

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

FEBRUARY 11, 2025

<u>PAGE</u>	<u>ITEM</u>	
		* ADD-ON / SPECIAL PRESENTATION – Certificate of Recognition presented to Daniel Marsh (District 6)
10	3C1	* REVISED SUMMARY / (ENG) / SUMMARY: Pursuant to Specifications 4-3.1 and 8-7.3.2 of the Contract, approval of Change Order No. 4 will reimburse R&D \$9,953.11 for an unforeseen fiber optic utility conflict in the southeast corner of SR 7 and Weisman Way, maintenance of traffic (additional signage, drums, and labor costs) during the delay of the Project while the utility conflict was resolved, and the retroactive Contract time extension of 152 days. Per PPM CW-F-050, the total of this Change Order exceeds <u>the threshold of \$200,000 and</u> the allowable time extensions relating to staff approvals of change orders to contracts and requires approval by the Board of County Commissioners (BCC). The Contract was approved on October 18, 2022, for \$1,378,374.35. Previous change orders totaling \$83,466.47 plus this Change Order bring the total Change Order amount to \$93,419.58. The total Contract amount, including this Change Order and previous change orders, is \$1,471,793.93. With approval of the retroactive time extension associated with this Change Order, the new revised completion date is April 16, 2024. However, construction was completed on August 17, 2024, and there are additional change orders that will adjust the completion date to August 17, 2024. This Contract was presented to the Goal Setting Committee on September 1, 2021, 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. 4 is 100%. To date, the overall SBE participation achieved on this Contract is 29.77%. This Project is included in the Five-Year Road Program. <u>District 6</u> (YBH)
49	3X2	* DELETED - pulled for further staff review. (PSD)
61	5C3	* DELETED – pulled for further staff review. (FDO)
68	5F1	* DELETED – pulled for further staff review. (PZB)
69	5G1	* DELETED – pulled for further staff review. (FIRE)
69	5H1	* ADD-ON / (ADMIN) / Staff requests Board direction: regarding potential amendments to the Board of County Commissioners (BCC) of Palm Beach County, Florida, Rules of Procedure. SUMMARY: Pursuant to direction given at the BCC Zoning meeting on January 30, 2025, County Administration staff was tasked with placing an agenda item on the February 11, 2025 meeting to discuss: a) the policy for quorum at all BCC meetings; b) the extent and scope of what constitutes “Board Direction”; and c) how “Board Direction” is to be raised for consideration and approved for issuance to staff. The attached memorandum provides an overview of the provisions under the current Rules of Procedures and recommends potential revisions to the same based on the discussion by the BCC during the aforementioned meeting. <u>Countywide</u> (DC)

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

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

FEBRUARY 11, 2025

**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 9 - 53)**

- 4. PUBLIC HEARINGS - 9:30 A.M. (Pages 54 - 57)**

- 5. REGULAR AGENDA (Pages 58 - 69)**

- 6. BOARD APPOINTMENTS (Page 70)**

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BCC COMMENTS (Page 72)

ADJOURNMENT (Page 73)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to receive and file:** The Quarterly Reports for Fiscal Year 2023-2024 for the funding responsibilities and operation of the Palm Beach County Health Department (CHD) in accordance with the Contract between the State of Florida, Department of Health (State) Palm Beach County Board of County Commissioners (BCC) and Department of Health (DOH). **SUMMARY:** The Board of County Commissioners (BCC) approved the Contract (R2023-1628) on November 7, 2023 with the DOH for Environmental Health and Engineering programs provided by CHD. In compliance with the Contract and per Section 154.02, Florida Statutes, quarterly reports are required to be submitted to the BCC as a receive and file agenda item. Countywide (DB)

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:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller’s Office. Countywide

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve: Change Order No. 4 in the amount of \$9,953.11 and a retroactive time extension of 152 days to the contract dated October 18, 2022 (R2022-1178) (Contract) with R&D Paving, LLC (R&D) for SR 7 and Weisman Way (Project). **SUMMARY:** Pursuant to Specifications 4-3.1 and 8-7.3.2 of the Contract, approval of Change Order No. 4 will reimburse R&D \$9,953.11 for an unforeseen fiber optic utility conflict in the southeast corner of SR 7 and Weisman Way, maintenance of traffic (additional signage, drums, and labor costs) during the delay of the Project while the utility conflict was resolved, and the retroactive Contract time extension of 152 days. Per PPM CW-F-050, the total of this Change Order exceeds the threshold of \$200,000 and the allowable time extensions relating to staff approvals of change orders to contracts and requires approval by the Board of County Commissioners (BCC). The Contract was approved on October 18, 2022, for \$1,378,374.35. Previous change orders totaling \$83,466.47 plus this Change Order bring the total Change Order amount to \$93,419.58. The total Contract amount, including this Change Order and previous change orders, is \$1,471,793.93. With approval of the retroactive time extension associated with this Change Order, the new revised completion date is April 16, 2024. However, construction was completed on August 17, 2024, and there are additional change orders that will adjust the completion date to August 17, 2024. This Contract was presented to the Goal Setting Committee on September 1, 2021, 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. 4 is 100%. To date, the overall SBE participation achieved on this Contract is 29.77%. **This Project is included in the Five-Year Road Program. District 6 (YBH)**

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to approve:

- A) Consultant Service Authorization No. 10 (CSA) in the amount of \$697,526.50 to the Civil Engineering Annual Services Contract (R2022-0464) dated May 17, 2022 (Contract) with Mock, Roos & Associates, Inc. (MRA) for the C-18 Canal Drainage Modifications for Palm Beach County (County) Facilities and Roads (Project); and
- B) a Budget Transfer in the amount of \$697,527 from the American Rescue Plan Act (ARPA) replacement funds for the Loxahatchee River Wetland Attenuation to Water Resources Infrastructure Capital and appropriate it to the Project.

SUMMARY: Approval of this CSA and Budget Transfer will provide the professional services necessary to design drainage that will facilitate a future connection from the L-8 Basin to the northwest fork of the Loxahatchee River, and protect the Water Utilities Department's (WUD) critical water and wastewater facilities (WUD Facilities) located along this potential connection. Drainage improvements to provide for the future extension of Seminole Pratt Whitney Road that are compatible with this potential connection will also be designed. The Budget Transfer is necessary to provide funds for the accelerated study, design, and potential construction of interim connection facilities. 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 (AA) owned firms. MRA committed to 27% SBE participation. The proposed SBE participation for this CSA is 81.51%. To date, the overall SBE participation achieved on this Contract is 44.73% and 26.95% MBE participation. MRA has an office located in the County and is a certified SBE company. This Project is a precursor to the future extension of Seminole Pratt Whitney Road to connect to Avenir Drive in Palm Beach Gardens. Due to limited time constraints, the separation of the drainage will occur in two phases. The first phase will design the required features to separate County drainage and rely on an existing pump station. The second phase will provide a permanent pump station, site design and grading to facilitate the future construction of the Seminole Pratt Whitney Road extension, as well as other potential uses by the County. **This Project is included in the ARPA Response Replacement Fund.** District 1 (YBH)

3. CONSENT AGENDA APPROVAL

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

3. **Staff recommends motion to approve:** a contract with Rosso Site Development, Inc. (RSD) in the amount of \$2,535,046.85 with a contract time of 270 calendar days for the construction of Phase A of Congress Avenue, north of Northlake Boulevard to Alternate A1A (Project). **SUMMARY:** Approval of this contract will authorize the construction services necessary to construct Phase A of the Project, which includes a new 3-lane roadway with drainage, bike lanes and sidewalks from north of Northlake Boulevard to Avocado Lane. This Project was presented to the Goal Setting Committee on January 17, 2024 and the Committee established an Affirmative Procurement Initiative (API) of a 20% minimum mandatory Small Business Enterprise (SBE) participation of which 3% must be Minority Business Enterprise (MBE) participation for African American (AA) owned firms. RSD committed to 71.5% SBE and 35% MBE participation. Bids for the contract were received by the Engineering and Public Works Department (EPW) on September 4, 2024. RSD was the lowest responsive bidder of five (5) bidders. The contract time for the Project is 270 calendar days. RSD has an office located in Palm Beach County and is a certified SBE company. **This Project is included in the Five-Year Road Program. District 1** (YBH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to approve: the reappointment of one (1) member to the Palm Beach County HIV Comprehensive AIDS Resources Emergency Act Council (HIVCC), for the term February 11, 2025 to February 10, 2028:

<u>Seat No:</u> 14	<u>Appointment:</u> Brittany S. Henry	<u>Recommended By:</u> HIV CARE Council
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SUMMARY: HIVCC establishes priorities for the allocation of Ryan White (RW) HIV/AIDS Program funds within Palm Beach County (County); and develops a comprehensive plan for the organization and delivery of health services described in 42 U.S.C. § 300ff, et seq., that is compatible with any existing state or local plan regarding the provision of health services to individuals with HIV disease. The United States Department of Health and Human Services, through the Health Resources and Services Administration (HRSA), requires the County to maintain a planning council, and the HIVCC serves as that council. Federal law requires that the planning council's composition reflect the demographics of individuals with HIV/AIDS in the County. At least 33% of its members must be consumers of RW services who are not affiliated with subrecipient service providers. The law also requires that 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. According to Resolution No. 2011-1560, the total membership for the HIVCC shall not exceed 33 at-large members. The HIVCC recommends the reappointment of Ms. Brittany S. Henry, who is employed by FoundCare, Inc. This agency has a contract with the County for services; however, HIVCC does not provide regulation, oversight, management, or policy-setting recommendations regarding the contracts or transactions with FoundCare, 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 County's Code of Ethics. The diversity count for the 24 seats that are currently filled is African-American: nine (9) (38%), Caucasian: eight (8) (33%), Hispanic-American: five (5) (21%) and Asian-American: two (2) (8%). The gender ratio (male: female) is 10:14. Ms. Henry is African American. The staff has addressed the need to increase diversity within our Boards and will continue to promote efforts to expand this Board's diversity. Countywide (HH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. Staff recommends motion to approve: Amendment No. 6 to the Contract for Consulting/Professional Services (Consulting Agreement) with AVCON, Inc. (AVCON), in the amount of \$287,300.54 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. 5 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 concourse fire alarm strobe synchronization at PBI, and annual stormwater pollution prevention plan updates for the County's four (4) airports. A detailed contract history is included in Attachment 1. Approval of Amendment No. 6 will increase the contract amount by \$287,300.54 for a total contract amount of \$2,190,660.64 and will provide professional services to the following projects: annual Stormwater Pollution Prevention Plan (SWPPP) updates for the County's four (4) airports and Burrowing Owl Survey and related environmental services for PBI. AVCON is an Orlando, Florida based firm; however, the majority of the work will be completed through its Boca Raton, Florida office. This Consulting Agreement 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% SBE participation. The SBE proposed participation for Amendment No. 6 is 81.1%. To date, the overall participation achieved on this Consulting Agreement is 48.95%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **Staff recommends motion to approve:** a negotiated settlement offer in the amount of \$6,000 for the full satisfaction of a code compliance lien entered against Maria Carmelino on January 17, 2018. **SUMMARY:** On May 6, 2015, a Code Compliance Special Magistrate (CCSM) issued an order giving Maria Carmelino until November 5, 2017 to bring her property located at 2162 Laura Lane, West Palm Beach into full code compliance. The violations include overgrown vegetation, livestock in a residential area, and open storage of an inoperable vehicle and miscellaneous debris. Compliance with the CCSM's order was not timely achieved, and a fine of \$50 per day was imposed. The CCSM executed an order imposing a code lien against Maria Carmelino on January 17, 2018. The Code Compliance Division (Code Compliance) issued an affidavit of compliance for the property stating the violations were corrected as of August 20, 2018. The total fine amount on January 13, 2024, the date on which settlement discussions began, amounted to \$14,445.14. Maria Carmelino has agreed to pay Palm Beach County \$6,000 (41%) for the full settlement of the outstanding code compliance lien. This was not a homestead property. District 3 (SF)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to approve:

A) appointment of one (1) new nominee to the County Finance Committee (CFC), for the term beginning March 1, 2025 through February 28, 2028:

Appointment
Hugh Dunkley

Seat Requirement
Local Government

Nominated By
Mayor Marino
Commissioner Weiss
Commissioner Woodward

B) reappointment of one (1) nominee to the CFC, for the term beginning March 1, 2025 through February 28, 2028:

Reappointment
Ron Horan

Seat Requirement
Local Government

Nominated By
Mayor Marino
Commissioner Weiss
Commissioner Woodward

SUMMARY: The CFC meets as needed to review and make recommendations to the County Administrator regarding the issuance of debt obligations and management of outstanding debt, including but not limited to the selection and procurement of all outside professional services. The CFC consists of five (5) members and upon approval of this item, five (5) seats are currently occupied. The CFC is currently comprised of the Director of the Office of Financial Management & Budget (Sherry Brown), a representative from the Clerk & Comptroller's Office (Paul Guzinski), two (2) representatives from local government agencies (Ron Horan, School District Manager of Treasury and Capital Projects and Paul Dumars, Solid Waste Authority Director of Financial Services), a Board appointee (Howard Schwartz), and a County Department Director, if needed. Paul Dumars has served the limit of three (3) consecutive three (3) year terms. Hugh Dunkley is the Solid Waste Authority Chief Financial Officer and is seeking appointment. Ron Horan has served since August 2018, has attended all meetings in that time period, and is seeking re-appointment. The local government finance officer appointees will serve a term of three (3) years, at which time the appointee may be re-appointed, or a new appointee selected by the Board of County Commissioners (BCC). The current diversity count for the four (4) seats is Caucasian: 4 (100%). The gender ratio (male:female) is 3:1. Staff is addressing the need to increase diversity within our boards and committees and will continue to encourage this to expand this committee's diversity. Countywide (DB)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: Supplement No. 1 to Consultant Services Authorization (CSA) No. 10 to the continuing consulting services/design professional services contract for public safety radio system planning and design services (R2019-1897)(Contract) with Omnicom Consulting Group, Inc. (Consultant) in the amount of \$455,090 for the West County Communications Tower Site Replacement project. **SUMMARY:** On December 17, 2019, the Board of County Commissioners (BCC) approved the Contract with Consultant to provide engineering and management services to upgrade, maintain, operate and make modifications to the public safety radio system throughout the County on an as needed basis. This item will authorize the professional services necessary for the West County Communications Tower Site Replacement project. CSA No. 10 authorized professional services necessary for the design of a 400-foot self-supporting tower, equipment shelter, communications compound and emergency power systems for the West County Communications Tower Site Replacement project. Under Supplement No. 1 to CSA No. 10, the Consultant will provide professional services which include construction administration and site migration phase support services necessary for the relocation of two (2) County communication sites to the new 400 foot self-supporting tower and equipment shelter for the West County Communications Tower Site Replacement project. Work includes, but is not limited to, the construction procurement and administration services, frequency migration and coordination propagation studies, FCC licensing, antenna and lines design, equipment migration, Motorola coverage studies, cut over of system, and demolition support of the existing sites. The existing West County Communications Tower Site structure is leased, no longer meets County standards for the public safety radio system, and provides no certainty of critical communication operational continuity into the future. This design will deliver a County-owned communications tower at the West County Administrative Complex in unincorporated Belle Glade, in accordance with the BCC and State approved Master Plan for the property, to serve the western communities. This continuing contract was solicited pursuant to the requirements of the Equal Business Opportunity (EBO) Ordinance. This continuing contract was presented to the Goal Setting Committee (GSC) on May 1, 2019 and the GSC established an Affirmative Procurement Initiative of a Small Business Enterprise (SBE) Evaluation Preference for SBE prime respondents during selection. No mandatory SBE subcontracting goal was applied by the GSC to this continuing contract due to the specialized nature of the services to be performed. To date, there is no SBE participation on the contract due to the specialized nature of the services and no subconsultant opportunities. Funding for this project is from the RR&I for 800 Mhz Sys. (Capital Improvements Division) District 6 (MWJ)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to receive and file: the Roger Dean Chevrolet Stadium (RDCS) Renovation Project (Project) development period report no. 7 (Development Report No.7), for the period from July 22, 2024, through October 20, 2024, to the Department of Economic Opportunity (DEO). **SUMMARY:** On August 22, 2023, the Board of County Commissioners (BCC) authorized the Mayor (R2023-1105) to execute future Development Reports and annual reports as required under the Spring Training Facility Funding Agreement (R2023-0367) (State Funding Agreement). On March 14, 2023, the BCC approved the State Funding Agreement with the DEO for the RDCS Renovation Project. The State Funding Agreement provides \$50,000,000 of State Funding under Section 288.11631, Florida Statutes, over a 25 year period for the RDCS Renovation Project. Under the terms of the State Funding Agreement, the County must furnish annual reports and, during the development period, must submit periodic Development Reports every 90 days to the DEO. The Development Reports detail the status of the RDCS Renovation Project and the funds expended to date on the same. For the annual reports and the Development Reports, the Mayor must certify that all information and documentation contained in the reports are true and correct. In accordance with R2023-1105, the Mayor executed the attached Development Report No. 7 on behalf of the BCC, which was submitted to the DEO. This executed document is now being submitted to the BCC as a receive and file agenda item. (FDO ADMIN) District 1/Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

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

3. Staff recommends motion to receive and file:

- A) Federal Emergency Management Agency's (FEMA) standard License/Use Agreement, allowing FEMA to use portions of the County's Loxahatchee Grove Park to establish a short-term Mobile Disaster Recovery Center for the benefit of Palm Beach County residents impacted by Hurricane Milton, at no cost to the County; and
- B) FEMA's standard License/Use Agreement, allowing FEMA to use portions of the County's Jupiter Farms Park to establish a short term Mobile Disaster Recovery Center for the benefit of Palm Beach County residents impacted by Hurricane Milton, at no cost to the County.

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. FEMA's standard License/Use Agreements were approved in accordance with R2022-1440, as approved by the BCC on December 6, 2022. The executed documents are now being submitted to the BCC as a receive and file agenda item. (FDO Admin) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

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

4. Staff recommends motion to approve: First Amendment to the Amended and Restated Agreement (R2020-0157) (Agreement) with the Town of Manalapan (Municipality), to extend the term of the Agreement for interoperable communications through the countywide common talk groups of the County's Public Safety Radio System (County's System) from February 11, 2025, through February 10, 2030. **SUMMARY:** The Agreement, which provides the terms and conditions under which the Municipality can program its radios and utilize the countywide common talk groups for certain inter-agency communications, expired on February 10, 2025, and provided for two (2) renewal options, each for a period of five (5) years. The Municipality has approved the First Amendment to extend the term of the Agreement to February 10, 2030, 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 municipalities and local branches of State/Federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with the Agreement. The Municipality is required to pay all costs associated with its subscriber units and to comply with established operating procedures for the System. The Agreement may be terminated by either party, with or without cause, upon ten (10) days' notice. This First Amendment extends the term of the Agreement and adds the E-verify provision. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

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

5. Staff recommends motion to approve: First Amendment to the Amended and Restated Interlocal Agreement (R2020-0156) (Agreement) with the Port of Palm Beach (Participant) to extend the term of the Agreement for direct access to the County's Public Safety Radio System (System) from February 11, 2025, through February 10, 2030, with annual revenue fees totaling \$19,061.20 **SUMMARY:** The Agreement, which provides the terms and conditions under which the Participant can directly access the System, expired on February 10, 2025, and provided for two (2) renewal options, each for a period of five (5) years. The Participant has approved the First Amendment to extend the term of the Agreement to February 10, 2030, and the renewal now requires approval by the Board of County Commissioners (BCC). The terms of this Agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies where connection through an established municipal hub is not technically feasible. The annual fees are consistent with those being charged to County departments. In addition, the Participant is required to pay all costs associated with the Participant's subscriber units and to comply with the established operating procedures for the County's System. The Agreement may be terminated by either party, with or without cause, on October 1st of any year, with a minimum of six (6) months' notice. This First Amendment extends the term of the Agreement and adds the E-Verify provision. Other than the changes set forth herein, all other terms remain the same. The annual fees for each unit will be added to the Renewal and Replacement Fund, while the maintenance fees will be added to the Maintenance and Operation Fund. (ESS) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

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

6. Staff recommends motion to approve:

A) an annual contract with the following contractor for electrical services on an as-needed basis through November 18, 2029; and

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
Protect Video, Inc.	Local	S/MBE

B) Work Order No. 25-001 (Work Order) to the annual electrical services contract with Protect Video, Inc. (Contractor) in the amount of \$109,165 for the Dyer Park-Light Fixture Replacement project for a period of 60 calendar days from notice to proceed.

SUMMARY: On November 19, 2024, the Board of County Commissioners approved the annual electrical services contract (R2024-1567 through R2024-1568). The work consists of electrical repairs, improvements and renovations to County-owned properties on an as needed basis. The contractor now joins the list of two (2) prequalified contractors for a total of three (3) prequalified contractors with a contract expiration date of November 18, 2029. The specific requirements of the work will be determined by individual work orders issued against this annual electrical services contract. These contracts are five (5) year indefinite-quantity contracts with a maximum cumulative value of \$11,000,000 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 electrical services contract before the term ends. Projects less than \$150,000 are bid among the pool of prequalified contractors. Projects \$150,000 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 additionally advertised in the newspaper. The bidding pool is further expanded, for projects \$150,000 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. Actual Small/Minority/Women Owned Business Enterprise participation will be tracked cumulatively for all work orders issued. The Dyer Park-Light Fixture Replacement project consists of the removal and replacement of the existing lighting with new light-emitting diode (LED) lighting at Dyer Park (located at 7301 N. Haverhill Road, West Palm Beach).

3. CONSENT AGENDA APPROVAL

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

6. **SUMMARY (cont'd.):** 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 remove the existing high-pressure sodium lighting fixtures and replace with seventy (70) new LED light fixtures and associated electrical work. The new LED lighting will enhance public safety for all users of 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 advertisement was posted on VSS and issued under the provisions of the prior annual electrical services contract (R2019-1756) which expired on November 18, 2024. The Contractor has agreed to hold its offer under the new annual electrical services contract which eliminates the need to re-advertise the project, thereby avoiding delays. The Contractor will have 60 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 services contract and the requirements of the Equal Business Opportunity Ordinance. The annual electrical services contract was presented to the Goal Setting Committee on May 15, 2024 and the Committee established Affirmative Procurement Initiatives (APIs) of a sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or an 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. However, on July 1, 2024, certain statutory changes took effect which require that the sheltered market for projects less than \$100,000 API be removed. Therefore, the annual electrical services contract will have an API of an SBE Price Preference where an SBE contractor will be given a price preference if its bid is within 10% of the lowest non-small business bid for each project. SBE participation on this Work Order is 100%. To date, the Contractor's overall SBE participation is 100%. To date, the overall SBE participation on the annual electrical services contract is 100%. **Funding for this project is from the Infrastructure Sales Tax Fund.** (Capital Improvements) District 7 (MWJ)

3. CONSENT AGENDA APPROVAL

I. HOUSING & ECONOMIC DEVELOPMENT

1. **Staff recommends motion to receive and file:** Amendment 001 (Amendment) to the CDBG Capital Improvements Agreement (Agreement) with the City of Greenacres (City) (R2023-1461) for the Sanitary Sewer System Project (Project) to extend the Project Completion Date, Agreement Performance Dates and Expiration Date to allow the City additional time for Project completion and to request the final Community Development Block Grant (CDBG) reimbursement from Palm Beach County (County). **SUMMARY:** The Agreement provided \$549,481 in funding for Phase 2 of the improvements to the original section Sanitary Sewer System, located within the City. Amendment 001 is necessary to grant the City's request to provide additional time to complete the Project and to request reimbursement of 100% of the CDBG funded allocation. The Project Completion date has been extended from November 30, 2024 to March 31, 2025. The date for the City to request 100% reimbursement of CDBG funds has been extended from December 31, 2024 to April 30, 2025 and the Agreement Expiration Date to perform all activities has also been extended from December 31, 2024 to April 30, 2025. This Amendment will allow the City ample time to complete the Agreement performance requirements and expend the CDBG funds. The Amendment has been executed on behalf of the Board of County Commissioners by the Director of the Department of Housing and Economic Development, in accordance with R2023-1013; dated July 11, 2023 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 Palm Beach County Action Plan for FY2023-2024, CDBG, HOME Investment Partnership and Emergency Solutions Grant 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 3 (HJF)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to receive and file: Notice of Termination of the Economic Development Agreement (Agreement) (R2024-1422) with Business Loan Fund of the Palm Beaches, Inc., (BLF) for the Community Block Grant (CDBG) Program. **SUMMARY:** On October 1, 2024, Palm Beach County (County) entered into an Agreement with BLF to provide \$80,000 in CDBG funds for economic development services. The County was made aware on December 3, 2024 that the BLF intends to dissolve the organization and will not be able to provide the services under the Agreement. To date, the County has not disbursed any of the \$80,000 allocated under FY2024-2025 to BLF and no repayment or reversion of assets obligation is required by BLF. BLF was provided a Notice of Termination in a letter dated December 3, 2024, whereby the County terminated the Agreement with no further action required by BLF or the County. The CDBG funds shall be reprogrammed for other eligible uses, and recommended contracts will be placed on a future Board of County Commissioners agenda. Countywide (HJF)

3. Staff recommends motion to approve: an Interlocal Cooperation Agreement (Agreement) with the City of Pahokee (City). **SUMMARY:** To receive funding under the Federal Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), and Emergency Solutions Grant (ESG) programs from the United States Department of Housing and Urban Development (HUD), Palm Beach County (County) must requalify every three (3) years for designation as an Urban County Program. The County's current designation for Program Years 2024-2027 was approved by the Board of County Commissioners (BCC) on July 11, 2023 (R2023-0982 through R2023-1012). The City elected to opt out of the Program beginning October 2024 in favor of pursuing CDBG funds from the State of Florida. The City has now elected to rejoin the Program for the remainder of Program period, from October 1, 2025 to September 30, 2027, and has executed an interlocal agreement to do so. District 6 (HJF)

3. CONSENT AGENDA APPROVAL

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

4. Staff recommends motion to receive and file: Amendment 001 (Amendment) to Loan Agreement (Agreement) R2023-1305 with The Lord's Place, Inc. (Borrower) to allow for additional construction costs, revise the Advertising/Marketing requirements to clarify Borrower's obligation to the County, and to insert the Davis-Bacon and Related Acts clause to the Agreement. **SUMMARY:** The Borrower was provided \$1,630,785 in Community Development Block Grant – Coronavirus (CDBG-CV) funding toward the acquisition and rehabilitation of a one (1) acre parcel of land which includes an existing single family house and six (6) cottages located at Melaleuca Drive in West Palm Beach (Project). This Project will provide permanent housing for 15 older adults experiencing homelessness and behavioral health conditions. Prior to commencement of rehabilitation work, emergency repairs were determined to be required on the premises and required the Borrower to enter into a separate contract with a prime contractor. The Amendment allows for additional construction costs for the construction of the unforeseen emergency repairs not covered under the original construction contract. The Amendment also modifies the Advertising/Marketing Requirements of the original contract, and compliance with Davis-Bacon and Related Acts regulations. The original Agreement was received and filed by the Board of County Commissioners (BCC) on September 19, 2023 in accordance with R2023-1305. The Amendment was executed on November 25, 2024, on behalf of the BCC by the Director of the Department of Housing and Economic Development in accordance with Agenda Item 5B-1 as approved by the BCC on May 2, 2023 and which delegated authority to the County Administrator or designee to execute agreements, amendments 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 Federal CDBG-CV funds that do not require a local match.** District 3 (HJF)

3. CONSENT AGENDA APPROVAL

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

5. Staff recommends motion to adopt: A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS (BCC) OF PALM BEACH COUNTY, FLORIDA AUTHORIZING THE ISSUANCE OF ONE (1) OR MORE SERIES OF PALM BEACH COUNTY HEALTH FACILITIES RETIREMENT COMMUNITIES REVENUE BONDS, SERIES 2025 (ACTS RETIREMENT-LIFE COMMUNITIES, INC. OBLIGATED GROUP), BY THE PALM BEACH COUNTY HEALTH FACILITIES AUTHORITY (AUTHORITY) IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$70,000,000 (BONDS) FOR THE PURPOSE OF FINANCING THE 2025 PROJECT AS DESCRIBED THEREIN. **SUMMARY:** ACTS Retirements-Life Communities, Inc., a Pennsylvania nonprofit corporation (Borrower) has requested the Authority issue tax-exempt Revenue Bonds in an amount not to exceed \$70,000,000, pursuant to a Tax Equity and Fiscal Responsibility Act public hearing held by the Authority on January 16, 2025. The Bonds are to be issued by the Authority for the purpose of providing funds to the Borrower to finance one (1) or more of the following: (i) the current refunding, refinancing and/or restructuring of all or a portion of one (1) or more lines of credit; (ii) the current refunding, refinancing and/or restructuring of the Pinellas County Health Facilities Authority Health Care Facilities Refunding and Revenue Bonds (Mease Life, Inc. Project) Series 2021 (collectively, the Bonds to be Refunded); (iii) to finance one (1) or more new projects at the following locations in Palm Beach County: (a) 6152 Verde Trail North, Boca Raton, FL 33433-2430; (b) 6045 Verde Trail South, Boca Raton, FL 33433-4476; and (c) 23315 Blue Water Circle, Boca Raton, FL 33433-7053; and (iv) the financing of some or all of the costs of issuance of the Bonds, reserve funds (if any), and capitalized interest (if any). All facilities to be financed by the Bonds are owned and operated by the Borrower. Approval by an elected body is required by the Internal Revenue Code to maintain the tax-exempt status of the Bonds; however, adoption of this Resolution does not in any way obligate the County. The County assumes no responsibility for monitoring compliance by the Borrower of applicable federal income tax, securities laws or other regulatory requirements. The Borrower understands and agrees that it is responsible for monitoring its compliance with all applicable federal income tax, securities laws and other regulatory requirements, retaining adequate records of such compliance, and retaining qualified counsel to respond to or assist the Authority and the County in responding to any audit, examination or inquiry of the Internal Revenue Service (IRS), the Securities and Exchange Commission or other regulatory body.

3. CONSENT AGENDA APPROVAL

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

5. **SUMMARY (cont'd.):** The Borrower assumes responsibility for monitoring compliance with applicable provisions of federal tax laws and U.S. Treasury Regulations relative to the Bonds, and shall retain adequate records of such compliance until at least three (3) years after the Bonds are retired. In the event of any audit, examination or investigation by the IRS with respect to the tax-exempt status of the Bonds or any other related tax matters, the Borrower shall be responsible for retaining qualified counsel to respond to such audit. **Neither the taxing power nor the faith and credit of the County nor any County funds, shall be pledged to pay the principal, premium, if any, or interest on the Bonds.** District 4 (DB)

6. Staff recommends motion to:

A) approve a retroactive Interlocal Agreement (Agreement) with the Florida Atlantic Research and Development Authority (FARDA), to provide assistance, related but not limited to, the evaluation of economic development activities, including economic impact estimates, for a period of five (5) years, effective December 23, 2024 through December 22, 2029; and

B) authorize the County Administrator, or designee, to execute the 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: This Agreement is for the provision of economic development evaluation services, such as economic impact estimate reports, as may be requested by FARDA, on an as needed basis. Retroactive approval is requested due to the abbreviated timeframe in which FARDA requires the economic impact estimate information to be included in their Annual Report, which will be published in February 2025. District 7 (DB)

3. CONSENT AGENDA APPROVAL

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

7. Staff recommends motion to receive and file: Two (2) CDBG Capital Improvement Agreements (Agreement) funded under Fiscal Years (FY) 2023-2024 and 2024-2025 Community Development Block Grant (CDBG) Program with the Town of Lantana (Town), in the amount of \$99,952, for the period October 1, 2024 to December 31, 2025 for improvements at the Lantana Sports Complex (Complex):

A) Agreement in the amount of \$49,500 under FY2023-2024, to procure materials for the replacement of existing components and amenities to include, but not limited to, installation of spectator benches, upgrading to netting and turf of the batting cages, and new bleachers at basketball court within the Complex; and

B) Agreement in the amount of \$50,452 under FY2023-2024 and FY2024-2025, to procure a general contractor responsible for the installation of new shade structures over the bleachers at the basketball court, gate at soccer field, park lighting and new fencing at the north side of the Complex.

SUMMARY: The Town's FY2023-2024 allocation of \$52,623 has been combined with \$47,329 of FY2024-2025 CDBG funds for a total allocation of \$99,952 to be utilized by the Town in two (2) Agreements towards upgrades at the Complex, located at 903 N. 8th Street within the Town. The Agreements have 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 R2023-1013 as approved by the BCC on July 11, 2023 and R2024-0828 as approved by the BCC on July 2, 2024, that delegated authority to the County Administrator or designee to execute documents necessary for implementation of the Palm Beach County Action Plans (Action Plans), CDBG, HOME Investment Partnership and Emergency Solutions Grant activities. Palm Beach County (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

K. WATER UTILITIES

1. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 6 to the Consulting/Professional Services General Utility, Architectural and Value Engineering Services (Contract) with Chen Moore and Associates, Inc., (Consultant) for professional engineering services for New Force Main Pipelines along Lyons Road (Project) for a not to exceed amount of \$282,492.68. **SUMMARY:** On December 5, 2023, the Board of County Commissioners (BCC) approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2023-1786) with Consultant. CSA No. 6 provides for professional engineering services for the design, permitting and bidding support associated with the construction of redundant 2-miles of force main along Lyons Road between Yamato Road and Lake Worth Drainage District L-38 Canal. This Contract was presented to the Goal Setting Committee (Committee) on April 5, 2023 and the Committee established an Affirmative Procurement Initiative (API) of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting goal and up to 15 evaluation preference points based upon the relative level of dollar participation by African American (AA) owned firms. Consultant committed to 31% SBE participation, which includes 23% Minority Business Enterprise (MBE) participation, 23% MBE (AA). The SBE proposed participation for this CSA No. 6 is 38.58%, which includes 12.21% MBE participation, 12.21% MBE (AA). To date, the overall participation achieved on this Contract is 25.41% SBE participation, which includes 25.41% MBE participation, 18.61% MBE (AA). Consultant is a Palm Beach County based company. The Project is included in the PBCWUD FY 2025 budget. (PBCWUD Project No. 24-028) District 5 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

2. Staff recommends motion to approve: a Contract for Professional Consulting Services for Water Treatment and Water Resource Engineering Services (Water Contract) for a three (3) year term with Kimley-Horn and Associates, Inc. (KHA). **SUMMARY:** The Water Contract will provide architecture, engineering, land surveying, and geotechnical services for renewal, replacement, and expansion of Water Treatment Facilities. The Water Contract was presented to the Goal Setting Committee (Committee) on March 1, 2023, and the Committee established an Affirmative Procurement Initiative (API) of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting goal and an evaluation preference for up to 15 points for participation by certified African American (AA) owned firms. KHA has met the established API for this Contract. The Water Contract with KHA provides for 38.50% SBE Participation which includes 14.50% MBE, 14.50% MBE (AA). KHA is headquartered in Raleigh, North Carolina and maintains an office in Palm Beach County from which the majority of the work will be undertaken. (PBCWUD Project No. 23-019) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

3. Staff recommends motion to receive and file: Two (2) executed Standard Potable Water and Wastewater Development Agreements for the month of October 2024, one (1) Change Order No. 3 with Johnson-Davis Incorporated, one (1) Change Order No. 3 with Youngquist Brothers LLC, and two (2) grant applications for Florida Department of Environmental Protection (FDEP) Resilient Florida projects, which were submitted on September 1, 2024.
1. Standard Potable Water and Wastewater Development Agreement with Posh Hospitality No 3, Congress Avenue LLC, SDA #01-01283-000 (District 3), Recorded in OR BK 35342 PG 1410.
 2. Standard Potable Water and Wastewater Development Agreement with Zak Real Estate, LLC, SDA #02-01180-000 (District 6), Recorded in OR BK 35351 PG 1529.
 3. Palm Beach County Water Utilities Department (PBCWUD) Project No. 15-013 Change Order No. 3 to Water Main Improvements (Contract) (R2022-0561) with Johnson-Davis Incorporated (Contractor) to extend the Contract for an additional 90 day period.
 4. PBCWUD Project No. 18-066 Change Order No. 3 to Water Treatment Plant No. 2 Treatment and Disposal Improvements Design Package 2-Deep Injection Well (Contract) (R2022-0119) with Youngquist Brothers LLC to extend the Contract for an additional 118 day period.
 5. PBCWUD Project No. 19-035 Western Region North Wastewater Treatment Facility and Wet Weather Improvements (WRNWWTF Project) grant application for funding support of approximately \$7,000,000.
 6. Future Project WRWWTF Electrical Building Replacement (WRWWTF Electrical) grant application for funding support of approximately \$20,000,000.

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

3. **SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants/ procurement items must be submitted by the initiating department as a receive and file agenda item and attached, unless the documents have been recorded in the Public Records of Palm Beach County. In addition, the change orders are being submitted for receipt and filing in accordance with Countywide PPM CW-F-050 as the time extensions on the projects have exceeded 180 days. The Resilient Florida grant applications are being submitted for receipt and filing in accordance with Countywide PPM CW-F-003 as they were executed under delegated authority by the BCC on July 2, 2024. The documents have been fully executed and recorded on behalf of the Board of County Commissioners (BCC) by the Director of the Palm Beach County Water Utilities Department (PBCWUD) in accordance with Resolutions R93-1619, R96-0228, and R2003-0539 and are now being submitted to the BCC to receive and file. Districts 3 & 6 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

4. Staff recommends motion to approve:

- A) Consultant Services Authorization (CSA) No. 1 to the Consulting/Professional Services Capital Improvement Plan Program Management Contract (Contract) with Parsons Environment & Infrastructure Group Inc., (Parsons) for the Capital Improvement Plan Program Management (Project) for a not to exceed amount of \$1,938,442.46; and
- B) CSA No. 1 with CES Consultants, Inc., (CES) for the Project for a not to exceed amount of \$2,303,662.89.

SUMMARY: On January 14, 2025, the Board of County Commissioners (BCC) approved the Palm Beach County Water Utilities Department (PBCWUD) Contract with Parsons (R2025-0092) and CES (R2025-0093). The Contract will provide consulting/professional services to assist with the implementation of the PBCWUD 2025-2030 Capital Improvement Plan (CIP). Under CSA No. 1 Parsons and CES will provide the resources needed to support the implementation of CIP projects for one (1) year. Parsons and CES will provide services throughout the project life cycle of water, wastewater and reclaimed water treatment and transmission projects in the areas of delivery, controls, permitting, communications, and asset management. This Contract was presented to the Goal Setting Committee (Committee) on March 29, 2024, and the Committee established an Affirmative Procurement Initiative (API) of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting goal and up to 15 evaluation points based upon the relative level of dollar participation by certified African American (AA) owned firms. Parsons committed to 26% SBE participation, which includes 23% MBE (AA). The SBE proposed participation for CSA No. 1 with Parsons is 26.98%, which includes 26.98% MBE (AA). To date, the overall participation achieved on this Contract is 26.98% SBE participation, which 26.98% MBE (AA). While Parsons is headquartered in Chantilly, Virginia, most members of the project team will be co-located with PBCWUD staff at the Central Region Operations Center (CROC) from which the majority of the work required will be undertaken. CSA No. 1 for Parsons is included in PBCWUD FY 2025 budget. (PBCWUD Project No. 25-009). CES committed to 32% SBE participation which includes 29% MBE (AA). The SBE proposed participation for CSA No. 1 with CES is 35.89%, which includes 31.42% MBE (AA). To date, the overall participation achieved on this Contract is 35.89% SBE participation, which includes 31.42% MBE (AA). While CES is headquartered in Miami, Florida, most members of the project team will be co-located with PBCWUD staff at the CROC from which the majority of the work required will be undertaken. CSA No. 1 for CES is included in PBCWUD FY 2025 budget. (PBCWUD Project No. 25-009) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

5. Staff recommends motion to:

A) authorize the Palm Beach County Water Utilities Department (PBCWUD) to pursue funding from the South Florida Water Management District's (SFWMD) Cooperative Funding Program for a grant amount estimated up to \$10,000,000 for the Palm Beach-Broward Interconnect Phase 2 South Reclaimed Water Transmission Pipeline and the Green Cay Phase 2 project; and

B) delegate authority to the County Administrator, or her designee to sign all grant application forms and supporting documents and complete all registration requirements, execute the forthcoming agreement and all future time extensions, task assignments, certifications, and other forms associated with the forthcoming agreement and any necessary minor amendments that do not substantially change the scope of work, terms, or conditions of the forthcoming agreement.

SUMMARY: SFWMD has allotted funds to assist local governments, public and private water providers, and other entities with construction and/or implementation of alternative water supply (AWS) or water conservation through its Cooperative Funding Grant Program. AWS projects are associated with development of nontraditional water sources and/or storage to meet current and future water demands. This grant application is for Phase 2 of South County Reclaimed Water Transmission Pipeline and Pump Station, which includes construction of approximately 4 miles of 24-inch reclaimed pipeline connecting Phase 1A to Phase 1B and Phase 1B to the Mandatory Reclaimed Water Service Area (MRWSA). The project also includes a reclaimed water booster pump station to maintain adequate pressure in the reclaimed water transmission system. This expansion of PBCWUD's reclaimed water system will deliver reclaimed water from the interconnection point with Broward County at Hillsboro Canal to various potential reclaim users in Southern Palm Beach County. The objectives of the PBCWUD Green Cay Phase 2 Project are to produce purified water that will be conveyed to the lakes at the Green Cay Phase 2 Park to replenish regional groundwater, supporting PBCWUD's strategic goals of becoming a sustainable and best-in-class utility. **This grant requires a 50% match, which will be funded from a one-time expenditure from Water Utilities user fees, connection fees and balance brought forward.** District 5 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

6. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 1 to the Consulting/Professional Services Water Treatment Plant No. 2 (WTP 2) Expansion (Contract) with Kimley-Horn and Associates, Inc., (Consultant) for a not to exceed amount of \$1,871,577.77. **SUMMARY:** On October 22, 2024, the Board of County Commissioners (BCC) approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2024-1424) with the Consultant. CSA No. 1 provides for the basis of design report which will include guidance, conceptual plans and design criteria for the upgrades needed to WTP 2. The report will address emerging contaminants, plant hardening, plant upgrades with new membrane treatment system, new wellfields, and reliability and safety improvements. On May 14, 2024, the BCC approved the Drinking Water State Revolving Fund (DWSRF) Planning and Design Loan Agreement (Agreement) DW5020C0 (R2024-0557) in the amount of \$9,968,768 for Planning and Design for the upgrades to Water Treatment Plant (WTP) Nos. 2, 3, 8 & 9 to remove perfluoroalkyl and polyfluoroalkyl substances (PFAS). Under the Agreement, 100% of the awarded funding is considered as principal forgiveness. This Contract was presented to the Goal Setting Committee (Committee) on October 18, 2023 and the Committee established an Affirmative Procurement Initiative (API) of a minimum mandatory 20% Small Business Enterprise (SBE) participation and up to 15 Evaluation Preference Points for participation by certified Minority Business Enterprise (MBE), African American (AA) owned firms. Consultant committed to 38% SBE participation, which includes 16.50% MBE (AA). The SBE proposed participation for this CSA No. 1 is 37.78%, which includes 21.58% MBE participation, 15.48% MBE (AA). To date, the overall participation achieved on this Contract is 37.78%, which includes 21.58% MBE participation, of which 15.48% MBE (AA). Consultant is headquartered in Raleigh, North Carolina, but maintains an office in Palm Beach County from which the majority of the work will be undertaken. The Project is included in the PBCWUD FY 2025 budget. (PBCWUD Project No. 24-033) District 3 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

7. Staff recommends motion to approve: Supplement No. 3 to Consultant Services Authorization No. 3 (CSA 3) to the Consulting/Professional Services System-Wide Wellfield Improvements Hydrogeologic Engineering Design and Construction Services (Contract) with JLA Geosciences, Inc. (Consultant), for the System-Wide Wellfield Improvement Phase 2 Construction Phase Services for a not to exceed amount of \$403,585.46. **SUMMARY:** On April 2, 2019, the Board of County Commissioners (BCC) approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2019-0439) with the Consultant. CSA 3 Supplement No. 3 provides for additional construction phase services for nine (9) months for PBCWUD Water Treatment Plant Nos. 2 and 8. This supplement aligns the construction phase services with the current construction duration of the Wellfield Improvements Phase 2 (Project) for which the Consultant oversees. The anticipated completion date for the Project is April 2025. The Consultant will provide additional project management, construction oversight and review requests for additional information and change orders for the additional time duration requested. The Contract was procured under the requirements for the 2002 Small Business Enterprise (SBE) Ordinance (R2002-0064) prior to the adoption of the new Equal Business Opportunity (EBO) Ordinance on October 16, 2018. The SBE participation goal under the 2002 Ordinance was 15% overall participation. The proposed SBE participation for this CSA 3 Supplement No. 3 is 75.34%. To date, the overall participation achieved on this project is 78.69%. The Consultant is a Palm Beach County based company. The Project is included in the PBCWUD FY 2025 budget. (PBCWUD Project 19-022) District 2 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

8. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 5 to the Consulting/Professional Services Utility Hydrogeologic Engineering Services (Contract) with JLA Geosciences, Inc., (Consultant) for the Water Treatment Plant (WTP) No. 3 Wellfield Improvements (Project) for a not to exceed amount of \$1,585,643.36. **SUMMARY:** On December 5, 2023, the Board of County Commissioners (BCC) approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2023-1782) with Consultant. CSA No. 5 provides for design of the rehabilitation of two (2) production wells (3W-15 and 3W-16), the reconstruction of seven (7) production wells (3W-18, 3W-20, 3W-29, 3W-30, 3W-31, 3W-32, and 3W-33), and the replacement of five (5) production wells (3W-4, 3W-7, 3W-8, 3W-9, and 3W-27). Three (3) of the production wells are vaulted wells (below grade) and will include mechanical and electrical improvements and be brought above grade (3W-8, 3W-9, and 3W-20). This Contract was presented to the Goal Setting Committee (Committee) on April 5, 2023 and the Committee established an Affirmative Procurement Initiative (API) of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting goal and up to 15 Evaluation Preference Points for participation by certified Minority Business Enterprise (MBE), African American (AA) owned firms. Consultant committed to 89% SBE participation, which includes 1% MBE (AA) participation. The SBE proposed participation for this CSA 5 is 51.22%, which includes 7.60% MBE (AA). To date, the overall participation achieved on this Contract is 56.40% SBE participation, which includes 6.35% MBE (AA). Consultant is a Palm Beach County based company. The Project is included in the PBCWUD FY 2025 budget. (PBCWUD Project No. 24-031) District 5 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

9. Staff recommends motion to approve:

- A) an Emergency Procurement for the Turnpike Widening Belvedere Rd to North of Okeechobee Blvd FDOT #406-143-8 (Project); and
- B) an Emergency Work Order (WO) No. 12 to the 2022 Pipeline Continuing Construction Contract (Continuing Contract) with Johnson-Davis Incorporated (Contractor) for the Project in the amount of \$2,770,166.12.

SUMMARY: On May 16, 2023, the Board of County Commissioners (BCC) approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2023-0675) with the Contractor. Emergency WO No. 12 provides for the relocation of approximately 560 linear feet of existing 30-inch water main under the Florida Turnpike (Turnpike) in conflict with the Florida Department of Transportation (FDOT) road widening project (Road Project). The Project includes the installation of 346 linear feet of 48-inch steel casing under the Turnpike right-of-way by the Jack and Bore method. The majority of the work under Emergency WO No. 12 was not contained within the bid line items for the Continuing Contract and is greater than the allowance for non-bid items, therefore the normal procurement process is not feasible. An emergency procurement is necessary since the delay incident in bidding the work would be detrimental to the interests of the County as there is insufficient time to complete a conventional bid process without risking delays that could impact FDOT's overall schedule. According to FDOT's projected timeline, PBCWUD is required to have the utility construction completed by March 14, 2026, to avoid any disruptions in their overall Road Project schedule. The failure to utilize the emergency process would require the County to utilize and reimburse FDOT's contractor for the Project, resulting in a significant increase in relocation costs based on FDOT's estimate. The County has reviewed the value of the work contained in Emergency WO No. 12 and is satisfied that the prices for the work not in bid line items are reasonable and competitive. The Continuing Contract was presented to the Goal Setting Committee (Committee) on September 7, 2022 and the Committee established an Affirmative Procurement Initiative (API) of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting goal of which 5% shall be among certified African American (AA) and/or Hispanic American (HA) owned firms.

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

9. **SUMMARY (cont'd.):** Johnson-Davis Incorporated committed to 20.83% SBE participation, which includes 5.521% Minority Business Enterprises (MBE) participation, 5.38% MBE (HA), and 0.13% MBE (AA). The SBE proposed participation for this Emergency Work Order No. 12 is 31.17% SBE participation, which includes 0% MBE participation. To date, the overall participation achieved on this project is 23.29% SBE participation, which includes 0.20% MBE (AA) participation. The Contractor is a Palm Beach County based company. The Projects are included in the PBCWUD FY 2025 budget. (PBCWUD Project No. 24-007) District 2 (MWJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

- A) **approve** Contract for Consulting/Professional Services between Palm Beach County and Inwater Research Group (IRG) for sea turtle monitoring in an amount not-to-exceed \$48,276.80, commencing upon execution and terminating May 11, 2026;
- B) **adopt** a Resolution authorizing the Clerk of the Court to disburse \$34,996 from the Pollution Recovery Trust Fund to cover a portion of the costs associated with the Contract;
- C) **approve** a Budget Transfer of \$34,996 from the Pollution Recovery Trust Fund Reserves to fund a portion of the Contract; and
- D) **authorize** the County Administrator, or designee, to sign all future time extensions, task assignments, certifications and other forms associated with the Contract, and any necessary minor amendments that do not substantially change the scope of work, terms or conditions of the Contract including reducing the amount of hours worked and the Contract's not-to-exceed amount due to excusable weather delays.

SUMMARY: This Contract provides for a continuation of monitoring and assessment of sea turtle populations in the Lake Worth Lagoon (LWL) and Jupiter Inlet sites by IRG, a not-for-profit corporation based in Martin County. IRG is an organization that focuses on conservation efforts of key coastal species through unique in-water sampling and data collection techniques. IRG conducted the first ever in-water assessment of sea turtles in the LWL in 2005, and has continued to assess populations and collect data utilized for management strategies related to restoration and enhancement efforts within the lagoon and adjacent waterways. The LWL Management Plan recommends assessing sea turtle populations as a means of evaluating the success of environmental restoration efforts and overall lagoon health. The Contract will be funded by the County's Pollution Recovery Trust Fund and FDEP LWL Monitoring Project Grant LP50202 (R2024-0561). District 1 (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (cont'd.)

2. Staff recommends motion to:

A) receive and file Florida Inland Navigation District (FIND) Project Agreement Number PB-24-228 (Agreement) for an amount not to exceed \$917,950 for design & permitting, construction and monitoring of the South Lake Worth Inlet Sand Trap and Boat Channel Dredging Project (Project), beginning upon execution of the Agreement and terminating by September 30, 2026; and

B) approve a Budget Amendment of \$917,950 in the Beach Improvement Fund to recognize the revenue from the FIND Agreement No. PB-24-228, and a Transfer from Reserves of \$2,191,391 for a total of \$3,109,341 in funding.

SUMMARY: On May 7, 2024 the Board of County Commissioners (BCC) adopted a Resolution for Assistance (R2024-0464) in support of a Waterways Assistance Program (WAP) Grant Application to fund up to \$917,950 for design, construction, and monitoring costs associated with the Project, and authorized the County Administrator, or designee, to execute the Agreement, to sign all future time extensions, and any other forms associated with this Agreement. The County is providing a match in the amount of \$5,756,900 representing an 86% cost-share for the design and construction of the Project. Matching funds include \$3,565,509 within existing Florida Department of Environmental Protection (FDEP) Grant Agreement No. 23PB5 (R2023-0519), with the remaining \$2,191,391 provided by the County. The Agreement contains an indemnification provision that differs from that adopted for use by the County under PPM CW-F-049. There is no indemnification from FIND. The Risk Management Department and County Attorney's Office have reviewed the requirements for this grant and advised staff accordingly. Given that the County's liability is limited to the statutory caps of Section 768.28, Florida Statutes, and taking into consideration that FIND is providing grant funding to the County under this Agreement, staff recommends Board approval. 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. District 4 (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (cont'd.)

3. Staff recommends motion to approve: Work Order No. 0780-02 to the Palm Beach County (PBC) Dune and Beach Restoration Annual Construction Contract (Federalized), Project No. 2024ERM01 (R2024-0780) with Eastman Aggregate Enterprises, LLC (Eastman) at a cost not to exceed \$1,275,612 providing for dune restoration services for the Coral Cove Dune Restoration Project (Project) for a term of 30 days beginning upon Notice to Proceed. **SUMMARY:** The Board of County Commissioners (BCC) approved the Contract with Eastman, a PBC company, on July 2, 2024. Work Order No. 0780-02 provides for dune restoration within the Project area, which has suffered continuing damage due to waves and prolonged severe weather that started with the passing of Hurricane Milton. Restoration of the dune was most recently completed in March 2024, but the area had been eroded to pre-restoration conditions by recent wind and waves, leaving adjacent upland infrastructure and a construction access easement utilized by the County for beach management efforts, vulnerable to direct impacts. The Project will utilize a combination of available project-specific and emergency response budget within the Beach Improvement Fund, and will be submitted for consideration of supplemental funding through Federal Emergency Management Agency (FEMA) and the Florida Department of Environmental Protection (FDEP) Beach Management Funding Assistance Program. **The cost to the County is \$1,275,612 from the PBC Beach Improvement Fund. District 1 (YBH)**

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

1. Staff recommends motion to receive and file: a copy of municipal ordinance No.1053 of the Village of Royal Palm Beach (Village), providing the Village's consent to its participation in the County's Fire Rescue Municipal Services Taxing Unit (MSTU) through December 31, 2034. **SUMMARY:** The County has provided fire-rescue services to the Village as part of the MSTU since 2005. The Village adopted Ordinance No. 983 to consent to its participation in the MSTU through December 31, 2024 to fund fire-rescue services provided by the County through 7:30 a.m. on October 1, 2025. Ordinance No.1053 provides consent through December 31, 2034 to fund fire-rescue services by the County through 7:30 a.m. on October 1, 2035. Village Ordinance No. 1053 is now being submitted to the Board of County Commissioners (BCC) as a receive and file agenda item. Countywide (SB)

2. Staff recommends motion to receive and file: a Public Emergency Medical Transportation (PEMT) Letter of Agreement (LOA) with the State of Florida, Agency for Health Care Administration (AHCA) relating to intergovernmental transfers to the State of Florida for the supplemental payment program for Medicaid managed care patients for State Fiscal Year (SFY) 2024-2025. **SUMMARY:** In the fall of 2019, AHCA established the Florida Medicaid Managed Care Supplemental Payment Program (MCO), which allows qualifying government-owned ambulance providers to receive supplemental payments for emergency transports of Medicaid managed care patients. In order to guarantee Federal share funding, intergovernmental transfers (IGT) from PEMT providers are required to cover the State's share of the MCO. The County's IGT for SFY 2024-2025 is \$2,695,710, and the County is expected to receive \$6,293,976 in supplemental payments, for an estimated net revenue of \$3,598,266. The Board of County Commissioners (BCC) delegated authority (R2019-1462) to the County Administrator or designee to execute LOAs with the State of Florida relating to IGTs for the PEMT program; and the County Administrator has designated the Fire Rescue Administrator to execute such LOAs. Pursuant to Countywide PPM CW-O-051 this LOA is being submitted as a receive and file agenda item. Countywide (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (cont'd.)

3. Staff recommends motion to:

- A) **authorize** the Mayor to execute three (3) Certificate of Correction of Non-Ad Valorem Assessment Roll (DR-409A) forms for the Municipal Service Benefit Unit for Fire Hydrant Maintenance and Rental – Boca Raton (Hydrant MSBU-Boca), to correct the Non-Ad Valorem Assessment levied to the Lake Worth Drainage District from \$23 to \$0 on each of the three (3) parcels; and
- B) **delegate authority** to the County Administrator, or designee, to accept, approve, execute and/or submit, on County’s behalf, Certificate of Correction of Non-Ad Valorem Assessment Roll (DR-409A) forms for the Hydrant MSBU-Boca, and for the Municipal Service Benefit Unit for Fire Hydrant Maintenance and Rental – Riviera Beach that do not substantially change the scope of work, term, or conditions of the documents.

SUMMARY: Three (3) Certificate of Correction of Non-Ad Valorem Assessment Roll forms were submitted by the Lake Worth Drainage District to correct the Non-Ad Valorem tax roll for the tax year 2024 Hydrant MSBU-Boca, which was certified by the Board of County Commissioners (BCC) on August 20, 2024. To correct the error on the Non-Ad Valorem Assessment roll, the County must sign the DR-0409A forms and submit to the Tax Collector. Countywide (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (cont'd.)

4. Staff recommends motion to:

- A) **ratify** a FY 2024 Assistance to Firefighters Grant (AFG) application electronically submitted to the U.S. Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA) on December 20, 2024, requesting \$725,455 to fund 90% of the purchase of a 480 Liquid CO2 Extractor machine for a term of 24 months from the date of the award;
- B) **ratify** the designation of the County Administrator, or designee, to act as the County's representative for the purpose of electronically signing and submitting the FY 2024 AFG grant application, including Assurances and Certifications via the DHS FEMA website; and
- C) **authorize** the County Administrator, or designee to accept, approve, execute and submit, electronically or otherwise, on the County's behalf the grant award, representations, certifications, acknowledgments, assurances, standard forms and documents, reimbursement requests, amendments, time frame changes, and other necessary documents, that do not substantially change the general scope of work, terms and conditions of the grant.

SUMMARY: This grant application requests \$725,455 from DHS FEMA for the purchase of a 480 Liquid CO2 Extractor machine. The total project cost identified in the grant application is \$798,000. The required match for this grant is \$72,545 (10% of the federal share). If awarded, the grant will provide funding for the purchase of a 480 Liquid CO2 Extractor machine, which will help reduce the risk of cancer to Fire Rescue's 1,618 firefighters by cleaning firefighter bunker gear after a fire and removing 99% of the ten (10) target contaminants. The AFG Program requires submission of grant applications by electronic format in order to assure an efficient review and competitive scoring of all funding requests submitted under this program. The deadline for submission of this grant application to the grantor agency was 5:00 p.m. on December 20, 2024. The emergency signature process was utilized due to insufficient time to submit the application through the regular agenda item process. Pursuant to Section 309.00 of the Palm Beach County Administrative Code, the Mayor approved this grant application and designated the County Administrator or designee to electronically sign the grant application online, which now must be ratified by the Board of County Commissioners (BCC). The grant application includes certifications of compliance with required assurances and certifications, as stated in the application and related program guidance. Countywide (SB)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to approve: the Fourth Amendment to the Interlocal Agreement (IA) (R2020-1834) with the City of Greenacres to provide additional phone services and upgrade network services. This Fourth Amendment to the IA will generate an increase in annual revenue of \$13,920 to the County from \$23,640 to \$37,560 for telephone services and network services. **SUMMARY:** The City of Greenacres has an existing IA with Palm Beach County (R2020-1834 as amended by R2022-0213 and R2023-0957) for network and telephone services. The City of Greenacres has requested 11 additional telephone lines to their current 117 phone lines of basic telephone service, for a total of 128 phone lines. Additionally, Greenacres is upgrading their network services at City Hall, Community Center and Fire Rescue Headquarters from 50 MBPS to 250 MBPS. The Florida LambdaRail LLC has approved connection of the HCD to the Florida LambdaRail network. District 3 (DB)

2. Staff recommends motion to approve:

A) the First Amendment to the Interlocal Agreement (IA) (R2023-0207) with the Health Care District of Palm Beach County (HCD) to modify service locations, increase bandwidth, and the removal of a rack for colocation. The amendment will increase annual revenue to the County by \$2,160, bringing the total from \$129,240 to \$131,400 for network and colocation services; and

B) a Budget Amendment of \$13,767 in the General Fund to allocate funds and recognize revenue related to one-time installation costs.

SUMMARY: The HCD has an existing IA with Palm Beach County (R2023-0207) for network and colocation services. HCD requested this First Amendment to include increasing bandwidth from 10Mb to 50Mb at the West Palm Beach Health Center, the Delray Beach Health Center, the Jupiter Clinic, and the Lewis Center. It also includes the removal of one (1) rack for colocation, adding the Atlantis Clinic as a new service location, and removing the JFK Medical Center North Campus location. These updates will result in a total of 16 network service locations and five (5) equipment racks. The Florida LambdaRail LLC has approved the connection of the HCD to the Florida LambdaRail network. Countywide (DB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to:

A) receive and file notice of termination of Agreement R2023-0960 (Agreement) with the Port of Palm Beach District (Port) to provide Vehicle for Hire (VFH) licensing services through April 30, 2024 with automatic one-year renewals up to seven (7) years; and

B) approve the termination of Agreement R2023-0960 with the Port, effective February 25, 2025.

SUMMARY: The Public Safety Department Division of Consumer Affairs (PSD) administers the VFH Ordinance, which includes licensing and enforcement. To simplify and expedite the permitting process, an agreement was executed at the Port's request, authorizing PSD to issue permits on the Port's behalf, enabling VFH access to the Port. The Agreement had an automatic annual renewal on April 30th for up to seven (7) years, unless either party gave written notice of its intent not to renew no fewer than 30 days prior to the renewal date. Approximately 25 permits were processed by PSD annually. On October 25, 2024, the Port formally requested that PSD stop issuing permits to transportation companies seeking access to the Port. The Port decided to contract exclusively with a single transportation company for on-site services. The Agreement does not permit the Port to terminate unless the County fails to meet its obligations; however, Palm Beach County may terminate without cause upon ten (10) business days written notice to the Port. PSD cannot terminate the agreement without the approval of the Palm Beach County Board of County Commissioners (BCC). As such, the agreement will be terminated pursuant to approval by the BCC, effective on February 25, 2025. Countywide (RS)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (cont'd.)

~~2. Staff recommend motion to:~~

~~A) approve a contract for consulting/professional services with Rebel Recovery Florida Inc (Rebel Recovery) in the amount of \$161,975 to provide peer support services for Family Treatment Court for the period retroactive to October 1, 2024 through September 30, 2027; and~~

~~B) authorize the County Administrator or designee to execute future contracts, amendments and administrative documents associated with the above contracts, on behalf of the Board of County Commissioners, after approval or legal sufficiency by the County Attorney's Office and within budgeted allocations that do not substantially change the scope of work, terms or conditions of the agreement.~~

~~**SUMMARY:** Palm Beach County's Department of Public Safety, Division of Justice Services contracts with providers to coordinate peer support services to those in the Fifteenth Judicial Circuit's Drug Court programs. This contract will provide peer support services to participants in the Family Treatment Court. Contracts are awarded through a competitive process and ensure that the County meets the needs for participants referred by Family Treatment Court. Peer support services include budgeting and financial planning, transportation assistance, service coordination, life skills development, employment assistance, and coordination of sober supports, peer mentoring, establishing goals/success planning, and other supports as needed. Court Administration previously contracted with Rebel Recovery to provide services to the Family Treatment Court through a federal grant administered by the State Office of Court Administration (OSCA). OSCA's federal grant ended on October 1, 2024. The court did not want a disruption in these critical services, so they requested that this contract be retroactive. Rebel Recovery agreed to continue providing the services while the contract negotiations were in process. This first time contract is funded through ad valorem funds. Countywide (RS)~~

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

1. **Staff recommends motion to receive & file:** Grant Modification #4 with the Office of National Drug Control Policy (ONDCP) to extend the grant period through February 28, 2025. **SUMMARY:** On April 4, 2023, the Board of County Commissioners (BCC) accepted a grant award on behalf of the Palm Beach County Sheriff's Office (PBSO) from ONDCP, in the amount of \$105,154 for the period of January 1, 2023 through December 31, 2024 (R2023-0444). These grant funds provide overtime support for the Palm Beach County Narcotics Task Force (PBCNTF). On November 21, 2023, the BCC accepted Modification #1, which provided \$18,791.23 in supplemental funds (R2023-1727). On January 24, 2024, the BCC accepted Modification #2, which provided \$29,124.50 in supplemental funds (R2024-0091). On June 4, 2024, the BCC accepted Modification #3, which provided \$25,000 in supplemental funds (R2024-0649). The total grant award is \$178,069.73. This agenda item will extend the grant period from December 31, 2024 to February 28, 2025. There is **no match requirement** associated with this award. The Catalog of Federal Domestic Assistance (CFDA) number is 95.001 and the contract number is G23MI0011A. Countywide (RS)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (cont'd.)

2. **Staff recommends motion to approve:** a Budget Transfer of \$507,000 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. 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 2025 donation requirement is \$515,236. 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 \$507,000. 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 \$4,100,390. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$3,593,390. 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 (cont'd.)

2. SUMMARY (cont'd.):

ORGANIZATION	AMOUNT
Anti-Defamation League, Inc.	\$30,000
Best Foot Forward Foundation, Inc.	\$5,000
Center for Child Counseling, Inc.	\$15,000
Children's Case Management Organization, Inc.	\$9,000
Elizabeth Faulk Foundation, Inc.	\$25,000
Faith, Hope, Love, Charity, Inc.	\$25,000
Faith's Place Center for Arts Education, Inc.	\$50,000
First Tee – Palm Beaches	\$10,000
Florida Outreach for the Blind, Inc.	\$5,000
Gulf Stream Council of the Boy Scouts of America, Inc.	\$50,000
Gulfstream Goodwill Industries, Inc.	\$50,000
Hanley Center Foundation, Inc.	\$30,000
The Homeless Coalition of Palm Beach County, Inc.	\$35,000
Lake Worth West Resident Planning Group, Inc.	\$25,000
New Hope Charities, Inc.	\$25,000
Palm Beach Area Tennis Patrons, Inc.	\$25,000
Palm Beach County PAL, Inc. - Summer Basketball Program	\$25,000
Palm Beach County PAL, Inc. - Youth Summit	\$15,000
Place of Hope, Inc.	\$25,000
Safety Council of Palm Beach County, Inc.	\$3,000
Student Aces for Leadership	\$10,000
Sunset House, Inc.	\$15,000
Total Amount	\$507,000

3. CONSENT AGENDA APPROVAL

DD. TOURIST DEVELOPMENT COUNCIL

1. Staff recommends motion to receive and file: a fully executed Palm Beach County FY 2025, 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 Youth National Championship, LLC for the promotion of Battle Youth National Championship held December 1 – 8, 2024, for the grant term of August 1, 2024 – March 8, 2025. This grantee was approved by the TDC on June 13, 2024, in the amount of \$120,000. **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. 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 Youth National Championship, LLC/ Battle Youth National Championship were 13,824. Countywide (YBH)

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

A. HOUSING & ECONOMIC DEVELOPMENT

1. **Staff recommends motion to adopt:** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, MAKING CERTAIN FINDINGS AND DESIGNATING THE PARCELS LOCATED AT 9302 AND 9400 SOUTH MILITARY TRAIL, WITHIN UNINCORPORATED PALM BEACH COUNTY, FLORIDA, FURTHER IDENTIFIED BY PARCEL CONTROL NUMBERS 00-42-45-24-03-000-5851, 00-42-45-24-03-000-5852 AND 00-42-45-24-12-001-0010, AS A BROWNFIELD AREA PURSUANT TO FLORIDA STATUTES §376.80(2)(c), WHICH SHALL HEREAFTER BE KNOWN AS THE CYPRESS CREEK GREEN REUSE AREA, FOR THE PURPOSE OF REHABILITATION, CREATION OF RECREATION AREA, AND PROMOTING ECONOMIC DEVELOPMENT; and PROVIDING FOR AN EFFECTIVE DATE. **SUMMARY:** On October 22, 2024, the Board of County Commissioners (BCC) approved two (2) motions to allow for a Brownfield Area designation of the Cypress Creek Green Reuse Area (Subject Site): 1) A waiver of the statutory requirement by a super majority vote (five (5) votes) that one (1) of two (2) public hearings be held after 5:00 p.m.; and, 2) The advertising of public hearings on Tuesday, December 3, 2024 at 9:30 a.m., and Tuesday, January 14, 2025 at 9:30 a.m. On November 26, 2024, County Administration provided notice that the December 3, 2024 meeting had been canceled; therefore in order to meet the amended advertising requirements, this item was re-scheduled for first reading on January 14, 2025, and was approved by the BCC. On August 29, 2024, Toll Brothers, Inc. (Toll Bros.), as contract purchaser, and the owner, True Shot, LLC, (collectively the Applicant) submitted an application to the Department of Housing and Economic Development to designate the Subject Site as a Brownfield Area. This designation requires two (2) public hearings, one (1) of which must be held after 5:00 p.m. per Florida Statutes §125.66 (cross-referenced in Florida Statutes §376.80), unless the BCC, by a super majority vote, elects to conduct that hearing at another time of day, which the BCC authorized on October 22, 2024. The Subject Site consists of a closed golf course, clubhouse and accessory facilities, which the Applicant indicates is impacted by arsenic in the soil and groundwater. The rezoning of the 122.53-acre Subject Site was approved by the BCC at the July 17, 2024 Zoning Hearing (R-2024-0864), to allow for the development of 152 single-family dwelling units. The Applicant is seeking a Brownfield Area designation under Florida’s Brownfields Redevelopment Act, prior to redevelopment of the Subject Site with 152 single-family dwelling units, a 1.79-acre recreation area, a 2.45-acre Civic Pod, five (5) lakes and several open space areas. **No County funds for implementation are required.** District 2 (DB)

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

B. PUBLIC SAFETY

1. Staff recommends motion to:

A) **approve** the following Secondary Provider Emergency Medical Service (EMS) Certificates of Public Convenience and Necessity (COPCNs) for the period February 11, 2025 through June 30, 2027 that met the EMS Ordinance application requirements, were recommended by the EMS Advisory Council, and based on staff's review met the need for the proposed service:

1. MCT Express, Inc. d/b/a All County Ambulance (All County Ambulance) - Service area all of Palm Beach County; and
2. National Health Transport, Inc. - Service area all of Palm Beach County

B) **deny** the following Secondary Provider EMS COPCNs for the period February 11, 2025 through June 30, 2027 that met the EMS Ordinance application requirements, were recommended by the EMS Advisory Council, but based on staff's review did not meet the need for the proposed service:

1. Positive Mobility Inc. d/b/a Elite Medical Response (Elite Medical Response) – Service area all of Palm Beach County; and
2. Palms West Hospital Limited Partnership d/b/a HCA Florida Palms West (HCA Florida Palms West) – Service area is limited to HCA Florida Palms West patients needing transports between HCA Florida Palms West and other medical facilities.

C) **deny** the following Secondary Provider EMS COPCN for the period February 11, 2025 through June 30, 2027 that met the EMS Ordinance application requirements but was not recommended by the EMS Advisory Council and based on staff's review did not meet the need for the proposed service:

1. E-Care Ambulance, Inc. (E-Care Ambulance) – Service area all of Palm Beach County; and

D) **deny** the following Secondary Provider EMS COPCN for the period February 11, 2025 through June 30, 2027 that did not meet the EMS Ordinance application requirements, was not recommended by the EMS Advisory Council and did not meet the need for the proposed service:

1. Rapid Response Medical Transportation, LLC d/b/a Rapid Response Ambulance d/b/a Rapid Response EMS (Rapid Response Medical Transportation) – Service area all of Palm Beach County.

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

B. PUBLIC SAFETY (cont'd.)

1. **SUMMARY:** In accordance with Palm Beach County Code, Chapter 13, Article II, EMS Ordinance, any agency desiring to provide secondary Advanced Life Support (ALS) transport services and ALS/Basic Life Support (BLS) Inter-facility transfer services must submit an application to the County and meet the requirements for issuance of a COPCN. Applications for Secondary Provider COPCNs are issued every six (6) years for a six (6)-year term. On June 15, 2021 the Board of County Commissioners (BCC) approved issuance of Secondary Provider COPCNs to AMR and Medics (owned by the same parent company), and the Health Care District, which expire June 30, 2027. On October 22, 2024 the BCC voted to amend the EMS Ordinance and directed staff to open and accept applications for additional Secondary Provider COPCNs. Six (6) applications for additional Secondary Provider COPCNs were received. The EMS Ordinance Administrator's (staff) responsibilities include reviewing the applications for compliance with the EMS Ordinance application requirements, consideration of the need for the proposed service in the requested area, and preparing a report with recommendations for the EMS Council. Consideration of the need for the proposed service was primarily based on proposed start date of services, years of experience, established presence in comparable sized counties as it relates to Palm Beach County's population, volume of EMS runs, and dedicated resources to Palm Beach County. Furthermore, this process was intended for an immediate need for additional providers and therefore staff's consideration for the need focused on companies who can step in and make an immediate impact. As a result, staff recommendations were the following: **1)** approval of Secondary Provider COPCNs to All County Ambulance and National Health Transport; and **2)** denial of Secondary Provider COPCNs to E-Care Ambulance, Elite Medical Response, HCA Florida Palms West, and Rapid Response Medical Transportation due to not finding compelling evidence to address the immediate need for the proposed service. Furthermore, Rapid Response Medical Transportation failed to meet the EMS Ordinance application requirements, which also supports denial of its application. On January 16, 2025, the EMS Council reviewed the staff report on all six (6) applications and heard oral presentations from each company. There were 15 Council members present; of which 13 Council members voted and two (2) Council members abstained.

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

B. PUBLIC SAFETY (cont'd.)

1. **SUMMARY (cont'd.):** The EMS Council’s recommendation was the following:

The EMS Council recommends approval of four (4) Secondary Provider COPCN applications to the BCC with the votes as follows:

	Company	Yes	No
1.	All County Ambulance	13	0
2.	National Health Transport	13	0
3.	Elite Medical Response	11	2
4.	HCA Florida Palms West	9	4

The EMS Council recommends denial of two (2) Secondary Provider COPCN applications to the BCC with the votes as follows:

	Company	Yes	No
1.	E-Care Ambulance	1	12
2.	Rapid Response Medical Transportation	0	13

Pursuant to the EMS Ordinance, the BCC receives the recommendation of staff, recommendation of the EMS Council, and other relevant information to determine whether the public convenience and necessity of the residents of the County would be best served by approving or denying such applications. The BCC also considers whether the applicants have the ability to provide the necessary service and makes a finding and determines which companies will serve the area requested. Countywide (SB)

* * * * *

5. REGULAR AGENDA

A. AIRPORTS

1. Staff recommends motion to approve: Amendment No. 14 (Amendment) to the Contract for Consulting/Professional Services (Agreement) with RS&H, Inc. (RS&H), in the amount of \$3,776,679.50 to provide supplemental services for a previously approved task related to the Concourse B Expansion (Project) at the Palm Beach International Airport (PBI). **SUMMARY:** The Agreement with RS&H was approved by the Board of County Commissioners (BCC) on May 7, 2019 (R2019-0612) in the amount of \$2,004,570.58. Amendment No. 1 through Amendment No. 13 increased the contract amount by \$15,208,255.88 and provided planning, design and construction phases services, including, but not limited to, services for the following projects at PBI: Escalator Replacement, new Parking Revenue Control Building, new ARFF Building, Concourse B Expansion, Switchgear Replacement, and Elevator Replacement. A detailed Contract History is included in Attachment 1. Approval of this Amendment will increase the amount of the Agreement by \$3,776,679.50 for a total contract amount of \$20,989,475.96. While the term of the Agreement has expired, it authorizes amendments to be issued after its expiration for any supplemental services needed to complete a task authorized prior to the expiration of the Agreement. The Agreement authorized Task I-21-PBI-R-023 for the design and preparation of construction documents by RS&H for the Project. Amendment No. 14 provides Construction Administration and Partial Resident Project Representative (RPR) Services for the final phase of the Project, which are required to complete the Project. RS&H is a Jacksonville, Florida based firm; however, the majority of the work will be managed through its Fort Lauderdale, Florida office. RS&H, Inc. committed to 23% Disadvantaged Business Enterprise (DBE) participation for the Agreement. The DBE participation for this Amendment is 11.76%. The cumulative DBE participation to date, including this Amendment, is 26.2%. Countywide (AH)

5. REGULAR AGENDA

B. INTERGOVERNMENTAL AFFAIRS

1. **Staff recommends motion to adopt:** The proposed 2025 Federal Legislative Agenda. **SUMMARY:** Staff requests Board approval of the 2025 Federal Legislative Agenda, which outlines issues the County's Intergovernmental Affairs Office and federal lobbyists are working on for the 119th Congress. The agenda addresses legislative matters, grant-funding opportunities, and general issues to support and monitor. New agenda items include Presidential protection reimbursement, Travel Flight Restrictions affecting county airports and CR 880 reconstruction funding. Countywide (SS)

C. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:** an Assignment of claims from Palm Beach County to the Hunt Construction Group, Inc. (Hunt), related to County-issued purchase orders to Daikin Applied Americas, Inc. (Daikin) and Hawaii Drillers, Inc. d/b/a Coastal Netting Systems (Coastal) for the acquisition of materials incorporated in the construction of the Ballpark of the Palm Beaches (BPPB). **SUMMARY:** On August 18, 2015, the County entered into the Developer Agreement (R2015-1071) with HW Spring Training Complex, LLC (HW) to develop the BPPB, as later amended on September 22, 2015 (R2015-1258). A First Restated Developer Agreement (FRDA) (R2015-1522) was approved by the Board of County Commissioners (BCC) on October 20, 2015. Under the provisions of the FRDA, HW, in coordination with the County, was to implement a Sales Tax Recovery Program whereby materials were to be identified for direct purchase by the County resulting in savings of the applicable sales tax. The County issued purchase orders to Daikin and Coastal under the provisions of the aforementioned Sales Tax Recovery Program. In June 2024, HW filed a lawsuit against Hunt for breach of contract and professional negligence arising out of the construction of the BPPB. The County is not a party to the lawsuit. In the context of the lawsuit, in November 2024, Hunt approached staff to request the assignment of any and all claims that may result from the purchase orders issued to Daikin and Coastal. The Washington Nationals Baseball Club, L.L.C. (Nationals) and the Houston Astros, L.L.C. (Astros) are the two teams that formed HW; staff has confirmed with both that neither objects to the Assignment of claims. Under the terms of the Assignment, Hunt is indemnifying the County against all claims and liability arising as a result of the County's assignment of the purchase orders to Hunt. (FDO Admin) District 7 (MWJ)

5. REGULAR AGENDA

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

2. Staff recommends motion to approve:

A) a Deposit Receipt and Contract for Sale and Purchase agreement with True Gospel Holiness Christian Center Inc. (True Gospel), a Florida not-for-profit corporation, for the sale of approximately 5,320 square feet of retail space located at 361 W. Avenue A in Belle Glade (Property) at a purchase price of \$250,000; and

B) a County Deed in favor of True Gospel Holiness Christian Center Inc.

SUMMARY: In March 2012, the Property was acquired by American Sound through the County's Department of Housing & Economic Development (HED) Section 108 Business Loan Program, funded through the U.S. Department of Housing and Urban Development (HUD). Given that HUD funds were utilized for the acquisition, Palm Beach County was required to hold the first lien on the Property, which served as collateral for HUD. The County acquired the Property on December 9, 2020, via certificate of sale. The Property is being sold to repay HUD due to non-repayment of the loan. The parcel is zoned B-1- Central Business District (04-Belle Glade). In August 2024, staff issued Invitation for Bids No. 2024-103-DML (IFB) to sell the Property. Staff obtained an appraisal which valued the Property at \$213,000, which value was established as the required minimum bid. Only one bid was received from True Gospel. The Property will be conveyed for a purchase price of \$250,000, with no warranty or representation of any nature, including without any limitation relating to access or the Bidder's ability to use the Property for any intended purpose. **This conveyance must be approved by a Supermajority Vote (5 Commissioners).** (Property and Real Estate Management) District 6 (HJF)

5. REGULAR AGENDA

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

3. ~~Staff recommends motion to conceptually approve:~~ the non-binding summary of material terms (Term Sheet) for the proposed developer agreement (Developer Agreement) and new room block agreement (RBA) between CityPlace Hotel, LLC (CPL) and Palm Beach County (County), for the design, development, permitting, construction, operation and maintenance of a branded hotel at the Palm Beach County Convention Center (Convention Center). **SUMMARY:** In September 2020, the Palm Beach County Tourist Development Council received the final report of the Palm Beach County Convention Center District Expansion Study (Expansion Study) it had commissioned. The Expansion Study was prepared by Conventions, Sports and Leisure International, and identified as a priority the addition of committable hotel rooms (optimally 600) in order to sustain and expand the Convention Center's marketability and support its future expansion. In October 2023, the County advertised Request for Proposals No. 2024-101-ARQ for the design, development, permitting, construction, operation and maintenance of a branded hotel at the Convention Center. This new hotel is commonly referred to as the Convention Center "Second Hotel" given the existing room block agreement for the Convention Center Hilton Hotel. The RFP: established as a goal the attainment of 600 committable rooms; identified three (3) County-owned sites for development; allowed for private sites to be proposed; and offered in exchange leveraging of the County's parking infrastructure (i.e., the Convention Center Parking Garage). Three (3) proposals were received, two (2) of which were deemed non-responsive due to failure to provide the required letter of intent from a surety company or financial institution. The remaining proposal, submitted by CPL, was deemed responsive and proceeded to evaluation by the selection committee. The selection committee met in April 2024 and recommended award to CPL subject to the negotiation of four (4) conditions: 1) the number of leased parking spaces within the Convention Center Parking Garage and the resulting financial proposal; 2) that a new room block agreement be established to govern room holds for the Hilton Hotel and the Second Hotel; 3) that the County retain its ability to build additional rooms on the County-owned sites at the Convention Center; and 4) that all community outreach efforts were to be handled by CPL. The Director of the County's Facilities Development and Operations (FDO) Department served as the sole negotiator, with negotiations coming to a close in January 2025.

5. REGULAR AGENDA

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

3. ~~SUMMARY (cont'd.): The Term Sheet reflects the negotiated material terms. Staff is recommending approval, but notes that in considering staff's recommendation the Board of County Commissioners (BCC) should take into account **three (3) key policy matters** as further explained in this agenda item: 1) the financial impact due to the need to take remedial action on the tax-exempt bonds issued for construction of the Parking Garage; 2) the release of the Garage Easement that currently burdens the land on which CPL proposes to build the Second Hotel; and 3) the County's ability to develop additional rooms in light of the timeline for development requested by CPL. Should the BCC approve the Term Sheet, staff will work with CPL towards attainment of a Developer Agreement and a new RBA that can be brought back for consideration and approval by the BCC in the coming months. **Staff notes that attaining an RBA that fully delivers on the County's operational needs will be essential to ensuring the success of this initiative and to support the continued profitability of the Convention Center.** (FDO Admin) Countywide/District 2 (MWJ)~~

5. REGULAR AGENDA

D. COOPERATIVE EXTENSION SERVICE

1. Staff recommends motion to approve: Resolution repealing and replacing Resolution R2014-0303; Providing for Recitals; Providing for Repeal of Resolution R2014-0303; Providing for Creation of the Agricultural Enhancement Council; Providing for Purpose and Duties; Providing for Membership; Providing for Term; Providing for Eliminating Term Limits; Providing for Meetings; Providing for Attendance at Meetings; Providing for Compliance with the Palm Beach Code of Ethics; Providing for Powers; Providing for Fiscal Responsibility; Providing for Administration; Providing for Consultants and Specialists; Providing for Travel Reimbursement; Providing for Compliance with Uniform Policy for Advisory Boards and Commissions; Providing for Severability; and Providing for an Effective Date. **SUMMARY:** At the May 23, 2024 Zoning Meeting of the Palm Beach County Board of County Commissioners (BCC), the BCC directed staff to revise the Agriculture Enhancement Council (AEC) Resolution to increase the membership of the AEC by adding two (2) new seats and to remove the cap on term limits for members serving on the committee. This Resolution repeals and replaces Resolution R2014-0303, increases the number of AEC members from nine (9) to 11 members in order to more equitably represent agricultural interests in Palm Beach County, and includes the elimination of term limit requirements established by Resolution 2013-0193 in recognition of historic difficulties encountered when recruiting qualified members to fill vacant AEC seats. The two (2) new members will be: 1) a representative from the small farming community (less than 50 acres in size, outside of the Everglades Agricultural Area and Agricultural Reserve) recommended by the Palm Beach County Extension Department; and 2) a representative from the agritourism sector recommended by the Palm Beach County Farm Bureau. Countywide (AH)

5. REGULAR AGENDA

E. HOUSING & ECONOMIC DEVELOPMENT

1. Staff recommends motion to approve:

- A) Community Development Block Grant (CDBG) allocation of \$420,000 to the Community Services Department (CSD) for the Facilities Development and Operations Department (FDO) to undertake the rehabilitation of the Senator Philip D. Lewis Homeless Resource Center (Project);
- B) a Budget Transfer of \$420,000 in the Housing and Economic Sustainability Fund; and
- C) a Budget Amendment of \$420,000 in the Capital Outlay Fund to recognize the transfer from the Housing and Economic Sustainability Fund.

SUMMARY: On January 23, 2024 (Agenda Item #6C-1), the Board of County Commissioners (BCC) approved a Community Development Block Grant Coronavirus (CDBG-CV) award of \$452,000 to FDO to undertake rehabilitation of the Project located at 1000 45th Street, West Palm Beach for the CSD. On March 14, 2023 (R2023-0273), the BCC ratified a successful application from CSD to the United States Department of Housing and Urban Development (HUD) FY2022 Community Project Funding/Congressional Directed Spending (Representative Lois Frankel) that resulted in a \$1,000,000 award for the Project. The rehabilitation will result in a medical respite facility (Facility) that will provide eight (8) to 12 beds for people experiencing homelessness or HIV/AIDS who are too ill or frail to recover independently from a physical illness or injury, but not ill enough to be in a hospital. The Facility will also include a clinic, nurses' station, private exam rooms, treatment rooms and a pharmacy which will allow for the provision of medical services to the Project's residents and homeless. The Health Care District will provide nursing and site staff including a pharmacist to oversee services. Due to unforeseen costs relating to the required fire suppression system, additional funding is required for the Project. The total cost of the Project is \$1,882,622. The additional CDBG allocation of \$420,000 will provide the balance of funding needed to allow FDO to move forward with the rehabilitation. **These are Federal CDBG grant funds which require no local match.** Countywide (HJF)

5. REGULAR AGENDA

E. HOUSING & ECONOMIC DEVELOPMENT (cont'd.)

2. **Staff recommends motion to approve:** the 4th Amendment (Amendment) to Palm Beach County's (County) State Housing Initiatives Partnership (SHIP) Program Local Housing Assistance Plan (LHAP) for Fiscal Years (FY) 2022/2023, 2023/2024, and 2024/2025. **SUMMARY:** On December 19, 2024, the Commission on Affordable Housing (CAH) adopted its 2024 Affordable Housing Incentives Review and Recommendations Report (Report), including ten (10) recommendations addressing 11 affordable housing incentive areas identified in Section 420.9076(4), Florida Statutes. The recommendations were developed through a process that included input from community and industry stakeholders, as well as, consultation with the Department of Housing and Economic Development (DHED), the Department of Planning, Zoning and Building, the Engineering and Public Works Department, the Property and Real Estate Management Division, and County Administration. Staff supports seven (7) of the CAH recommendations in the areas of expedited approvals, infrastructure capacity, street requirements, the applicable provisions of the Housing for All countywide housing plan, inventory of public lands, transportation oriented development, and flexible zoning. Staff partially supports three (3) recommendations related to fee waivers, accessory dwelling units, and parking requirements. In regards to fee waivers, staff does not support deferral of impact fee collection or the suspension of fees associated with the Transfer of Development Rights. Staff does not support separate electrical metering of accessory dwelling units. Staff does not support reduced parking requirements by right. A summary of the CAH recommendations as well as staff comments is included as Attachment 1. The report is provided as Attachment 2. The Board of County Commissioners (BCC) has the sole authority to approve the LHAP, amendments thereto, and the housing incentives contained therein. Staff recommends that the BCC approve the proposed Amendment to the County's SHIP Program LHAP, Attachment 1, incorporating the staff supported CAH recommendations into the descriptions of affordable housing incentives which the County implements. The approved Amendment will be sent to the Florida Housing Finance Corporation by the March 19, 2025 deadline. Countywide (HJF)

5. REGULAR AGENDA

E. HOUSING & ECONOMIC DEVELOPMENT (cont'd.)

3. Staff recommends motion to:

- A) **deny** Housing Bond Loan Program (HBLP) funding in the amount of \$4,719,882 for Residences at Marina Village, LLC;
- B) **approve** Housing Initiatives Program (HIP) funding in the amount of \$4,719,882 to Residences at Marina Village, LLC;
- 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; and
- D) **approve** a Budget Transfer of \$4,719,882 within the HIP Funds to recognize the allocation of HIP Funds to the Residences of Marina Village, LLC project.

SUMMARY: At the May 7, 2024 Board of County Commissioners (BCC) meeting, the BCC conceptually approved HBLP funding in the amount \$4,719,882 for Residences at Marina Village project (Project) and transmission to Palm Beach County's (County) third-party underwriter. The Department of Housing and Economic Development (DHED) prepared a comprehensive term sheet based on the recommendations of the underwriting report and submitted the term sheet for approval by Marina Village. Marina Village did not accept the terms as defined because they have secured a State Apartment Incentive Loan (SAIL), and as part of the SAIL requirements, all subordinate loans are not permitted to have required debt service payments. At the December 10, 2024 BCC Meeting, staff recommended denial of the HBLP funds for the Project due to the developer's inability to comply with the HBLP loan terms. The BCC deferred the denial of the HBLP funding structure and directed staff to bring back the item for consideration using HIP funding. The Project consists of construction of 149 multifamily housing units with 119 County-Assisted units. The units are restricted to seven (7) units at or below 60% Area Median Income (AMI) (\$64,260 for a household of four (4)); 23 units at or below 80% AMI (\$85,650 for a household of four (4)); four (4) units at or below 90% AMI (\$96,368 for a household of four (4)); 19 units at or below 100% AMI (\$107,085 for a household of four (4)), and 66 units at or below 110% AMI (\$117,803 for a family of four (4)). The total project cost is \$67,500,520 with a County HIP investment of \$4,719,882, for a per unit cost of \$39,662 or 6.99%.

5. REGULAR AGENDA

E. HOUSING & ECONOMIC DEVELOPMENT (cont'd.)

3. SUMMARY (cont'd.):

Funding Sources	
M&T	\$26,635,000
FHFC/SAIL	\$15,400,000
Housing Initiatives Program	\$ 4,719,882
City of Riviera Beach	\$ 1,500,000
PRH Investments	\$ 1,500,000
Truist	\$ 8,992,516
Residences at Marina Village Developer LLC	\$ 8,823,122
Total Development Cost	\$67,500,520

Based on the preliminary third-party underwriter’s report, staff has negotiated final terms and conditions for BCC consideration. If awarded HIP, County funding will be provided in the form of a repayable loan at 1% Interest in accordance with the approved allocation process for developers. The agreement and related documents pursuant to these HIP funds will be between County and Residences at Marina Village LLC., a for-profit company (and its respective successors and/or assigns). The loan shall be secured by a mortgage and note that require repayment of principal and interest within 20 years. All County-Assisted Housing units will remain affordable for no less than 60 years. Affordability restrictions will be recorded through Declarations of Restrictive Covenants which shall survive the repayment of the loan for the duration of the affordability period. The final third-party underwriter’s report will be provided to DHED 30 days prior to loan closing and, as long as the report is consistent with the preliminary report, staff will prepare the loan agreement and other related documents. To facilitate project implementation, staff requests authorization for the County Administrator, or designee, to execute the loan agreement and all related documents for this project. District 7 (HJF)

5. REGULAR AGENDA

F. PLANNING, ZONING & BUILDING

1. ~~Staff recommends motion to adopt:~~ a Resolution encouraging municipalities, stakeholders, interested state agencies, and other taxing authorities to engage in a collaborative effort with each other for the successful development and adoption of a Countywide Transportation Master Plan (CTMP). **SUMMARY:** On July 17, 2024, The Board selected the multimodal fees as its preferred funding system and directed County staff to coordinate with representatives from the 39 municipalities in the development and release of a Request for Proposal (RFP) to receive proposals from transportation professionals for the development of a CTMP. Additionally, the BCC supported County Administrator Baker's recommendation to present the concept of a CTMP RFP to the Palm Beach County City Managers Association (PBCCMA) at their upcoming meetings for input and gave direction for staff to develop an RFP by September 2024. As part of the RFP development process, Planning, Zoning and Building staff have been working with the Department of Engineering and Public Works, Office of Equal Business Opportunity and Purchasing Departments as well as ad hoc multi-jurisdictional groups, including the PBCCMA, Intergovernmental Coordination Program Issues Forum and Intergovernmental Executive Committee, to obtain input for the RFP Scope of Services since the CTMP may be used as a foundation for PBC and municipalities within the County to separately adopt and/or update their specific plan of improvements. Each jurisdiction may be able to select appropriate recommendations that fit the needs of each unique community while coordinating regionally significant transportation corridors through the recommended framework. Ultimately, each plan of improvement adopted by each jurisdiction may lead to a plan-based improvement methodology as set forth and specifically referenced in Florida State Statutes. The RFP was released on December 12, 2024. Once a Consultant of national/international repute, with experience and capabilities in creating such plan is chosen, it will work with County staff and a core technical group of stakeholders regularly in the development of the CTMP. As part of the process, presentations to all stakeholders at key project milestones will be held in various geographical locations within Palm Beach County (PBC). The Consultant will be tasked with providing a methodology to build consensus through engagement with multiple public, private, and civic stakeholders and utilizing emerging technologies to develop an innovative CTMP to be considered and approved by the Board of County Commissioners (BCC). Countywide (DWL)

5. REGULAR AGENDA

G. FIRE RESCUE

1. ~~**Staff recommends motion to approve:** a Memorandum of Agreement (MOA) for use to contract with Affiliated Personnel in anticipation of being designated by the State of Florida as a Florida Urban Search and Rescue (USAR) Task Force. **SUMMARY:** Palm Beach County Fire Rescue is anticipating being designated as a Florida USAR. To operate as a Type 3 USAR MOAs must be in place prior to contracting with qualified Affiliated Personnel. The MOA sets forth the terms of the agreement and descriptions of each of the Affiliated Personnel for the role Structure Specialist, Canine Search Specialist and Medical Team Manager. This MOA will be used for qualified Affiliated Personnel selected to join the Palm Beach County Fire Rescue USAR. Countywide (SB)~~

H. ADMINISTRATION

1. **Staff requests Board direction:** regarding potential amendments to the Board of County Commissioners (BCC) of Palm Beach County, Florida, Rules of Procedure. **SUMMARY:** Pursuant to direction given at the BCC Zoning meeting on January 30, 2025, County Administration staff was tasked with placing an agenda item on the February 11, 2025 meeting to discuss: a) the policy for quorum at all BCC meetings; b) the extent and scope of what constitutes "Board Direction"; and c) how "Board Direction" is to be raised for consideration and approved for issuance to staff. The attached memorandum provides an overview of the provisions under the current Rules of Procedures and recommends potential revisions to the same based on the discussion by the BCC during the aforementioned meeting. Countywide (DC)

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FEBRUARY 11, 2025

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

FEBRUARY 11, 2025

7. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

FEBRUARY 11, 2025

8. COMMISSIONER COMMENTS

District 1 – COMMISSIONER MARIA G. MARINO

District 2 – COMMISSIONER GREGG K. WEISS

District 3 – COMMISSIONER JOEL G. FLORES

District 4 – COMMISSIONER MARCI WOODWARD

District 5 - COMMISSIONER MARIA SACHS

District 6 - COMMISSIONER SARA BAXTER

District 7 – COMMISSIONER BOBBY POWELL JR.

FEBRUARY 11, 2025

9. ADJOURNMENT

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

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