SERVICES

1. Staff recommends motion to receive and file: Behavioral Health Agreement and Contract/Agreement Addendum Concerning Student Information (Agreement) with the School Board of Palm Beach County, Florida (School District) to provide school based therapeutic services to students and families attending schools in Palm Beach County for the period July 1, 2024, through June 30, 2029. **SUMMARY:** The Youth Services Department's Residential Treatment and Family Counseling Division – Youth and Family Counseling program therapists will continue to receive referrals from the School District and provide on-site and virtual individual, family and/or psycho-educational group therapy services to students and their families. Targeted schools identified by the School District and the County benefit from an assigned clinical staff member providing trauma-informed services with the specific goal of reducing suspensions and expulsions, increasing attendance, and promoting academic achievement and mental health and wellness for students. Other schools may make referrals for psycho-educational group services and family therapy. On June 5, 2001, R2001-0892 authorized the County Administrator (or designee), to execute future standard Cooperative Agreements with the School District on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations. 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 agenda item. Countywide (HH)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

1. Staff recommends motion to approve: a Budget Transfer of \$1,075,150 from the Law Enforcement Trust Fund (LETf) to the Palm Beach County Sheriff's Office (PBSO). **SUMMARY:** Section 932.7055(5), Florida Statutes; provides that the seizing agency shall use Forfeiture proceeds for school resource officer, crime prevention, safe neighborhood, drug abuse education and prevention programs, or for other law enforcement purposes, which include defraying the cost of protracted or complex investigations, providing additional equipment or expertise, purchasing automated external defibrillators, and providing matching grant funds. Section 932.7055(5), Florida Statutes, also requires that no less than 25% of the LETf's previous year's revenues be used for the support or operation of drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood and school resource officer programs of various non-profit organizations. The PBSO's FY 2024 donation requirement is \$279,292. The PBSO's support of these programs exemplifies its strong commitment to the prevention and reduction of crime throughout the communities it serves and its desire to put money back into these communities to support organizations that provide such services. The year-to-date transfer for all donations to outside organizations after approval of this item is \$2,302,650. The funds requested are to aid PBSO and qualified organizations that meet the requirements set forth in Section 932.7055(5), Florida Statutes. Use of LETf requires approval by the Board of County Commissioners (BCC), upon request of the Sheriff. The current State LETf balance is \$3,709,037. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$2,633,887. The PBSO certifies that the use of these funds is in accordance with Section 932.7055(5), Florida Statutes. Below is a table indicating the organizations the PBSO seeks to fund and the corresponding amount of funding proposed per respective organization or agency. No new positions are needed and no additional County funds are required. Countywide (RS)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

1. SUMMARY (cont'd.):

ORGANIZATION	AMOUNT
211 Palm Beach Treasure Coast, Inc. - Capital	\$100,000
Alzheimer's Community Care, Inc.	\$10,000
Boys & Girls Clubs of Palm Beach County, Inc. - Belle Glade	\$25,000
Boys & Girls Clubs of Palm Beach County, Inc. - Wellington	\$7,500
Boys & Girls Clubs of Palm Beach County, Inc. - WPB	\$10,000
Child Rescue Coalition, Inc.	\$15,000
Crime Stoppers of Palm Beach County, Inc.	\$40,000
Ferd & Gladys Alpert Jewish Family Service of Palm Beach County, Inc.	\$25,000
Florida Alliance to End Human Trafficking, Inc.	\$25,000
Girl Scouts of Southeast Florida, Inc.	\$50,000
Gulf Stream Council, Boy Scouts of America, Inc.	\$25,000
HACER Ministry Corporation	\$25,000
Mental Health Association of Palm Beach County, Inc.	\$10,000
Mothers Against Murderers Association, Inc.	\$25,000
NAMI Palm Beach County, Inc.	\$15,000
Operation 300, Inc. – Goldstar Families	\$300,000
PACE Centers for Girls, Inc.	\$20,000
Palm Beach County Board of County Commissioners – Consumer Affairs	\$20,000
Palm Beach County Sheriff's Foundation, Inc. – Explorers Program	\$86,850
Palm Beach County Sheriff's Foundation, Inc. – School Supplies Program	\$35,000
People of Purpose, Inc.	\$10,000
Restoration Bridge International, Inc.	\$150,000
Sheree Davis Cunningham Black Women Lawyer's Association, Inc.	\$10,000
Sweet Dream Makers, Inc.	\$10,800
The Arc of Palm Beach County, Inc.	\$25,000
<b>Total Amount</b>	<b>\$1,075,150</b>

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

2. Staff recommends motion to approve: a Budget Transfer of \$425,000 from the Law Enforcement Trust Fund (LETf) to the Palm Beach County Sheriff's Office (PBSO). **SUMMARY:** Section 932.7055(5), Florida Statutes; provides that the seizing agency shall use Forfeiture proceeds for school resource officer, crime prevention, safe neighborhood, drug abuse education and prevention programs, or for other law enforcement purposes, which include defraying the cost of protracted or complex investigations, providing additional equipment or expertise, purchasing automated external defibrillators, and providing matching grant funds. The Special Operations Division will use the requested funds to purchase Spot, a Boston Dynamics quadruped robot with unmatched ability to traverse within challenging environments to include; stairs, over/around objects, in collapsed structures/unstable terrain, hazardous environments, barricaded suspect incidents and to inspect suspicious packages reducing the risk to public safety personnel in dangerous situations. Use of LETf requires approval by the Board of County Commissioners (BCC), upon request of the Sheriff. The current State LETf balance is \$2,633,887. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$2,208,887. The PBSO certifies that the use of these funds is in accordance with Section 932.7055(5), Florida Statutes. No new positions are needed and no additional County funds are required. Countywide (RS)



AUGUST 20, 2024

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

3. Staff recommends motion to:

A) **receive and file** the first, second, third and fourth quarterly disbursements from the Florida Department of Law Enforcement (FDLE); and

B) **approve** a Budget Amendment in the amount of \$20,698 in the Sheriff's Grant Fund.

**SUMMARY:** The FDLE provides state financial assistance to five locally-funded laboratories in the State of Florida, including Palm Beach County. The Palm Beach County Sheriff's Office (PBSO) operates the Palm Beach County Crime Laboratory. The grant award was accepted by the Board of County Commissioners (BCC) on November 21, 2023 (R-2023-1728). Since the total award is not known in advance, \$300,000 was budgeted in the Sheriff's Grant Fund. The total final award amount is \$320,697.30. Thus, a budget amendment is needed to increase the grant award by \$20,698. **There is no match requirement associated with this award.** The Catalog of State Financial Assistance (CSFA) number is 71.002 and the grant agreement number is Y7004. Countywide (RS)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

4. Staff recommends motion to:

- A) **receive and file** Contract Modification Notice #9 and #10 with the U.S. Department of Homeland Security, Transportation Security Administration (TSA), which extends the contract agreement through April 30, 2024;
- B) **accept** Contract Modification Notice #11, which provides \$84,166.67 in supplemental funding; and
- C) **approve** a Budget Amendment of \$84,167 in the Sheriff's Grants Fund.

**SUMMARY:** The Board of County Commissioners (BCC) accepted this contract award in the amount of \$126,249 on August 25, 2020 (R-2020-1179) to partially fund five Canine Teams at the Palm Beach International Airport (PBIA) through TSA's National Explosives Detection Canine Team Program (NEDCTP) for the contract period July 1, 2020 through December 31, 2020. The BCC accepted contract modification #1 on March 9, 2021, which provided \$21,042 in additional funding and extended the contract period through January 31, 2021 (R-2021-0377). The BCC accepted contract modification #2 on April 6, 2021, which provided \$21,042 in additional funding and extended the contract period through February 28, 2021 (R-2021-0457). The BCC accepted contract modification #3 on May 18, 2021, which provided \$210,416 in additional funding and extended the contract period through December 31, 2021 (R-2021-0720). The BCC accepted 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 (R-2022-1179). The BCC accepted contract modification #6 on June 16, 2022, which provided \$178,796 in additional funding and extended the contract period through December 31, 2022 (R-2022-0616). The BCC accepted contract modification #7 and #8 on May 16, 2023, which provided \$252,500 in supplemental funding and extended the contract period through December 31, 2023 (R-2023-0699). Contract Modification #9, #10, and #11 extends the contract period through April 30, 2024 and provides supplemental funding in the amount of \$84,166.67, for a total contract award in the amount of \$967,915.67. **There is no match requirement associated with this award.** The contract number is 70T02020T9NNCP464. Countywide (RS)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

5. Staff recommends motion to receive and file: a Grant Adjustment Notice #1 from the Florida Department of Law Enforcement (FDLE), to extend the State Assistance for Fentanyl Eradication (SAFE) grant agreement through June 30, 2025. **SUMMARY:** On January 25, 2024, the Palm Beach County Sheriff's Office was awarded a FY23-24 State Assistance for Fentanyl Eradication (SAFE) in Florida Program grant from the Florida Department of Law Enforcement, to conduct joint operations, investigations and other activities as authorized through FDLE's SAFE Program. The original period of performance was from July 1, 2023 through June 30, 2024. This grant adjustment notice will extend the period of performance through June 30, 2025. **There is no match requirement associated with this award.** The Catalog of State Financial Assistance (CSFA) number is 71.122 and the agreement number is 2023-SAFE-SF-046. Countywide (RS)

6. Staff recommends motion to:

**A) accept** on behalf of the Palm Beach County Sheriff's Office, a Letter of Agreement and Contract between the Palm Beach County Sheriff's Office and the University of North Florida Training and Services Institute, Inc., d/b/a Institute of Police Technology and Management ("IPTM"), for the Palm Beach County Sheriff's Office's High Visibility Enforcement Project in the amount of \$113,377.19 for the period of July 18, 2024 through May 9, 2025; and

**(B) approve** a Budget Amendment of \$113,378 in the Sheriff's Grants Fund.

**SUMMARY:** On July 18, 2024, the University of North Florida Training and Services Institute, Inc., d/b/a Institute of Police Technology and Management ("IPTM"), awarded a High Visibility Enforcement (HVE) grant to the Palm Beach County Sheriff's Office (PBSO) in the amount of \$113,377.19 to support the Florida Department of Transportation's Bicycle Pedestrian Focused Initiative. These funds will be used to pay for overtime costs associated with the HVE project. **There is no match requirement associated with this award.** The Catalog of Federal Domestic Assistance (CFDA) number is 20.205, the project number is 433144-1-8404, and the FDOT Contract number is G2X22. Countywide (RS)

3. CONSENT AGENDA APPROVAL

DD. TOURIST COUNCIL DEVELOPMENT

1. Staff recommends motion to approve: Second Amendment (Amendment) to the Agreement (R2022-1024) with the Discover Palm Beach County, Inc. (DISCOVER), for the provision of services under the County's Tourist Development Plan for a total amount of \$35,391,922 during the period of October 1, 2024 through September 30, 2025. **SUMMARY:** The Amendment updates for Fiscal Year 2025, Exhibit "A" – Annual Budget (for an amount not to exceed \$27,528,655 in contractual services, \$327,045 in County Direct, \$575,000 in Special Event Marketing Boca Bowl/PGA Tour, and \$6,961,222 in reserves, for a total of \$35,391,922), Exhibit "E" – Procurement Policy, Exhibit "H" – Performance Measures, Exhibit "K" – Organizational Chart, Exhibit "L" – Insurance, and Exhibit "M" – Diversity Schedule. The Amendment has been approved by the Tourist Development Council Board. Countywide (YBH)
  
2. Staff recommends motion to approve: Second Amendment (Amendment) to the Agreement (R2022-1017) with the Cultural Council of Palm Beach County, Inc., (Cultural Council) for the provision of services under the County's Tourist Development Plan for a total amount of \$18,517,372 during the period of October 1, 2024 through September 30, 2025. **SUMMARY:** The Amendment updates for Fiscal Year 2025, Exhibit "A" – Annual Budget (for an amount not to exceed \$4,853,590 in contractual services, \$7,150,757 indirect costs (CAT B Grants and CII Grants), and \$442,106 in County Direct and \$6,070,919 in reserves, for a total of \$18,517,372), Exhibit "E" - Performance Measures, Exhibit "H" – Organizational Chart, Exhibit "J" – Insurance, Exhibit "L" – Procurement Policy, Exhibit "M" – Overhead, and Exhibit "N" – Diversity Schedule. The Amendment has been approved by the Tourist Development Council Board. Countywide (YBH)
  
3. Staff recommends motion to approve: Second Amendment (Amendment) to the Agreement (R2022-1019) with the Palm Beach County Sports Commission, Inc. (Sports Commission) for the provision of services under the County's Tourist Development Plan for a total amount of \$8,979,032 during the period of October 1, 2024 through September 30, 2025. **SUMMARY:** The Amendment updates for Fiscal Year 2025, Exhibit "A" – Annual Budget (for an amount not to exceed \$2,951,324 in contractual services, \$1,326,429 in Sports Grants, \$304,572 in County Direct, \$750,000 in Special Event Funding, and \$3,646,707 in reserves, for a total of \$8,979,032), Exhibit "E" – Performance Measures, Exhibit "H" – Organizational Chart, Exhibit "L" – Procurement Policy, Exhibit "M" – Insurance, and Exhibit "N" – Diversity Schedule. The Amendment has been approved by the Tourist Development Council Board. Countywide (YBH)

3. CONSENT AGENDA APPROVAL

DD. TOURIST COUNCIL DEVELOPMENT

4. Staff recommends motion to approve: Second Amendment (Amendment) to the Agreement (R2022-1018) with the Palm Beach County Film & Television Commission Inc. (Film Commission) for the provision of services under the County's Tourist Development Plan for a total amount of \$4,491,987 during the period of October 1, 2024 through September 30, 2025. **SUMMARY:** The Amendment updates for Fiscal Year 2025, Exhibit "A" – Annual Budget (for an amount not to exceed \$2,366,087 in contractual services, \$177,936 in County Direct, and \$1,947,964 in reserves, for a total of \$4,491,987), Exhibit "E" – Insurance, Exhibit "F" – Performance Measures, Exhibit "J" – Organizational Chart, Exhibit "M" – Procurement Policy, and Exhibit "N" – Diversity Schedule. The Amendment has been approved by the Tourist Development Council Board. Countywide (YBH)

5. Staff recommends motion to receive and file:

A) Trademark/Service Mark Application for the Mark: FLORIDA'S MOST STYLISH VACATION DESTINATION, serial number '98597426'; and

B) Trademark/Service Mark Application for the Mark: THE PALM BEACHES COLLECTION, serial number '98597410'.

**SUMMARY:** In accordance with Resolution R2009-1442 authorizing the County Administrator or his/her designee to execute the Trademark/Service Mark Applications and any future Trade or Service Mark documents required by the U.S. Patent and Trademark Office to establish or maintain the use of trade or service marks for the County's Tourism Promotion Program, the County Administrator executed both applications on June 6, 2024. These applications have been filed with the U.S. Patent and Trademark Office in order to establish and preserve the marks: "FLORIDA'S MOST STYLISH VACATION DESTINATION" and "THE PALM BEACHES COLLECTION" for exclusive use by the County's Tourism Promotion Program and carry an application fee of \$350 each. Countywide (YBH)

3. CONSENT AGENDA APPROVAL

DD. TOURIST COUNCIL DEVELOPMENT

6. Staff recommends motion to receive and file: a fully executed Palm Beach County FY2024, Category “G” Grant Agreement managed by the Palm Beach County Sports Commission, Inc. (Sports Commission), on behalf of the Palm Beach County Tourist Development Council (TDC) with ProspectSelect Baseball, Inc., for the promotion of the Prospect Select Summer Series, held from June 7 – July 15, 2024, for the term February 7, 2024 – October 15, 2024, in the amount of \$73,000. **SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File agenda item. On June 7, 1994, the Board of County Commissioners (BCC) adopted Resolution R94-702, as amended, authorizing the County Administrator and/or the Executive Director of the TDC to enter into grant agreements with Category G (Sports) grantees after they have been approved by the TDC. Room nights generated for ProspectSelect Baseball, Inc./Prospect Select Summer Series are estimated to be 8,880. District 1 (YBH)

7. Staff recommends motion to receive and file: two (2) fully executed Palm Beach County FY2024, Category “G” Grant Agreements managed by the Palm Beach County Sports Commission, Inc. (Sports Commission), on behalf of the Palm Beach County Tourist Development Council (TDC) with:

A) South Florida Collegiate Baseball League, Inc., for the promotion of the South Florida Collegiate Baseball League, held June 1 – July 28, 2024, for the term February 1, 2024 – October 28, 2024. This grantee was approved by the TDC on November 9, 2023, in the amount of \$25,000; and

B) Perfect Game USA, Inc., for the promotion of the Perfect Game Summer Series, held June 17 – July 29, 2024, for the term February 17, 2024 – October 29, 2024. This grantee was approved by the TDC on March 14, 2024, in the amount of \$115,000.

**SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating department as a receive and file agenda item. On June 7, 1994, the Board of County Commissioners (BCC) adopted Resolution R94-702, as amended, authorizing the County Administrator and/or the Executive Director of the TDC to enter into grant agreements with Category G (Sports) grantees after they have been approved by the TDC. Room nights generated for South Florida Collegiate Baseball League, Inc./ South Florida Collegiate Baseball League, are estimated to be 2,500, and room nights generated for Perfect Game USA, Inc./ Perfect Game Summer Series are estimated to be 9,875. Countywide/Districts 5 & 7 (YBH)

3. CONSENT AGENDA APPROVAL

EE. CAREERSOURCE

1. Staff recommends motion to approve: two (2) appointments 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
Carla Leaty	14	08/20/24-08/19/30	GRVRD – Government Representative – Vocational Rehabilitation	Division of Vocational Rehabilitation of the Florida Department of Education
Vivian Demille	8	08/20/24-08/19/30	BU-Business Consortium City of Delray Beach Appointment And Representing Private Sector Businesses, Henderson Behavioral Health	Henderson Behavioral Health

**SUMMARY:** The Board’s mission is to develop a more efficient system to prepare Floridians for high skill and high wage jobs, and to oversee Welfare Reform, School-to-Work, and Adult/Literacy educational training. On October 5, 2021, the Board of County Commissioners (BCC) approved the Interlocal Agreement Palm Beach Workforce Development Consortium R2021-1457, which replaced prior agreements. 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. Carla Leaty is the Supervisor at the Division of Vocational Rehabilitation. Vivian Demille is the Chief Operating Officer at Henderson Behavioral Health. The Board is comprised of a minimum of 19 members with representation established as noted in Attachment 4. The Board has a maximum of 33 seats, 20 currently filled and a diversity count of Caucasian: 16 (80%), African-American: 2 (10%) and Hispanic: 2 (10%). The gender ratio (female:male) is: 7:13. (Ms. Leaty is a Caucasian female and Ms. Demille is a Hispanic female). Staff is addressing the need to increase diversity within our boards and will continue to encourage this to expand this Board’s diversity. Countywide (HH)

3. CONSENT AGENDA APPROVAL

FF. OFFICE OF RESILIENCE

1. Staff recommends motion to:

- A) **receive and file** the US Environmental Protection Agency (EPA) Environmental Justice Government-to-Government Program Grant Agreement No. 03D03924-0 (Agreement), awarded to the Palm Beach County (PBC) Office of Resilience (OOR) for an amount not to exceed \$1,000,000, providing for the planting of trees in six (6) County parks and tree giveaways (~2,000 trees) to residents in the Glades community (“Project”) beginning March 1, 2024 and ending February 28, 2027; and
- B) **approve** a Budget Amendment of \$1,000,000 in the General Fund to recognize the revenue award from the US EPA.

**SUMMARY:** The PBC OOR is partnering with the PBC Parks and Recreation Department (PRD) on this Project to expand tree canopy in the Glades region. The Agreement reimburses the County up to \$1,000,000 to improve air quality and reduce heat islands in Western Palm Beach County through tree plantings in County parks and tree giveaways in the Cities of South Bay, Belle Glade, and Pahokee. This project will help the PBC PRD execute its regreening strategy by funding its tree-planting plans in six (6) County parks, including Canal Point Recreation Area, Duncan Padgett Park, John Stretch Park, Glades Pioneer Park, Triangle Park, and Paul Rardin Park. Staff is contracting with Community Greening Corp, a local urban forestry 501(c)(3) non-profit, to manage the Project. On April 4, 2023, the Board of County Commissioners (BCC) delegated signing authority for this grant to the County Administrator, or designee, to execute the forthcoming grant agreement and all future time extensions, task assignments, certification, and other forms associated with the forthcoming grant agreement and any necessary minor amendments that do not change the scope of work, or conditions of the forthcoming grant agreement by more than 20% of the agreement, if funding is awarded. The County’s authorization and submission of the Grant Application established and accounted for its authority to enter into this Grant Agreement upon acceptance by the EPA, therefore a separate signature by the County in the Agreement was not required. The Catalog of Federal Domestic Assistance (CFDA) number is 66.312, and the Agreement number is 03D03924-0. **No match is required for this grant.** There is no net cost to the County. District 6 (RM)



3. CONSENT AGENDA APPROVAL

FF. OFFICE OF RESILIENCE

2. Staff recommends motion to:

- A) **receive and file** the Florida Department of Environmental Protection (FDEP) Resilient Florida Program Grant Agreement No. 24PLN05 (Agreement), awarded to the Palm Beach County (PBC) Office of Resilience (OOR) for an amount not to exceed \$1,086,000, providing for the creation of a Flooding and Sea Level Rise Vulnerability Assessment (Project) beginning July 1, 2023 and ending June 30, 2026; and
- B) **approve** a Budget Amendment of \$1,086,000 in the General Fund to recognize the revenue award from FDEP.

**SUMMARY:** The PBC OOR has been awarded a grant from the FDEP Resilient Florida Program. The Agreement reimburses the County up to \$1,086,000 to conduct flooding and sea level rise vulnerability assessments in partnership with six (6) Palm Beach County municipalities with limited staff capacity to conduct their own. The municipalities included are Town of Cloud Lake, Town of Glen Ridge, Village of Golf, Town of Haverhill, Town of Hypoluxo, and Village of Palm Springs. The Project will result in Section 380.093 Florida Statutes compliant vulnerability assessments for each municipality and make them eligible for Resilient Florida implementation funding. On October 17, 2023, the Board of County Commissioners (BCC) delegated signing authority for this grant to the County Administrator, or designee, to sign additional forms, certifications, contracts/agreements and amendments thereto and any other necessary documents related to the FDEP Resilient Florida Program grant that do not substantially change the scope of work, terms, or conditions of the application. The Risk Management Department and County Attorney's Office have reviewed the indemnification requirements for this agreement and advised staff accordingly. Given that liability is limited to the County's non-compliance or performance of this agreement and the statutory caps of Section 768.28, Florida Statutes, staff recommends Board approval. The Catalog of State Financial Assistance (CSFA) number is 37.098, and the Agreement number is 24PLN05. No match is required for this grant. There is no net cost to the County. Districts 2, 3, 4, & 7 (RM)

3. CONSENT AGENDA APPROVAL

FF. OFFICE OF RESILIENCE

3. **Staff recommends motion to receive and file:** Amendment Two (Amendment) to the Grant Agreement (No. 22PLN73) (Agreement) with the Florida Department of Environmental Protection (FDEP) Resilient Florida Program, which replaces and updates minor terms of the Agreement. **SUMMARY:** FDEP awarded Palm Beach County up to \$500,000 to identify and address flooding and sea level rise risks on critical and regionally significant assets owned or maintained by the County and create a Flooding and Sea Level Rise Vulnerability Assessment (Project). The Project is comprised of two (2) grant funding sources: this grant from FDEP and another \$800,000 grant from the Florida Department of Commerce (MT026). The grant funds are reimbursable and there is no cost share required by the County. On January 24, 2023, the Board of County Commissioners (BCC) approved the Project Agreement. The contract performance period is from July 1, 2021 to December 31, 2024. FDEP has requested a series of amendments to update contract terms. The document packet for Amendment One was submitted to the BCC as an agenda item for July 2, 2024. Agreement Amendment Two deletes and replaces the following Attachments: 1, Standard Terms and Conditions Applicable to All Grants Agreements; 2, Special Terms and Conditions; 3, Grant Work Plan; and 6, Program-Specific Requirements. The Amendment also deletes and replaces Exhibit H, Contractual Services Certification. The Amendment changes are minor and procedural-focused without affecting the cost or the schedule of the project. On January 24, 2023, the BCC authorized the County Administrator, or designee, to sign all future time extensions, task assignments, certifications, and other forms associated with the agreement, as well as any necessary minor amendments that do not substantially change the scope of work, terms, or conditions of the contract. The Catalog of State Financial Assistance (CSFA) number is 37.098, and the Agreement number is 22PLN73. Countywide (RM)

3. CONSENT AGENDA APPROVAL

FF. OFFICE OF RESILIENCE

4. Staff recommends motion to delegate authority to:

- A) the County Administrator or designee to pursue funding from the Florida Department of Environmental Protection Agency (FDEP) Resilient Florida Grant Program (RF) for a grant not to exceed \$1,000,000, estimated to begin on July 1, 2024 and ending after three (3) years in June 2027;
- B) the County Administrator or designee to sign all grant application forms and supporting documents and complete all registration requirements in pursuit of the aforementioned funding; and
- C) the County Administrator or designee to execute the forthcoming grant agreement and all future time extensions, task assignments, certifications, and other forms associated with the forthcoming grant agreement and any necessary minor amendments that does not change the scope of work, or conditions of the forthcoming grant agreement by more than 20% of the agreement, if funding is awarded.

**SUMMARY:** The Office of Resilience (OOR) and Department of Environmental Resources Management (ERM) are seeking funding to collaborate with coastal Palm Beach County (PBC) municipalities on a planning project to: (1) determine the shoreline protection needs of the coastal communities (PBC); and (2) to create a model shoreline protection ordinance to unite sea level rise and flood adaptation goals and implementation efforts across the County's coastal communities. The grant funding will be used to hire a consultant to take inventory of existing and potential shoreline protection improvements, create shoreline protection green infrastructure design guidelines, develop a shoreline protection policy and implementation plan, lead outreach with efforts to incorporate stakeholder feedback throughout the project, and identify implementation funding opportunities. The proposed project will streamline the planning process and create a unified approach to shoreline protection implementation in PBC. **No match is required for this grant.** Districts 1,4,5,6, & 7 (RM)

3. CONSENT AGENDA APPROVAL

GG. OFFICE OF EQUAL BUSINESS OPPORTUNITY

1. Staff recommends motion to receive and file: the FY 2024 Quarter 3 Small/Minority/Women Business Enterprise (S/M/WBE) participation report. **SUMMARY:** The Office of Equal Business Opportunity (OEBO) is tasked with providing a written report on the progress of the program elements used to increase Small, Minority, Women Business Enterprises (S/M/WBEs). The Equal Business Opportunity (EBO) S/M/WBE Program is making progress and has positively impacted small businesses in the County; however, continued support of the M/WBE program remains necessary to achieve parity. Countywide (RS)

HH. WATER RESOURCES

1. Staff recommends motion to:
  - A) **approve** Interlocal Agreement (ILA) between Palm Beach County (PBC) and the South Florida Water Management District (SFWMD) for PBC providing the previously approved \$2,000,000 local funding of the Corbett Levee upgrade; and
  - B) **authorize** the County Administrator, or designee, to sign all future time extensions, task assignments, certifications, and other forms associated with the ILA, or any necessary minor amendments that do not substantially change the scope of work or terms and conditions of the ILA if the ILA is approved.

**SUMMARY:** At the request of the SFWMD, PBC submitted a Resilient Florida grant application to Florida Department of Environmental Protection (FDEP) for co-funding of the Corbett Levee Upgrade Project and was selected as a potential grant recipient. After review of cost share and duties of the SFWMD and PBC, FDEP determined that it would award the grant directly to the SFWMD. With this change, PBC is no longer responsible for the grant reporting requirement, reimbursement request, and record keeping. PBC's involvement is reduced to providing \$2,000,000 of co-funding. The grant is for the construction of approximately 3 miles of levee along the north side of ITID's M-0 Canal. The Grant provides up to \$7,705,000 of State funding. This funding with PBC co-funding provides total funding of up to \$9,705,000. The SFWMD grant was executed on April 25, 2024 with a completion date of no later than June 30, 2026. The SFWMD has already procured ENCO LLC as the lowest responsive and responsible bidder with a bid of about \$8,976,000 with a notice to proceed on May 20, 2024. The current schedule has substantial completion by October 12, 2025. **The County is providing a maximum of \$2,000,000 of ARPA Response Replacement funds which do not require a local match.** District 6 (MJ)

3. CONSENT AGENDA APPROVAL

II. OFFICE OF EQUAL OPPORTUNITY

1. Staff recommends motion to:

A) **ratify** the Mayor’s signature on Cooperative Agreement Amendment No. FF204K234045 with the U.S. Department of Housing and Urban Development (HUD) totaling \$19,600, for training funds. This Amendment extends the performance period from September 30, 2023 to September 30, 2024; and

B) **approve** a downward Budget Amendment for FY 2024 in the General Fund (Fund 0001) in the amount of \$10,940 to adjust the budget, established in the amount of \$22,440, to match the remaining award amount, in the amount of \$11,500.

**SUMMARY:** HUD, Office of Fair Housing and Equal Opportunity, previously awarded the Office of Equal Opportunity (OEO) a total of \$19,600 for training funds for the period of October 1, 2022 through September 30, 2023. During the FY 2023, training funds in the amount of \$8,100 were earned. This Cooperative Agreement Amendment No. FF204K234045 extends the performance period to September 30, 2024. Board ratification of the Mayor’s signature will ensure the receipt of revenue under the Agreement. HUD required approval to meet HUD’s fiscal year end funding deadlines, Board of County Commissioners (BCC) approval was required by July 5, 2024 and there was insufficient time to meet the submission deadline under the regular agenda process, these funds must be obligated immediately. Therefore, urgent approval was needed so that we could meet HUD’s deadline. Countywide (DO)

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**4. SPECIAL PRESENTATIONS – 9:30 A.M.**

- A)** Proclamation declaring September 2024 as National Hunger Action Month. (District 1)
- B)** Proclamation declaring August 20, 2024 as the 85<sup>th</sup> Anniversary of the Florida Highway Patrol. (District 5)
- C)** Proclamation declaring August 2024 as Palm Beach County LIHEAP Action Month. (District 2)
- D)** Proclamation declaring August 2024 as Florida Water Professional Month. (District 5)
- E)** Certificate of Congratulations to FAU’s Girls Softball Team. (District 4)
- F)** Proclamation declaring September 2024 as National Voter Registration Month. (District 5)
- G)** Proclamation declaring September 7, 2024 as Hoot & Holler FAU Tailgating Day. (District 4)
- H)** Proclamation declaring August 20, 2024 as the 60<sup>th</sup> Anniversary of the War on Poverty. (District 3)

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

A. PALM TRAN

1. Staff recommends motion to approve: the establishment of fares for the Palm Tran Port Saint Lucie Express (PSL Express). **SUMMARY:** The Port Saint Lucie Express (PSL) Express will travel north and south via I-95, providing two (2) morning and two (2) evening trips between Gatlin Park in St. Lucie County and the Intermodal Transfer Center in West Palm Beach utilizing coach-style buses to transport riders. Staff is proposing a fare of \$3.00 for each one-way trip. There will be no reduced fare or fare-capping for this service. Transfers to Palm Tran’s Fixed Route service will be the regular fare for fixed route. Payment Options include the Paradise Pass account and open payment with Genfare online validators. There will be no cash accepted or given by Palm Tran bus operators. Countywide (MM)

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6. REGULAR AGENDA

A. ADMINISTRATION

1. Staff recommends motion to receive and file: a presentation from Vanderbilt University (VU) entitled *Vanderbilt in Palm Beach County* and an economic impact study (prepared by TXP, Inc. for VU) entitled *The Potential Economic Impact of Vanderbilt University in West Palm Beach*. **SUMMARY:** On July 17, 2024, the Board of County Commissioners (BCC) directed staff to meet with VU representatives and to coordinate a presentation by VU representatives to be given during the August 20, 2024 BCC regular meeting. Staff met with VU representatives on July 24, 2024 and coordinated the presentation as directed. Countywide (DC)
2. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners (BCC) of Palm Beach County, Florida approving the CareerSource Palm Beach County (CSPBC) Fiscal Year 2024-2025 Budget in the amount of \$12,699,674 for its programs under Public Law 113-128, enacted by Congress effective July 1, 2015 which Act is known as the Workforce Innovation and Opportunity Act (WIOA) of 2014. **SUMMARY:** On December 16, 2014, the BCC approved a contract to administer grant funds (R2014-1894) with CSPBC which services include the design, coordination, and implementation of the local workforce development system for Palm Beach County. CSPBC receives Federal funding through the State Department of Commerce, formerly the Department of Economic Opportunity. Funds are received by the Department of Commerce from the US Department of Labor, US Department of Health & Human Services, and the US Department of Agriculture. These are formula funds which are based on the Federal budget and the local population statistics. The Fiscal Year 2024-2025 Budget, in the amount of \$12,699,674, includes the following revenue sources: \$9,698,874 from the US Department of Labor; \$2,650,800 from the US Department of Health and Human Services for Temporary Assistance for Needy Families; and \$350,000 from the US Department of Agriculture for the Supplemental Nutrition Assistance Program. Countywide (HH)

B. CLERK & COMPTROLLER

1. Staff recommends motion to approve: a Budget Transfer of \$60,000 from General Fund Contingency Reserves to supplement the 2024 Value Adjustment Board (VAB) Budget. **SUMMARY:** The 2023 VAB Season has been influenced by an increase in filings and hearings resulting in a budgetary impact. The Palm Beach County VAB requires \$60,000 to supplement its current budget to meet operating cost projections for the remainder of the fiscal year. Countywide (DB)



6. REGULAR AGENDA

C. AIRPORTS

1. Staff recommends motion to approve: Amendment No. 1 (Amendment) to the Contract (Contract) (R-2023-0701) with Ranger Construction Industries, Inc. (Ranger), for the Central Airfield Improvements Project (Project) at the Palm Beach International Airport (PBI), providing for the award of Bid Alternate No. 1 in the amount of \$20,287,673.80 and increasing the project duration by 481 calendar days. **SUMMARY:** The Project was advertised as a base bid and two (2) additive bid alternates, utilizing the County's competitive bid process. On March 16, 2023, three (3) bids were received for the Project. Ranger, a Palm Beach County, Florida company, was identified as the lowest responsible, responsive bidder. The Contract was approved on May 16, 2023, which provided for the award the Base Bid and Bid Alternate No. 2 for a total contract amount of \$20,228,016.90 and a project duration of 516 calendar days (R-2023-0701). Change Orders No. 1 - 3 increased the total contract amount by \$329,883.38, extended the project duration by 75 calendar days, and provided for additional grading for compliance with FAA standards, resolution of conflicts with an electrical duct bank, and a credit to the County for a temporary construction trailer that was no longer required. A detailed contract history is included in Attachment No. 1. This Amendment provides for the award of Bid Alternate No. 1, which will increase the contract amount by \$20,287,673.80 and extend the project duration by 481 calendar days for a total contract amount of \$40,845,574.08 and a total project duration of 1,072 calendar days. Due to insufficient funding at the time of award, the Contract did not include Bid Alternate No. 1. As a result of the award of additional grant funding from the FAA as referenced in Item 3F8 on this agenda, funding is now available to complete Bid Alternate No. 1. The Invitation to Bid (ITB No. PB-23-3) provided that bid alternates would be considered on-going offers at the prices stated in the bid response to allow alternates to be awarded at a later date. The Department of Airports recommends the award of Bid Alternate No. 1 to Ranger to ensure the timely completion of the Project by eliminating the need to re-bid the Project and to avoid increased construction costs associated with price escalation. The Contract currently provides for the rehabilitation of Taxiway B, rehabilitation of Runway 14-32 shoulder pavement north of Taxiway C, electrical and grading within the Runway 14-32 safety area, and removal of non-standard markings on Taxiway L to comply with current FAA standards. Approval of this Amendment provides for completion of the reconstruction of Taxiway F and Taxiway H, and the remainder of the rehabilitation of the Runway 14-32 shoulder pavement south of Taxiway C. A Disadvantaged Business Enterprise (DBE) goal of 22% was established for the Project. The DBE participation for this Amendment is 22%. The total DBE participation to date, including this Amendment, is 22%. This item is contingent on the approval of Item 3F8 on this agenda. Countywide (AH)

6. REGULAR AGENDA

C. AIRPORTS

2. Staff recommends motion to approve: Amendment No. 3 (Amendment) to the Contract with HDR Engineering, Inc. (HDR), in the amount of \$2,510,779.75 for Consulting/Professional Services (Consulting Agreement) for the continued performance of professional services related to the Central Airfield Improvements Project (Project) at Palm Beach International Airport (PBI). **SUMMARY:** The Consulting Agreement with HDR for professional airfield design and engineering services was approved on April 4, 2017 (R2017-0409) in the amount of \$1,229,026.38. Consultant Services Authorizations No. 1 through No. 4 and No. 7 in the amount of \$304,925.57 were approved pursuant to the delegated authority provided in PPM CW-F-050 and provided for design, pre-construction and construction phase services for the Project. Amendment No. 1 (R2023-0977) and Amendment No. 2 (R2024-0234) in the amount of \$2,460,963.79 provided for additional design, pre-construction and construction phase services for the Project. A detailed contract history is included in Attachment 1. Ranger Construction Industries, Inc. (Ranger), was awarded a Contract for the construction of the Project (Contract) on May 16, 2023 (R2023-0701). Due to insufficient funding at the time of award, the Contract did not include Bid Alternate No. 1. As a result of the award of additional grant funding from the FAA as referenced in Item 3F-8 on this agenda, funding is now available to complete Bid Alternate No. 1. Item 6A-1 provides for the award of Bid Alternate No. 1 to finish the remainder of the work needed to complete Project. Approval of this Amendment in the amount of \$2,510,779.75 will provide additional construction phase consulting services for Bid Alternate No.1 and increase the total contract amount to \$6,505,695.49. HDR is headquartered in Omaha, Nebraska; however, the work will be completed from its West Palm Beach office. A DBE goal of 16% was established for the Consulting Agreement. HDR committed to 26% DBE participation for the Consulting Agreement. The DBE participation for this Amendment is 57%. The total DBE participation to date, including this Amendment, is 43%. Pursuant to changes to Chapter 332, Florida Statutes, effective July 1, 2023, a governing body of a medium hub commercial service airport may not approve purchases of contractual services in excess of \$1,000,000 on a consent agenda. This Amendment exceeds the threshold amount and must be approved on the regular agenda. This item is contingent on the approval of Items 3F-8 and 6C-1 on this agenda. Countywide (AH)

6. REGULAR AGENDA

D. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff requests Board direction: Regarding the potential disposition of the County-owned property located at 429 Park Place, West Palm Beach. **SUMMARY:** Since the 1930s, the County has owned and operated a facility located at 429 Park Place, West Palm Beach (Property) for a variety of County light industrial functions including Road & Bridge warehouse, Purchasing warehouse, Facilities Management operations, and records storage of various County departments and constitutional offices. Currently, the 0.83 acre parcel holds an approximately 11,500 sq.ft. building being used as records warehouse by the Palm Beach County Clerk of the Circuit Court & Comptroller (Clerk). Because of its proximity to the County's Downtown West Palm Beach facilities, the Property serves as an easily accessible operations support base. The Property is currently serving its intended purpose and there are no approved plans for its replacement and/or disposition. Other than routine maintenance, no dedicated funds are allocated towards the replacement and/or renovation of the Property. In the past years, the area surrounding the Property has seen a gradual transformation which has triggered numerous inquiries to staff as to the possibility of selling or swapping the Property. On March 12, 2024, staff brought an agenda item for consideration by the Board of County Commissioners (BCC) and requested direction on how to proceed as to the potential disposition of the Property. The BCC directed staff to explore the possibility of a disposition (e.g., swap, sale) subject to: 1) conducting community outreach efforts to gather input; 2) the resulting transaction being, at a minimum, a net zero-dollar deal for the County (i.e., no cost to be borne by the taxpayers); and 3) an expressed preference for housing uses on the Property if the same were to be redeveloped. Following BCC direction, staff notified the community via regular mail of the initiative underway (Attachment 2) and convened a community meeting which was held on April 27, 2024. A summary of public comments received during the community meeting is included as Attachment 4 to this agenda item. Staff also received electronic correspondence from interested neighbors, which is included as Attachment 5 to this agenda item. In general, input received points towards the need for additional parking in the area, a preference for the Property to be reincorporated into the community for use by the neighbors, and concerns as to potential redevelopment in light of historic relevance of the district where the Property sits. In addressing staff's inquiries, representatives from the City of West Palm Beach (City) advised that the underlying zoning is General Commercial (GC) adjacent to Single Family 14 (SF14). Therefore, the provisions of the Live Local Act would not apply to a redevelopment effort due to the adjacency to a single family neighborhood.

6. REGULAR AGENDA

D. **FACILITIES DEVELOPMENT & OPERATIONS**

1. **SUMMARY (cont'd.):** The City is working on regulatory changes that, if approved later this year, could potentially allow for up to thirty-two (32) units per acre in a scenario where workforce/affordable housing is included as long as other regulatory requirements (e.g., setbacks, parking, traffic analysis) are met. Parking accommodations for such theoretical redevelopment scenario would remain a key consideration. Given the community input received, the reduced potential for residential redevelopment, staff's existing workload with other priority projects as determined by the BCC, escalating property value, and the continued need for the Property to support County operations, staff recommends against disposition at this time. PREM District 2 (HJF)
  
2. **Staff requests Board direction:** Regarding a potential rent abatement for the Historical Society of Palm Beach County (Society) for the period of November 1, 2023 through October 31, 2028. **SUMMARY:** The Society has occupied a portion of the 1916 Courthouse for the operation of the Palm Beach County History Museum and its administrative offices since 2008. The original Agreement (R2004-0257) with the Society was approved by the Board of County Commissioners (BCC) on February 3, 2004 and has been restated and amended numerous times. Currently, the Society occupies 8,695 SF at the 1916 Courthouse for the museum and administrative offices. On February 4, 2014 (R2014-0138), the BCC approved full abatement of the rent until October 31, 2018 subject to an annual review of Society's plans for expenditure of the rental savings. On October 18, 2018 (R2018-1566), the BCC, extended the abatement of rent for five (5) years from November 1, 2018 through October 31, 2023, subject to an annual review of Society's programs and expenditures. Under the Agreement, the Society is currently required to pay \$46,600.10 in annual rent. On October 17, 2023, the Society requested an extension of the rent abatement. Staff requires direction whether to proceed with the extension of rent abatement for the Society. Property and Real Estate Management Countywide/District 7 (HJF)

6. REGULAR AGENDA

D. FACILITIES DEVELOPMENT & OPERATIONS

3. Staff recommends motion to approve:

- A) an Agreement for Purchase and Sale of a 8.57 acre parcel of vacant land located on Bee Line Highway north of Indiantown Road from Michael Salvatore Somma a/k/a Michael S. Somma, Jr., Linda Marie Berger and Rosemary Theresa Somma (Sellers) for \$345,765 plus closing, title insurance and recording costs estimated to be \$2,950; and
- B) a Memorandum of Agreement with the Sellers to be recorded in the public records to provide notice of this Agreement.

**SUMMARY:** On November 2, 2021, the Board of County Commissioners (BCC) 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 parcel owned by the Sellers (Somma Parcel) is a road front parcel 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 \$35,000 and \$40,922 per acre value for road frontage parcels in Palm Beach Heights, respectively. Callaway & Price, Inc. reviewed the appraisals and concluded a reasonable aggregate value of \$40,346 per acre for road frontage Palm Beach Heights parcels, which is the basis of the purchase price. The Agreement allows for the County's due diligence review of the parcel within 45 days of BCC approval. The County will pay title insurance policy premium, closing and recording costs estimated to be \$2,950 for the Somma parcel. The Environmental Resources and Management (ERM) Department will perform a pre-acquisition environmental assessment for the parcel prior to closing. A boundary survey will not be obtained for the parcel due to its environmentally sensitive and wet nature. ERM will be responsible for the administration of the parcel. All costs related to the acquisition 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. This acquisition must be approved by a supermajority vote (5 Commissioners). (Property & Real Estate Management) District 1 (HJF)

6. REGULAR AGENDA

D. FACILITIES DEVELOPMENT & OPERATIONS

4. Staff recommends motion to approve: a First Amendment to Civic Site Dedication Agreement with Atlantic Commons Associates, LLLP, and joined by Atlantic Commons Commercial, LLC (collectively, the Developers) to modify access and utility easement requirements. **SUMMARY:** On April 2, 2013, the Board of County Commissioners (BCC) approved a Civic Site Dedication Agreement (R2013-0396) (Agreement) with various residential development entities owned by GL Homes, under which GL Homes is obligated, among other things, to convey to the County a 6.276 acre civic site (Civic Site Parcel) within the Atlantic Commons PUD at the NE corner of Atlantic Avenue and the Turnpike. Additionally, the Agreement requires GL Homes to grant to the County, in locations mutually agreed upon, an access easement for vehicular and pedestrian ingress and egress and a utility easement for water, sewer and reclaim utilities to the Civic Site Parcel. Rather than granting such easements, GL Homes has agreed to convey to the County three additional parcels (known as Tracts A-1, A-2 and A-3) for such purposes. Conveyance of the Civic Site Parcel and Tracts A-1, A-2 and A-3 will be by Special Warranty Deed. This First Amendment modifies the Agreement as needed to memorialize the additional conveyance of Tracts A-1, A-2 and A-3 and removal of the easement requirement. Atlantic Commons Commercial, LLC is the owner of a portion of the Civic Site Parcel and shall join in this First Amendment. The changes to the Agreement set forth in this Amendment do not materially impair or adversely affect the Agreement. (Property & Real Estate Management) District 5 (HJF)

6. REGULAR AGENDA

D. FACILITIES DEVELOPMENT & OPERATIONS

5. Staff requests Board direction: Regarding the issuance of a Request for Proposals (RFP) to develop and operate the unimproved portion of the County-owned 20 Mile Bend property for an Off-Highway Vehicle (OHV) Park, a Racetrack Park, or a combination thereof. **SUMMARY:** The County-owned real estate holding commonly referred to as the 20 Mile Bend property (Property) is generally located at the southeast quadrant of the intersection of State Road 80 (SR 80) and County Road 880 (CR 880). The 200.6-acre site supports the Palm Beach County Sheriff's Office (PBSO) law enforcement shooting range and training facility on approximately 27.8 acres, a communication tower on approximately 1.2 acres, an 8.5-acre area supporting the South Florida Water Management District (SFWMD) Levee L-7, an approximately 1.6-acre SFWMD canal right-of-way, and the approximately 161.5-acre balance remaining unimproved. On December 5, 2023, the Board of County Commissioners (BCC) directed County staff to consider use of the unimproved portion of the Property for an OHV Park, Racetrack Park, or combination thereof; to further evaluate considerations identified through preliminary due diligence conducted to verify the regulatory and physical constraints for developing the Property as a Racetrack Park; and to engage stakeholders having an immediate interest in operations upon the Property. The purpose of this agenda item is to report on the findings of the additional due diligence and obtain BCC direction in preparation to issue an RFP tailored to the improvement and operation of the undeveloped portion of the Property. (FDO Admin) District 6 (HJF)

6. REGULAR AGENDA

D. FACILITIES DEVELOPMENT & OPERATIONS

6. Staff recommends motion to approve: a First Amendment to Agreement for Purchase and Sale (R2023-1167) (Agreement) with Leonidas Alfaro, a single man (Seller), for the acquisition of three (3) parcels consisting of approximately 3.201 acres of vacant land (Property) for \$4,200,000, which (i) modifies the total acreage to approximately 3.195 acres (139,164.962 sq.ft.); (ii) reduces the purchase price by \$8,266 to \$4,191,734; and (iii) adds a condition precedent to closing requiring the Seller to obtain a Site Rehabilitation Completion Order (SRCO) from the Florida Department of Environmental Protection (FDEP). **SUMMARY:** On August 22, 2023, the Board of County Commissioners (BCC) approved the Agreement for the acquisition of the Property, which abuts the Animal Care and Control Facility (ACC) located at 7100 Belvedere Road in unincorporated Palm Beach County, for \$4,200,000. Acquisition of the Property will provide operational flexibility and reduce the impact on ACC operations during the impending renovation project, as well as, allow for future operational growth. During the Inspection Period, it was determined that the Lake Worth Drainage District (LWDD) is claiming title to a 2 foot wide by 180 foot long strip of land (360 sq. ft./0.0083 acres) which was considered part of the Property. As a result, the Seller has agreed to reduce the purchase price based on the reduction in the square footage. In addition, during the Inspection Period, the environmental assessment identified Benzo(a)pyrene impacts above residential and commercial/industrial direct exposure criteria as established in Chapter 62-777, Florida Administrative Code. The Seller is not obligated to perform any cleanup measures but has agreed, at its sole cost and expense, to work with the FDEP to complete any required remedial activities and reports in order for FDEP to issue a SRCO. This First Amendment decreases the purchase price by \$8,266 to \$4,191,734; amends Exhibit "A", Legal Description, and Exhibit "B", Permitted Exceptions; deletes Section 5, Inspection of Property, of the Agreement, subject to the Seller maintaining the Property as required in the Agreement; and provides for the Seller to actively pursue and secure a SRCO from FDEP for the Property. Closing will be contingent upon the issuance of a SRCO by FDEP within 365 days of execution of this First Amendment (Remediation Period). In the event the Seller is unable to secure the SRCO during the Remediation Period, County has the sole right to either extend the Remediation Period or terminate the Agreement. All costs related to the acquisition will be funded from general funds in County contingency reserves. **This item must be approved by a supermajority vote 5 Commissioners.** (Property & Real Estate Management) District 2 (HJF)



6. REGULAR AGENDA

D. FACILITIES DEVELOPMENT & OPERATIONS

7. Staff recommends motion to approve:

- A) Settlement Agreement with HW Spring Training Complex, LLC (LLC), the Houston Astros, LLC (Astros), and the Washington Nationals Baseball Club, LLC (Nationals) providing for resolution of a dispute regarding the Force Majeure clause of the First Restated Sports Facility Use Agreement (Use Agreement) (R2015-1523) for the operation of the Cacti Park of The Palm Beaches; and
- B) Amendment 1 to the Use Agreement which clarifies the LLC's payment obligations for the Team Improvement Areas Fee during national emergencies, Force Majeure events, and labor disputes, incorporates more favorable terms offered to Jupiter Stadium, Ltd. (JSL) under the Second Restated Sports Facility Use Agreement (R2022-0521) for the operation of the Roger Dean Chevrolet Stadium (RDCS) and incorporates sponsorship benefits into the Use Agreement.

**SUMMARY:** On October 20, 2015, the County entered into the Use Agreement with the LLC for the management and operation of the Ballpark of the Palm Beaches (BPPB)(currently known as Cacti Park of The Palm Beaches) for the use of the Astros and the Nationals (collectively, the Teams) as a professional sports franchise for their joint spring training and other related uses. Under the Use Agreement, the LLC must annually pay the County a Team Improvement Areas Fee for the use of the Team Improvement Areas (i.e., as defined in the Use Agreement). The Year 3 Team Improvement Areas Fee was \$2,143,134 and was due from the LLC on October 30, 2020. The LLC paid \$989,136 to the County on October 30, 2020, citing the Article 28 Force Majeure provision of the Use Agreement and the conditions created by the COVID19 pandemic for its non-payment of the remaining balance of the Year 3 Team Improvement Areas Fee. The County disputed the applicability of Article 28 to the LLC's payment obligation and, after lengthy discussions with the LLC, sent the LLC a notice of default on September 29, 2021. During this time, a dispute also arose regarding the responsibility for the renewal and replacement costs for groundskeeping equipment used at BPPB.

6. REGULAR AGENDA

D. **FACILITIES DEVELOPMENT & OPERATIONS**

7. **SUMMARY (cont'd.):** This Settlement Agreement disposes of the outstanding disputes without admission of responsibility by either party by: (1) extending the term of the Use Agreement for an additional twenty-eight (28) weeks; (2) requiring payment of the pending amount of the Year 3 Team Improvement Areas Fee within thirty (30) calendar days of approval by the Board of County Commissioners (BCC) of this Settlement Agreement; (3) releasing the LLC, the Teams, and the County from their respective marketing obligations under Article 12 of the Use Agreement for the 2020 and 2021 seasons; (4) allocating a 50/50 responsibility over the groundskeeping equipment renewal/replacement costs; (5) allowing the LLC to submit reimbursement requests to the County for the County's share of renewal/replacement costs of qualified items that have been previously paid by the LLC (limited to those incurred by the LLC after October 1, 2023); and (6) modifying the Use Agreement through Amendment 1 to clarify the LLC's payment obligations for the Team Improvement Areas Fee during national emergencies, Force Majeure events, and labor disputes. Unrelated to the Settlement Agreement, and for convenience and ease of reference, the County, HW and the Teams, agreed to include in Amendment 1 to the Use Agreement certain modifications to the Use Agreement related to sponsorship benefits and to more favorable terms offered to JSL under the Second Restated Sports Facility Use Agreement (R2022-0521) for the operation of RDCS. (FDO Admin) District 7 (MWJ)

6. REGULAR AGENDA

D. FACILITIES DEVELOPMENT & OPERATIONS

8. Staff requests Board direction: Regarding implementation of the Medical Examiner's Office (MEO) Expansion project. **SUMMARY:** The existing MEO building is located at 3126 Gun Club Road in unincorporated West Palm Beach and is part of the Criminal Justice Complex (CJC). The existing morgue building was built in the 1980s, and subsequently expanded, and the existing administrative building was constructed in the early 2000s. At present the administrative building comprises approximately 5,851 sq.ft. and the morgue building of approximately 8,241 sq.ft. Through the years, the facility has undergone multiple renovation efforts aimed at providing the necessary operational accommodations while simultaneously ensuring ongoing compliance with regulatory requirements. The most recent renovation effort was funded by the Board of County Commissioners (BCC) as part of the approved FY2021 Capital Improvements Program (CIP) and provided for interior renovations to accommodate continued growth of case volume and personnel complement, but no capacity for future growth due to space constraints. Concurrently with the FY2021 renovation project, staff included as part of the FY2021 CIP a project to expand the MEO facility by approximately 10,000 sq.ft. and to provide for a parking structure to accommodate the required parking spaces (estimated at the time to be 100). Funding for the MEO expansion project was planned in the outer years; the project itself was premised on reutilizing the existing structure. In June 2023, the County issued bonds in the amount of \$14.2M, which combined with other sources, provided total funding for project development in the amount of \$15.3M with an additional \$2.46M toward reutilizing the existing structure scheduled in the CIP for approaching years. In alignment with BCC's approval of the CIP, staff retained design services (Netta Architects) and, per typical protocol, requested a full assessment of the existing facility.

6. REGULAR AGENDA

D. FACILITIES DEVELOPMENT & OPERATIONS

8. **SUMMARY (cont'd.):** In May 2024, Netta Architects provided staff a *Validity Assessment for Reuse of Existing Buildings Report* which in summary states that, although the facility could be renovated and expanded to meet the operational requirements, the resulting product would most likely fall short of meeting the standards set by the National Association of Medical Examiners (NAME). NAME is the entity that provides accredits the operation of the County's MEO. Netta Architects' report, as subscribed by MWL Architects (sub consultant firm which specializes in the design of forensic sciences facilities) further stated that only new construction would ensure full compliance with NAME accreditation requirements, which is a fundamental objective for all facility investments. Five conceptual design options were considered, with four entailing renovation, and one entailing new construction. Building a new MEO facility and a 100-spaces parking deck carries an estimated project cost of \$47M. This is an early conceptual estimate without the benefit of full design nor the input from a construction manager at risk (i.e., the selection process is still underway). The MEO is a critical operation which cannot proceed without NAME accreditation and the capital facilities required by same. Therefore, staff recommends that it be authorized to continue design efforts with existing funding, in order to return to the BCC at a later time with fully developed construction drawings, an updated project estimate and a recommendation for closing the budget gap. (FDO Admin) Countywide/District 3 (MWJ)

6. REGULAR AGENDA

E. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to:

A) **approve** a HOME Investment Partnerships (HOME) Program Community Housing Development Organization (CHDO) funding award of \$1,000,000 to Riviera Beach Community Development Corporation, Inc. (RBCDC); and

B) **direct** staff to negotiate the loan agreement.

**SUMMARY:** On March 13, 2024, the Department of Housing and Economic Development (DHED) issued a Request for Proposal RFP HED.2024.1 making available \$2,454,364.67 in HOME CHDO Program Activities and up to \$484,355.48 in CHDO Operating Funds to County certified CHDOs for the creation of affordable rental or homeownership housing through new construction or acquisition and/or rehabilitation of residential property. A Selection Committee met at a publicly held meeting on April 16, 2024 and recommended funding to RBCDC for the Villas of Solana project in the amount of \$750,000 for program activities and up to \$250,000 for operating funds. This for-sale project will create 28 new townhomes. When complete, the project will consist of 14 two-story buildings with two units per structure, for a total of 28 units. Eleven (11) of the units will be 2-bedrooms and 2.5 bathrooms and 17 of the units will be 3-bedrooms with 2 or 2.5 bathrooms. Impact Fee Affordable Housing Assistance Program (IFAHAP) funding was also awarded to this project in the amount of \$108,601. This project was previously awarded \$494,786 to build four (4) units. The applicant responded to the CHDO RFP in March, committing six (6) additional units that will be set aside for individuals/families at or below 80% of the Area Median Income (AMI). The sale price for the County-assisted units will be \$325,000. All HOME-assisted housing units will remain affordable to households with incomes no greater than 80% of AMI for no less than 30 years.

6. REGULAR AGENDA

E. **HOUSING & ECONOMIC DEVELOPMENT**

1. **SUMMARY (cont'd.):** Total project cost is \$12,170,610. While the exact terms have not been negotiated at the time of this award, staff anticipates that it will provide for a 30-year forgivable term. Loan agreements and related documents pursuant to these HOME funds will be between the County and the RBCDC and its respective successors and/or assigns. Details and specifics of the project are included in the Final Proposal Summary.

Total Project Cost	Total Cost/All Units (28 units)	IFAHAP	2020 CHDO Award (4 units)	2024 CHDO Recommended (6 units)	Total County Funds per County-assisted unit (10 units)	% of Total County Assistance	% of County Funds Per County-Assisted Unit (10)
\$12,170,610	\$434,665	\$108,601	\$494,786 (4 units)	\$1,000,000 (6 units)	\$160,339	13.17%	36.89%

**These are HOME grant funds that do not require a local match.** District 7 (HJF)

6. REGULAR AGENDA

E. HOUSING & ECONOMIC DEVELOPMENT

2. Staff recommends motion to:

**A) approve** a Housing Initiative Fund Program (HIP) award in the amount of \$500,000 to Oikos Development Corporation;

**B) direct** staff to negotiate the loan agreement; and

**C) authorize** the County Administrator, or designee, to execute the loan agreement, amendments thereto, and all other documents necessary for project implementation that do not substantially change the scope of work, terms or conditions of the agreement.

**SUMMARY:** On January 10, 2023, the Board of County Commissioners (BCC) awarded an American Rescue Plan Act (ARPA) Response Replacement Fund award of \$857,000 to Oikos Development Corp. to construct Everglades Townhomes, a 60-unit multi-family rental townhome development. The project entails the new construction of 30 two- bedroom units and 30 three-bedroom units located in five (5) buildings on the site of the demolished Everglade Memorial Hospital located at 200 S. Barfield Highway in Pahokee. The project is requesting an additional \$500,000 due to unforeseen issues during the demolition process of the hospital including that underground utilities were not capped or removed as required by the City of Pahokee. The increased costs total \$800,000; however, tax credits will provide \$300,000 towards these costs leaving a \$500,000 funding gap. The total project cost is \$19.6M and all units will be County assisted and serve individuals and families that are 60% or below of the Area Median Income (AMI) and the project will have an affordability period of no less than 50 years. Staff is recommending funding approval for \$500,000 in HIP funding that would result in all County funds providing 6.9% of the total development costs. The funding will be provided using the same agreement, terms and conditions of the ARPA Agreement. To facilitate project implementation, staff requests authorization for the County Administrator, or designee, to execute the loan agreements and related documents.  
District 6 (HJF)

6. REGULAR AGENDA

F. PALM TRAN

1. Staff recommends motion to:

- A) **approve** An emergency contract between Palm Beach County Board of County Commissioners (BCC) and MV Contract Transportation, Inc., (MV Transportation) with a not-to-exceed amount of \$26,313,256 for the period of May 1, 2024 through April 30, 2025, for the provision of Paratransit service (Run Package A); and
- B) **approve** An emergency contract between Palm Beach County Board of County Commissioners (BCC) and First Transit, Inc., a subsidiary of Transdev North America, Inc., (First Transit), with a not-to-exceed amount of \$33,974,587.46 for the period of May 1, 2024 through April 30, 2025, for the provision of Paratransit service (Run Package B); and
- C) **approve** An emergency contract between Palm Beach County Board of County Commissioners (BCC), and MV Transportation, Inc. with a not-to-exceed amount of \$1,667,820 for the period of May 1, 2024 through April 30, 2025, for the provision of Dial-A-Ride/MOD – Go Glades service; and
- D) **approve** a Budget Transfer of \$7,704,056 in the Palm Tran Operating Fund 1340 to decrease Operating Reserves and increase Contractual Services – Paratransit.

**SUMMARY:** On March 26, 2024, Palm Tran brought a five (5)-year contract for paratransit/Go Glades services with First Transit, Inc. to the BCC for approval. The BCC directed staff to enter into a one (1) year contract with the existing contractors (MV Transportation, Inc. and First Transit, Inc.) for the paratransit services and Go Glades service and prepare a new Request for Proposal (RFP) for these services. These emergency contracts are intended to maintain critical paratransit services until a new contract can be awarded. Countywide (MM)



6. REGULAR AGENDA

G. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to adopt: a Resolution repealing and replacing Resolution R2020-0990, dated August 25, 2020, delegating to the County Administrator or designee the authority to execute certain agreements with the Florida Power and Light Company (FPL), and waiving Section 305.02 of the Palm Beach County (County) Administrative Code (Code) for advanced payments by the County to FPL. **SUMMARY:** The County contracts with FPL for FPL to operate and maintain approximately 10,000 street lights in the County. As part of FPL's Public Service Commission's currently approved tariffs for street lighting, effective January 1, 2022 (Lighting Tariffs) and FPL's standard statewide street lighting agreements (FPL Agreements), FPL requires customer payment prior to initiating any FPL construction projects. FPL's practice has been to invoice the County for the agreed upon street lighting project costs at the project's completion, even though FPL's upfront payment requirement has been in place since at least 2022 and FPL has been requiring upfront payments from all of its other customers. The Engineering and Public Works Department (EPW) executes FPL Agreements in accordance with the Lighting Tariffs to have FPL install, operate, and maintain street lights throughout the County, and the County has been paying for these services post-installation. FPL has decided that it is no longer feasible for FPL to continue its practice of waiving this upfront payment requirement, and now requires upfront payments. Upfront payments will only be required when there are unusual construction requirements, such as work requiring underground boring. The majority of FPL projects with the County do not have these types of construction activities. All other construction costs are included in FPL's monthly billing rates once construction is completed. County Code Section 305.02 Advance Payments prohibits the County from making payments in advance of receiving goods or services, with a few exceptions deemed necessary for County business. EPW recommends a waiver to Section 305.02 to allow the County to pay FPL prior to FPL initiating its construction projects. On August 25, 2020, the Board of County Commissioners (BCC) authorized the County Administrator or designee to execute certain updated FPL Agreements that were previously approved on July 13, 2004, and on May 16, 2017, without a waiver to County Code Section 305.02. The County Administrator designated authority to the County Engineer on September 24, 2020. EPW recommends the continued delegated authorizations to the County Administrator or designee to execute future FPL Agreements for street lighting projects, with the advance payment amount not to exceed \$500,000 per FPL agreement. Countywide (YBH)

6. REGULAR AGENDA

H. OFFICE OF RESILIENCE

1. Staff recommends motion to approve: a Budget Transfer of \$500,000 from the General Fund contingency reserve to account for costs incurred to host the Southeast Florida Regional Climate Change Compact (Compact) Southeast Florida Regional Climate Leadership Summit (Summit) in December 2025. **SUMMARY:** The Compact, formed among Palm Beach, Broward, Miami-Dade, and Monroe counties in 2009, holds an annual Summit with hosting duties rotating between the four (4) counties. Palm Beach County will host the Summit in FY2025 at the Palm Beach County Convention Center on December 16–17, 2025. The Office of Resilience (OOR) is coordinating the event. Based on previous Summits, OOR expects a minimum of 600 registrants. Expenses are estimated to range from \$400,000 to \$500,000 depending on number of registrants. OOR expects ticket and sponsorship revenues to cover a significant portion of hosting costs, though OOR cannot guarantee the revenue amount. OOR is contracting with an event planner, who will help finalize the budget and ensure a successful event. The event planner will invoice the County for net expenses. The County needs to demonstrate funds to secure the event venue, and the County could incur costs before the Summit generates revenues. Thus, OOR requests a budget transfer from the general fund's contingency reserve of \$500,000 for FY2024 and have the balance roll over into FY2025 and FY2026 to pay final Summit costs. Countywide (RM)

6. REGULAR AGENDA

H. OFFICE OF RESILIENCE

2. Staff recommends motion to:

- A) **adopt** a Resolution of the Board of County Commissioners (BCC) of Palm Beach County, Florida, to approve the grant application for the Country Club Acres Subdivision Drainage Improvement project and delegate authority to the County Administrator, or designee, to sign and submit the application with the Florida Department of Environmental Protection (FDEP) for the Resilient Florida Capital Grants, and to execute any agreements associated with the disbursement of Resilient Florida Capital funds for the Country Club Acres Subdivision Road project, and providing for an effective date;
- B) **adopt** a Resolution of the BCC of Palm Beach County, Florida, to approve the grant application for the Englewood Estates/Manor Subdivision drainage improvement project and delegate authority to the County Administrator, or designee, to sign and submit the application with FDEP for the Resilient Florida Capital Grants, and to execute any agreements associated with the disbursement of Resilient Florida Capital funds for the Englewood Estates/Manor Subdivision project, and providing for an effective date;
- C) **adopt** a Resolution of the BCC of Palm Beach County, Florida, to approve the grant application for the Australian Avenue project and delegate authority to the County Administrator, or designee, to sign and submit the application with the FDEP for the Resilient Florida Capital Grants, and to execute any agreements associated with the disbursement of Resilient Florida Capital funds for the Australian Avenue project, and providing for an effective date; and
- D) **adopt** a Resolution of the BCC of Palm Beach County, Florida, to approve the grant application for the Ocean Inlet Park Resiliency Improvements project and delegate authority to the County Administrator, or designee, to sign and submit the application with the FDEP for the Resilient Florida Capital Grants, and to execute any agreements associated with the disbursement of Resilient Florida Capital funds for the Ocean Inlet Park Resiliency Improvements project, and providing for an effective date.

6. REGULAR AGENDA

H. OFFICE OF RESILIENCE

2. **SUMMARY:** The County will complete a FDEP Resilient Florida-compliant climate vulnerability assessment of unincorporated Palm Beach County and the Glades municipalities by July 2024, which makes the County eligible to apply for Resilient Florida implementation project grants. OOR is collaborating with Engineering and Public Works and Parks and Recreation Departments on four (4) FDEP Resilient Florida implementation grant applications. These resolutions will demonstrate Board of County Commissioner (Board) support for providing **50% mandatory match of County funding totaling \$32,747,000 upon awards**, which increases grant application scoring. Districts 3, 4, 5, & 7 (RM)

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7. RECESS AS THE BOARD OF COUNTY COMMISSIONERS  
CONVENE AS THE ENVIRONMENTAL CONTROL BOARD

A. HEALTH DEPARTMENT

1. Staff recommends motion to approve: the re-appointment of one (1) nominee to the Environmental Appeals Board (EAB) for a full three (3) year term commencing August 20, 2024 – August 19, 2027.

<u>NOMINEE:</u>	<u>SEAT #:</u>	<u>REQUIREMENT:</u>	<u>NOMINATED BY</u>
Gregory Vazquez	2	Water Resource Professional Employed by SFWMD	South Florida Water Management District

**SUMMARY:** The EAB hears appeals from the provisions of Environmental Control Rules (ECR) 1 for onsite sewage systems and ECR-II for drinking water supply system installations. This Board is composed of five (5) members. Membership must consist of one (1) lawyer recommended by the Palm Beach County Bar Association; one (1) member of the Gold Coast Builders Association (formerly known as Home Builders and Contractors Association); one (1) professional engineer recommended by the Palm Beach Branch of the American Society of Civil Engineers (ASCE); one (1) water resource professional employed by the South Florida Water Management District (SFWMD); and one (1) drinking water engineer employed by the Department of Environmental Protection (DEP). This nominee was initially appointed on 6/13/2023 to complete an unexpired term of the prior member in this seat. The applicant for re-appointment to Seat #2, Gregory Vazquez, is recommended by his employer the South Florida Water Management District. The Board’s current four (4) members diversity count is: 2 Caucasian (40%), 2 Hispanic-American (40%) and 1 vacant seat awaiting recommendation. The gender ratio (female: male) is 0:4. Staff is addressing the need to increase diversity within our boards and will continue to encourage this to expand this Board’s diversity. Countywide (HH)

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ADJOURN AS THE ENVIRONMENTAL CONTROL BOARD  
RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS

AUGUST 20, 2024

8. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

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9. 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 ongoing basis. Countywide (DC)

B. COUNTY ATTORNEY

**AUGUST 20, 2024**

**10. COMMISSIONER COMMENTS**

**District 1 – COMMISSIONER MARIA G. MARINO**

**District 2 – COMMISSIONER GREGG K. WEISS**

**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 off-site approval for Proclamation declaring August 23 – 27, 2024 as African American Golf Expo & Forum Week.



**AUGUST 20, 2024**

**11. 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."