

BOARD OF COUNTY COMMISSIONERS  
BOARD MEETING  
PALM BEACH COUNTY, FLORIDA

ADDITIONS, DELETIONS, & SUBSTITUTIONS

JUNE 13, 2023

| <u>PAGE</u>              | <u>ITEM</u>         |   |                     |                     |                          |                 |                       |                |
|--------------------------|---------------------|---|---------------------|---------------------|--------------------------|-----------------|-----------------------|----------------|
| 9                        | 3B2                 | <p><b>*REVISED MOTION / TITLE (CLERK) / Staff recommends motion to approve</b> the following final minutes of the Board of County Commissioners' meetings:</p> <table><thead><tr><th><u>Meeting Date</u></th><th><u>Meeting Type</u></th></tr></thead><tbody><tr><td><u>February 28, 2023</u></td><td><u>Workshop</u></td></tr><tr><td><u>March 14, 2023</u></td><td><u>Regular</u></td></tr></tbody></table>   | <u>Meeting Date</u> | <u>Meeting Type</u> | <u>February 28, 2023</u> | <u>Workshop</u> | <u>March 14, 2023</u> | <u>Regular</u> |
| <u>Meeting Date</u>      | <u>Meeting Type</u> |   |                     |                     |                          |                 |                       |                |
| <u>February 28, 2023</u> | <u>Workshop</u>     |   |                     |                     |                          |                 |                       |                |
| <u>March 14, 2023</u>    | <u>Regular</u>      |   |                     |                     |                          |                 |                       |                |
| 10                       | 3E1                 | <p><b>*DELETE – Further Staff Review</b></p>  |                     |                     |                          |                 |                       |                |
| 18                       | 3H2                 | <p><b>*REVISED SUMMARY (FDO) / SUMMARY:</b> In accordance with County PPM CW-O-051, all delegated contracts, agreements, and grants must be submitted by the initiating Department as a receive and file agenda item. The attached standard agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator or designee, who in this case was the Director of the Facilities Development and Operations Department. The Standard License Agreement was approved in accordance with R2010-0333, as amended and approved by the Board on October 1, 2013. <u>The agreement with Senior Friendly Fitness, LLC did not entail payment of a license fee. The agreement with Sunfest of Palm Beach County, Inc. had a license fee of \$24,000.</u> These executed documents are now being submitted to the Board to receive and file. (FDO Admin) <u>Countywide</u> (YBH)</p>  |                     |                     |                          |                 |                       |                |
| 43                       | 3CC1                | <p><b>*REVISED MOTION / TITLE / SUMMARY (TOURIST DEV. COUNCIL) / Staff recommends motion to approve:</b> First Amendment to Tri-Party Agreement (R2021-1872) with the City of Boca Raton (<u>City</u>) and ESPN Productions, Inc. (ESPN) to extend the Agreement for one three-year term from August 1, 2023, to February 28, 2026, <u>in the amount not to exceed \$183,000 in FY 2024, in the amount not to exceed \$189,000 in FY 2025, and in the amount not to exceed \$196,000 in FY 2026.</u> <b>SUMMARY:</b> Palm Beach County entered into an Agreement with the City of <del>Boca Raton</del> and ESPN on December 7, 2021, to produce a college football bowl game featuring teams from NCAA Division I Football Bowl Games (<u>Boca Raton Bowl</u>). The Agreement allows for one (1) renewal for a three-year term. <del>The dollar amount for five years was approved on December 7, 2021, in the amount of \$177,000</del> <u>\$183,000 for the to be paid in 2023 year, for the production of the Boca Raton Bowl, and will increase by to \$189,000 for the in FY2024 year, and increasing to \$196,000 for the in FY 2025 year., and to \$6,000 each year for the remaining years.</u> <u>The Agreement provides for the City to match all of the County's funding obligations.</u> The County is extending that Agreement for one additional three-year term. All other terms of the Agreement remain unchanged. This amendment has been reviewed and approved by the Tourist Development Council (TDC) Board. <u>Countywide</u> (YBH)</p> |                     |                     |                          |                 |                       |                |
| 43                       | 3DD1                | <p><b>*REVISED SUMMARY (INTERNAL AUDITOR) / SUMMARY:</b> The Board delegated authority to the County Internal Auditor to approve peer review engagement letters from ALGA for future peer reviews in amounts not to exceed <u>\$10,000</u> for each triennial review. <u>Countywide</u> (DB)</p>  |                     |                     |                          |                 |                       |                |

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BOARD MEETING  
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| 49          | 5C2         | <p><b>*REVISED SUMMARY (COMMUNITY SERVICES) SUMMARY:</b> The cost of construction is significantly higher than previously estimated. Amendment No. 1 increases the overall total contract amount due to increased construction and equipment costs. Funding for the project will continue to be a collaboration, with the County contributing \$5,729,825, UWPBC contributing \$3,068,624, and the remaining \$1,934,824 to be secured by the Palm Beach County Food Bank, Inc. (PBCFB). To date, there has been significant progress with the project. The warehouse space for the build out was secured with a 20-year lease. All architectural designs have been completed and approved. PBCFB received the demolition permits and subcontractors have been selected by the General Contractor. The kitchen equipment and appliances were secured with a deposit to lock in current prices. The capacity expansion and enhancements will include space to process fresh produce, a commercial teaching kitchen for job training programming, year-round childhood feeding programs, nutrition education classes, and fundraising events with local chefs. Some of the economic opportunities include a community hub for personal and career development, the anticipation of up twelve full-time positions, and opportunity for workforce training. The funds generated for this project will sustain the support of additional full-time positions, enhance operations by increasing fleet capacity and improve the quality of meals being served. <b>These are County ARPA Response Replacement funds that do not require a local match.</b> (Administration) <u>Countywide</u> (HH)</p> |

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

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|-------------|-------------|---|
| 54          | 5E4         | <p><b>*ADD-ON (FDO) / Staff recommends motion to approve:</b> the Transit Village Subdivision replat on the condition that after approval by the City of West Palm Beach the County will hold such replat in escrow and recording of same will be at the closing of the transaction pursuant to the Purchase and Sale Agreement (R2012-1158). <b>SUMMARY:</b> On August 14, 2012, the County entered into an Agreement for Purchase and Sale (R2012-1158, as amended thrice: R2018-0956; R2020-0517; and R2021-1587; collectively referred to as PSA) with Transit Village, LLC (TV) for the sale of County-owned real property and air rights at the southeast corner of Banyan Boulevard and Clearwater Drive in the City of West Palm Beach, which is the current site of the County's Intermodal Transit Center (ITC Property). Pursuant to the PSA, TV is to construct a mixed-use development, including a parking garage on the ITC Property (Project). In order to satisfy the City of West Palm Beach's development requirements, TV is replatting the County property as the Transit Village Subdivision (Replat) into three separate tracts. The County will maintain ownership of Tract 3, approximately 1.648 acres, which is the existing area of Palm Tran's bus and passenger operations at the ITC. The Board of County Commissioners' (Board) approval of the Replat is required to authorize the Mayor to sign same as representative of the County as the property owner. Once the County has signed the Replat, it will be submitted by TV to the City of West Palm Beach (City) for final approval by the City Commission. Under the construction of the PSA, a condition precedent to closing is having County-approved plans, drawings and supporting documents, including permitting of same by the City. The Replat must then reflect and conform to the limits and boundaries established on said County-approved and City-permitted plans and drawings. Approval and recording of the Replat would necessarily occur prior to closing. TV has represented that delaying approval of the Replat until a later time would affect the ability to close and overall project implementation schedule. However, County Staff comments to the plans and construction drawings have remained unaddressed since February 17, 2023. Therefore, County Staff's position is that County approval of the Replat is premature at this time and the possibility remains that additional revisions to the Replat could be required prior to closing in order to conform it to eventual County-approved and City-permitted drawings. Consistent with prior Board direction, County Staff has accommodated TV's request to expedite approval of the Replat in order to facilitate project implementation.</p> |

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|--------------------|---|
| 54                 | 5E4 (cont'd.) <b>SUMMARY:</b> The required public hearing to consider the Replat has already been scheduled by the City Commission, at TV's request, to take place on June 26, 2023. In its exchanges with TV, County Staff recommended that the Replat be held in escrow by County following City Commission approval and not be recorded into the public records of Palm Beach County until closing on the property. The City is only willing to allow 60 days after approval by the City Commission to record the Replat, which County Staff suspects is an insufficient amount of time for TV to fulfill all pre-closing obligations of the PSA. TV has represented that it will obtain City's concurrence for the County to hold the Replat in escrow until closing. As of the date of this agenda item, a final determination from the City on said matter is yet to be received. County Staff is moving this item forward accommodating the aforementioned request by TV and based upon TV's representations regarding potential delays to the project timeline, and in alignment with prior Board direction to collaborate with TV towards project attainment. (Property & Real Estate Management) <u>District 2/Countywide</u> (HJF) |

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

\* \* \* \* \*

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

**JUNE 13, 2023**

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

**COMMISSION  
CHAMBERS**

- 1. CALL TO ORDER**
  - A. Roll Call
  - B. Invocation
  - C. Pledge of Allegiance
  
- 2. AGENDA APPROVAL**
  - A. Additions, Deletions, Substitutions
  - B. Adoption
  
- 3. CONSENT AGENDA (Pages 9 - 44)**
  
- 4. PUBLIC HEARINGS - 9:30 A.M. (Pages 45 - 46)**
  
- 5. REGULAR AGENDA (Pages 47 - 55)**
  
- 6. BOARD APPOINTMENTS (Page 56)**
  
- 7. STAFF COMMENTS (Page 57)**
  
- 8. BCC COMMENTS (Page 58)**
  
- 9. ADJOURNMENT (Page 59)**

\* \* \* \* \*

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- 3B-1 Warrant list
- 3B-2 Minutes
- 3B-3 Contracts and claims settlements list

**C. ENGINEERING & PUBLIC WORKS**

Page 9

- 3C-1 Resolution to approve Amendment One to the County Incentive Grant Program for construction of intersection improvements at SR-809/Military Trail and Forest Hill Blvd.

**E. COMMUNITY SERVICES**

Page 10

- ~~3E-1 Amendment No. 3 with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. for the Emergency Home Energy Assistance for the Elderly Program amend, revise and replace portions of the agreement and increase the overall total funding; and approve a Budget Amendment.~~

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- 3E-2 Partial Notice of Award No. 5 from the U.S. Department of Health and Human Services for new and existing programs for clients with HIV/AIDS; final Notice of Award No. 6; a partial Notice of Award No. 5; Notice of Award No. 6; delegate authority to County Administrator and approve Budget Amendment.

Page 12

- 3E-3 Modification to Emergency Rental Assistance Program 2 from the U.S. Department of the Treasury to increase funding.

Page 13

- 3E-4 Approve Amendment No. 1 with Alzheimer's Community Care, Inc. to extend the end date, and to amend, revise and replace portions of the agreement; and to increase the overall funding.

Page 14

- 3E-5 Approve the appointment of new member to the Homeless Advisory Board.

**F. AIRPORTS**

Page 14

- 3F-1 PBI Operating Permit with IBC Airways, Inc. for an operated flight.
- 3F-2 PBI Operating Permit with Global Crossing Airlines, Inc. for an operated flight.

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3F-3 Amendment No. 11 with The Morganti Group, Inc. for PBI exercising the final one year renewal option.

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3F-4 Resolution establishing a standard form Unmanned Aircraft System Activity Permit authorizing County Administrator or designee to execute the Permit.

**G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET**

Page 16

3G-1 Budget Amendment to establish the budget for the bond proceeds, costs of insurance and project costs in the 47.315M NAV Pub Imp Rev Bond, Series 2023C.

Page 17

3G-2 Negotiated settlement offer for the full satisfaction of a code enforcement lien.

**H. FACILITIES DEVELOPMENT & OPERATIONS**

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3H-1 First Amendment to Standard License Agreement for Use of County-Owned Property adjacent to the County Stockade located at 9620 Weisman Way for parking.

Page 18

3H-2 Standard License Agreement for Use of County-Owned Property for West County Senior Center and Judicial Center Parking Garage/Governmental Center Parking Garage.

Page 19

3H-3 Zero-dollar value Change Order No. 15 Contingency Use Directive No. 7 reflecting a decrease in the amount with Kaufman Lynn Construction, Inc. for the Canyon District Park project.

Page 20

3H-4 Amendment No. 1 with Urban Design Studio, LLC to reduce the Small Business Enterprise participation commitment due to Urban Design Studio, LLC has successfully completed the County's SBE program.

Page 21

3H-5 Approve Contract with REG Architect's, Inc. to provide professional architectural/engineering services for the Brooks Subdivision project.

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3H-6 Approval annual contract with Advanced Painting Contractors, Inc. for painting and weatherproofing services.

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3H7 Lease Agreement with City of Boynton Beach for use of office space within City Hall.

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3H8 Approve Agreement with Palm Beach County Sheriff's Office (PBSO) for the provision of food and laundry services to the County's Homeless Resource Center; and authorize County Administrator or designee.

**I. HOUSING AND ECONOMIC DEVELOPMENT**

Page 26

3I-1 Amendment 001 with the Town of Mangonia Park extending the completion date.

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3I-2 Executed documents in connection with a loan under the Housing and Urban Development Section 108 Loan Program.

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3I-3 Request for Release of Funds and Certification for an environmental review conducted on behalf of The Lord's Place.

Page 28

3I-4 Certification By State of Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan for Palm Beach County Housing Authority.

Page 29

3I-5 Agreements with City of Riviera Beach for the development of a new Playground and continued development of Phase II of the Urban Farm projects.

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3I-6 HOME Investment Partnership Program Loan Agreement with Autumn Ridge Apartments, Ltd; and ARPA Response Replacement Fund Loan Agreement.

**J. PLANNING, ZONING & BUILDING**

Page 30

3J-1 Interlocal Agreement with the Village of Royal Palm Beach providing for the annexation of an enclave known as Sunset Isles Condominiums.

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3J-2 Reappointment of two members to the Building Code Advisory Board.



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3K-1 Work Order No. 4 with Rangeline Tapping Services, Inc. for the Line Stop Fittings for Emergency Services project.

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3K-2 Consultant Services Authorization No. 9 with Holtz Consulting Engineering, Inc. for the Kings Point Water and Sewer Condition Assessment project.

Page 34

3K-3 Change Order No. 3 with All Webbs Enterprises, Inc. for the Upper Floridan Aquifer Well Rehabilitation contract for contract time extension.

Page 35

3K-4 Supplement No. 1 with Globaltech, Inc. for the Water Treatment Plant No. 8 Process Improvements, Design, Permitting, and Bidding Services.

**L. ENVIRONMENTAL RESOURCES MANAGEMENT**

Page 36

3L-1 Change Order No. 2 to the State of Florida, Department of Environmental Protection Agreement for a budget reallocation in the South Lake Worth Inlet Management Plan Implementation project.

**S. FIRE RESCUE**

Page 36

3S-1 Emergency Services Agreement for Mutual Assistance and Automatic Aid with the City of Coconut Creek for a period of ten years.

**T. HEALTH DEPARTMENT**

Page 37

3T1 Appoint a new member to the Environmental Appeals Board.

**X. PUBLIC SAFETY**

Page 38

3X-1 Emergency Medical Services County Grant Award Letter to improve and expand the EMS system; and approve a Budget Amendment.

3X-2 Amendment to the Miami UASI Budget Amendment Form attachment of the Memorandum of Agreement FY2021 with the City of Miami to receive reimbursable grant funding.

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**X. PUBLIC SAFETY (cont'd.)**

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3X-3 Amendment to Attachment A of the State-funded Grant Agreement for Emergency Management Preparedness and Assistance Grant with State of Florida, Division of Emergency Management to receive grant funding to improve and enhance emergency management plans and programs; and to provide operational support for such programs for July 2022 through June 2023.

3X-4 Amendment to Attachment A of the federally-funded Grant Agreement for Emergency Management Preparedness and Assistance Grant with the State of Florida, Division of Emergency Management to receive grant funding to improve and enhance emergency management plans and programs; and to provide operational support for such programs for October 2022 through September 2023.

Page 40

3X-5 Approve Amendment 1 to contract with Drug Abuse Treatment Association, Inc. and Amendment 2 to contract with Drug Abuse Foundation of Palm Beach County, Inc.

Page 41

3X-6 Contract with Legal Aid Society of Palm Beach County, Inc. to provide civil legal services to indigent citizens of Palm Beach County; and authorize County Administrator or designee.

**AA. PALM TRAN**

Page 42

3AA-1 Adopt a resolution approving Public Transportation Grant Agreement with the State of Florida Department of Transportation to provide assistance for the purchase of Transit Signal Priority equipment and installation; and approve Budget Amendment.

**CC. TOURIST DEVELOPMENT COUNCIL**

Page 43

3CC-1 First Amendment to Tri-Party Agreement with the City of Boca Raton and ESPN Productions, Inc. to extend the Agreement for one three-year term.

**DD. INTERNAL AUDITOR'S OFFICE**

Page 43

3DD-1 Executed peer review agreement with Association of Local Government Auditors to conduct peer review of the County Internal Auditor's Office quality control system.

**EE. OFFICE OF RESILIENCE**

Page 43

3EE-1 US Department of Agriculture's Urban Agriculture and Innovative Production program grant application.

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**CONSENT AGENDA**

**EE. OFFICE OF RESILIENCE (cont'd.)**

Page 44

3EE-2 US Environmental Protection Agency Environmental Justice Government to Government program grant application.

**PUBLIC HEARINGS – 9:30 A.M.**

**A. HOUSING AND ECONOMIC DEVELOPMENT**

Page 45

4A-1 First reading and permission to advertise for adoption hearing on July 11, 2023 a resolution of findings and designating real property located at 8760 Atlantic Avenue as a Brownfield Area for the purpose of rehabilitation, job creation and promoting economic development.

**B. PALM TRAN**

Page 46

4B-1 Standard Form LLL – Disclosure of Lobbying Activities and filing electronic grant application with FTA; approve Program of Projects for American Rescue Plan Act; and authorize County Administrator or designee.

**REGULAR AGENDA**

**A. OFFICE OF FINANCIAL MANAGEMENT & BUDGET**

Page 47

5A-1 Presentation on property values and the Property Appraiser's FY24 budget proposal.

**B. HOUSING AND ECONOMIC DEVELOPMENT**

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5B-1 American Rescue Plan Act Response Replacement Fund award; approve a Budget Transfer; direct staff to negotiate loan agreements; and authorize County Administrator or designee.

**C. COMMUNITY SERVICES**

Page 49

5C-1 Resolution creating Palm Beach County Veterans Advisory Board.

5C-2 Amendment No. 1 to Subrecipient Agreement with United Way of Palm Beach County, Inc. to increase the overall total agreement to provide funding assistance for the expansion of hunger relief system in order to increase food bank storage and food processing capacity.

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**REGULAR AGENDA**

**D. COUNTY ATTORNEY**

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5D-1 Employment contract with new Internal Auditor

**E. FACILITIES DEVELOPMENT & OPERATIONS**

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5E-1 Agreement to purchase vacant land north of Indiantown Road and east of Bee Line Highway from Jorge Rodriguez.

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5E-2 Agreement to purchase vacant land north of Indiantown Road and east of Bee Line Highway Helen Stratton.

Page 53

5E-3 Agreement to purchase vacant land north of Indiantown Road and east of Bee Line Highway Philip G. Rathof.

Page 54 - 55

5E-4 Transit Village Subdivision replat pending condition after approval of City of West Palm Beach, County will hold replat in escrow and recording at closing pursuant to Purchase and Sale Agreement.

**BOARD APPOINTMENTS** (Page 56)

**STAFF COMMENTS** (Page 57)

**COMMISSIONER COMMENTS** (Page 58)

**ADJOURNMENT** (Page 59)

3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER

1. **Staff recommends motion to receive and file:** Warrant List – Backup information can be viewed in the Clerk & Comptroller’s Office.
2. **Staff recommends motion to approve:** the following final minutes of the Board of County Commissioners’ meetings:

| <u>Meeting Date</u>      | <u>Meeting Type</u> |
|--------------------------|---------------------|
| <u>February 28, 2023</u> | <u>Workshop</u>     |
| <u>March 14, 2023</u>    | <u>Regular</u>      |

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

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to:**
  - A) **adopt** a Resolution to approve Amendment One (Amendment) to the County Incentive Grant Program (CIGP) Locally Funded Agreement (R2021-0991), dated September 14, 2021 (Agreement) with the State of Florida Department of Transportation (FDOT) for the construction of intersection improvements at SR-809/Military Trail and Forest Hill Boulevard (Project); and
  - B) **approve** the Amendment to the Agreement that increases the total project funding to \$8,301,832 for the Project.

**SUMMARY:** Approval of this Amendment will increase the total funding for the Project from \$5,539,668 to \$8,301,832. The project cost is shared equally by the County and FDOT through the FDOT CIGP grant. The additional Project funding is \$2,762,164. The County’s additional match is \$1,381,082. The additional grant funds are \$1,381,082. Since the Project is being constructed by FDOT, the County will provide its matching funds to FDOT. The Project will add turn lanes, replace the traffic signals, and install lighting at the intersection. The grant amount is being increased to reflect current costs and estimates of the Project. **The revised total local match is \$4,150,916 which is 50% of the estimated Project cost.** The County will be responsible for all costs above the grant amount and for maintenance of the traffic signals after construction is complete. The Project’s construction and construction engineering inspections will be administered by FDOT. **This Project is included in the Five-Year Road Program. District 3 (YBH)**

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

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

~~A) Amendment 003 for the Emergency Home Energy Assistance for the Elderly Program (EHEAEP) Intake Center Referral Agreement No. IP021-9500 (R2021-0785) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), to amend, revise, and replace portions of the agreement, increase the overall total funding by \$19,600 in an amount not to exceed \$75,147.20, and extend the funding end date from March 31, 2023 to September 30, 2023, to promote the development of a coordinated service delivery system to meet the energy needs of seniors; and~~

~~B) an upward Budget Amendment of \$4,770 in the Division of Senior and Veteran Services (DSVS) Administration Fund to align the budget to the actual grant award.~~

~~**SUMMARY:** Amendment No. 3 (Catalog of Federal Domestic Assistance (CFDA) #93.568) is necessary in order to continue providing seniors financial assistance with their electric bills. Seniors can access the program by going to the intake center near their place of residency. The number of seniors served is based on the amount of the grant and the individual needs of each client. DSVS is responsible for providing services north of Hypoluxo Road. The areas of service include all of the districts, excluding Districts 2, 4, 5 and 7 south of Hypoluxo Road. The Mae Volen Center, Inc. is responsible for providing services in the areas south of Hypoluxo Road. Sufficient funding is included in the current budget to meet County obligations. **No additional County match is required.** (DSVS) Countywide except for portions of Districts 2, 4, 5, and 7 south of Hypoluxo Road. (HH)~~

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

2. Staff recommends motion to:

- A) **receive and file** a partial Notice of Award (NOA) No. 5 H89HA00034-30-00 from the U.S Department of Health and Human Services (HHS), for the budget period March 1, 2023 through February 28, 2024, in the amount of \$1,272,274, for a total grant award amount of \$9,453,321 for the project period March 1, 2022 through February 28, 2025, for new and existing programs to continue improving health outcomes for clients with HIV/AIDS;
- B) **receive and file** a final NOA No. 6 H89HA00034-30-02 from HHS, for the budget period March 1, 2023 through February 28, 2024 in the amount of \$6,288,805, for a total grant award amount of \$7,561,079 for the budget period and \$15,742,126 for the project period March 1, 2022 through February 28, 2025;
- C) **receive and file** a partial NOA No.5 UT8HA33954-04-00 from HHS, for the budget period March 1, 2023 through February 28, 2024 in the amount of \$255,846, for a total grant award amount of \$3,994,307 for the project period March 1, 2020 through February 28, 2025, for Ending the HIV Epidemic (EHE): A Plan for America federal grant program focused on reducing new HIV infection in the United States by 90% by 2030;
- D) **receive and file** a NOA No. 6 UT8HA33954-02-04 from HHS, for the budget period March 1, 2021 through February 28, 2022, for a reduction in carryover funding of unobligated funds in the amount of \$19,567 for Grant Year (GY) 2022, for a total grant award amount of \$3,994,307 for project period March 1, 2020 through February 28, 2025;
- E) **receive and file** a final NOA No. 6 UT8HA33954-04-01 from HHS, for the budget period March 1, 2023 through February 28, 2024 in the amount of \$1,744,154, for a total grant award amount of \$2,000,000 for the budget period and \$5,738,461 for the project period March 1, 2020 through February 28, 2025, for EHE: A Plan for America federal grant program focused on reducing new HIV infection in the United States by 90% by 2030;
- F) **delegate** to the County Administrator, or designee, signatory authority on additional forms, certifications, contracts/agreements and amendments thereto, and any other necessary documents related to the Ryan White Part A HIV Emergency Relief and EHE grant programs; that do not substantially change the scope of work, terms or conditions of the agreement; and
- G) **approve** an upward budget amendment in the amount of \$166,733 in the Ryan White Care fund to align the budget with the actual grant awards.

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

2. **SUMMARY:** On December 6, 2022, the Board of County Commissioners (BCC) ratified the Mayor's signature on the Ryan White Part A HIV Emergency Relief Grant Program application (Ryan White Part A) (R2022-1431). On January 17, 2023, HHS, issued a partial NOA for Ryan White Part A in the amount of \$1,272,274. The grant allows the Community Services Department (CSD) to continue providing needed medical and support services to approximately 3,100 Palm Beach County residents with HIV/AIDS. On December 17, 2019, the BCC ratified the Mayor's signature on the EHE: A Plan for America federal grant application (R2019-1875). On January 18, 2023, HHS issued a partial grant award for EHE: A Plan for America federal grant program in the amount of \$255,846 and on March 1, 2023, HHS issued a final grant award in the amount of \$1,744,154 for a total grant award amount of \$2,000,000. This grant focuses on reducing HIV infections by 90% in the United States by the year 2030 by providing Rapid Entry to Care (REC) services. On March 2, 2023, HHS issued a reduction in carryover funding from the prior grant year to the current grant year in the amount of \$19,567 for the EHE: A Plan for America federal grant. The prior issued carryover amount was reduced and this change is included in the full GY 2023 award amount. Carryover amounts vary from year to year based on funds that were left over from prior grant year. In FY22, 3,485 persons with HIV were served under the Ryan White Part A and EHE grants. **These are federal grant funds, no County match is required.** (Ryan White Program) Countywide (HH)

3. Staff recommends motion to approve:

A) Modification to Emergency Rental Assistance Program 2 (ERAP 2), from the U.S. Department of the Treasury (Treasury), to increase funding with reallocated funds in the amount of \$2,392,309.57 for a new total funding amount of \$69,951,043.67; and

B) an upward Budget Amendment in the amount of \$2,392,310 within the ERAP Fund to recognize the additional funding received from the Treasury for ERAP 2.

**SUMMARY:** On January 12, 2023, the Deputy Secretary of the U.S. Treasury released instructions on requesting additional ERAP 2 funding that may be available due to reallocations from under-performing jurisdictions. As a high-performing jurisdiction and based on program needs, Palm Beach County requested an additional \$10,000,000. On April 12, 2023, the Treasury awarded Palm Beach County \$2,392,309.57. The full requested amount was not available as the amount of reallocated funds requested by eligible grantees was far greater than the funding available to distribute. As of April 18, 2023, \$91,737,009 has been disbursed on behalf of 10,559 unduplicated households under ERAP 1 and ERAP 2. The Catalog of Federal Domestic Assistance (CFDA) number for ERAP is 21.023. **No County match is required.** (Division of Human Services) Countywide (HH)



3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

4. **Staff recommends motion to approve:** Amendment No. 1 to Contract for Provision of Financial Assistance with Alzheimer's Community Care, Inc. (ACC) (R2019-1610), to extend the end date from September 30, 2023 to September 30, 2024, to amend, revise and replace portions of the agreement, and increase the overall total contract amount by \$563,721, for a new not-to-exceed amount of \$2,818,605, for the provision of dementia specific wrap-around services for clients and family caregivers. **SUMMARY:** This amendment extends the term end date by twelve (12) months and increases funding, allowing ACC to continue providing direct client services to clients and family caregivers through the Family Nurse Navigator Program (FNNP). FNNP provides a variety of services, which includes support to family caregivers, cognitive evaluation, support groups and specialized Alzheimer's day care services. In FY 2022, many caregivers were keeping their loved ones home due to the pandemic. Currently, there is a change in the number of clients seeking these programs, allowing ACC to serve many more clients and family caregivers. In FY 2022, 274 clients were served in specialized adult day care services and 574 clients and family caregivers were provided family nurse consultant services. In the new contract term, approximately 400 clients will be provided specialized adult day care services and approximately 900 clients and family caregivers will be provided family nurse consultant services. (Financially Assisted Agencies). Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

5. **Staff recommends motion to approve:** the appointment of one (1) new member to the Homeless Advisory Board (HAB), effective June 13, 2023:

| <u>Seat No.</u> | <u>Appointment</u> | <u>Seat Requirement</u>                               | <u>Recommended By</u>                  | <u>Term Expires</u> |
|-----------------|--------------------|---|--|---------------------|
| 6               | Karen J. Abbott    | Veterans Administration Medical Center Representative | Veterans Administration Medical Center | 09/30/2023          |

**SUMMARY:** On May 1, 2007, the Board of County Commissioners (BCC) established the HAB. Per Resolution No. R2016-0038, the total membership for the HAB shall be no more than 14 at-large members, comprised of members representing government, business providers, law enforcement, advocates, education, faith-based and the formerly homeless. Ms. Abbott is an employee of the Veteran’s Administration Health Care System. The diversity count for the 12 seats that are currently filled is African-American: 6 (50%), Caucasian: 4 (34%), Native-American: 1 (8%) and Hispanic-American: 1 (8%). The gender ratio (female: male) is 7:5. Ms. Abbott is Caucasian. Staff conducts targeted outreach in an effort to proffer candidates for appointments that maintain a diverse composition of the board. (Division of Human and Community Services) Countywide (HH)

F. AIRPORTS

1. **Staff recommends motion to receive and file:** Palm Beach International Airport (PBI) Operating Permit with IBC Airways, Inc. (IBC), a Florida corporation, for one (1) flight operation at PBI occurring on April 3, 2023, for payment of \$542.68. **SUMMARY:** IBC operated a flight on April 3, 2023, from Marsh Harbour, Bahamas (MHH) and landed at PBI to utilize the U.S. Customs facility to clear passengers entering the United States enroute to Pitt-Greenville Airport, NC (PGV). Resolution 2014-1709 authorizes the County Administrator or designee, the Director of the Department of Airports, to execute the standard County PBI Operating Permit. Countywide (AH)
2. **Staff recommends motion to receive and file:** Palm Beach International Airport (PBI) Operating Permit with Global Crossing Airlines, Inc. (Global), a Delaware corporation, for flight operations at PBI occurring on March 31, 2023, and April 2, 2023, for payment of \$2,593.24. **SUMMARY:** The Operating Permit enabled Global to use certain airport facilities at PBI for a round-trip flight operation for Florida Atlantic University (FAU) staff and alumni to attend the Final Four 2023 Men’s Basketball Tournament at NRG Stadium in Houston, Texas. Resolution 2014-1709 authorizes the County Administrator or designee, the Director of the Department of Airports, to execute the standard form operating permit. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

3. Staff recommends motion to approve: Amendment No. 11 to the Construction Manager (CM) at Risk Contract (Contract) with The Morganti Group, Inc. (MGI) for CM at Risk Services for Miscellaneous Airport Improvements for Palm Beach County Department of Airports (Department) exercising the final one (1) year renewal option for the continuation of services. **SUMMARY:** The Contract with MGI for CM at Risk Services for Miscellaneous Airport Improvements for the Department was approved by the Board on August 20, 2019 (R2019- 1221). The Contract is for 2 years with 3 one (1) year renewal options and is a task/work order based contract for CM at Risk services for the Department. MGI is a Danbury, Connecticut, based firm; however, the work will be directly managed by their southeast regional office in Palm Beach County. This solicitation for CM contractors was advertised on September 23, 2018 according to the Small Business Enterprise (SBE) Ordinance in place at the time, with a 15% SBE goal. MGI is on notice that all Guaranteed Maximum Price (GMP) issued pursuant to this contract will be subject to the requirements of the Equal Business Opportunity (EBO) Ordinance, including requesting Affirmative Procurement Initiatives (API's) be set prior to bidding the subcontracts. MGI along with their S/MBE teaming partner Cooper Construction Management and Consulting, Inc. (Cooper) were one of two firms selected to provide project management and construction supervision services. The Contract value to date is \$8,182,999.70. The County exercised the first one (1) year renewal option on August 17, 2021 (R2021-1023). The County exercised the second one (1) year renewal option on July 12, 2022 (R2022-0677). Approval of Amendment No. 11 will allow the County, at its sole discretion, to exercise the third, and final, one (1) year renewal option for the continuation of services provided under the CM at Risk Contract. The current cumulative S/M/WBE subcontractor participation for all work orders to-date under this contract is 44.5%. In addition, MGI's S/MBE teaming partner, Cooper, will provide 15% of the Construction Management Fees on projects assigned. Countywide (AH)

3. **CONSENT AGENDA APPROVAL**

F. **AIRPORTS** (cont'd.)

4. **Staff recommends motion to adopt:** a Resolution establishing a standard form Unmanned Aircraft System Activity Permit (Permit); authorizing the County Administrator or designee to execute the Permit; providing for severability; and providing an effective date. **SUMMARY:** The Resolution establishes a new standard form Permit for unmanned aircraft systems (UAS or drones) to operate at the Palm Beach County Glades Airport or the North Palm Beach County General Aviation Airport (Airports), and authorizes the County Administrator or designee to execute the Permit on behalf of the Board. For purposes of the Resolution, the Director of the Department of Airports (DOA) shall be considered a designee of the County Administrator. The Permit requires that UAS operators obtain a Certificate of Waiver or Authorization from the Federal Aviation Administration to operate, and establishes operational guidelines for the operation of UAS and allows DOA to designate areas on the Airport(s) for the operation of UAS. The Permit requires UAS operators to provide insurance and to register UAS, vehicles and ground support equipment with the DOA. Countywide (AH)

G. **OFFICE OF FINANCIAL MANAGEMENT & BUDGET**

1. **Staff recommends motion to approve:** a Budget Amendment of \$54,656,171 to establish the budget for the bond proceeds, costs of issuance, and project costs in the 47.315M NAV Pub Imp Rev Bonds, Series 2023C Capital Project Fund. **SUMMARY:** On April 18, 2023, the Board approved Resolution No. R2023-0538 which authorized the issuance of the Series 2023C Bonds. The tax exempt Series 2023C Bonds are for the purpose of funding the construction of the Medical Examiner's Office Expansion, Mosquito Control Redevelopment, Generators and Exterior hardening at critical County facilities, and to pay the cost of issuance of the bonds. The bonds, issued for a 20 year term at 3.423%, will provide the amount needed to fully fund the County's commitment to the projects. Through an electronic bid process, the County awarded the sale to Raymond James & Associates, Inc. The average annual debt service is \$3.797 million and will begin FY 2024. This budget amendment will establish the budget for the proceeds of the sale of the tax exempt Series 2023C Bonds. Countywide (DB)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to approve: a negotiated settlement offer in the amount of \$125,044 for the full satisfaction of a code enforcement lien entered against Leonidas Alfaro on September 18, 2019. **SUMMARY:** The Code Enforcement Special Magistrate (CESM) entered an order on March 12, 2018, which was amended on January 21, 2019 to provide an extension of time for compliance, for the property owned by Mr. Leonidas Alfaro, giving him until July 15, 2019 to bring his property located at 7030 Belvedere Rd, West Palm Beach, Florida into full code compliance. The property was cited for land use violations and construction without a building permit. Compliance with the CESM's order was not achieved, and a fine of \$250 per day was imposed. The CESM entered an order imposing a code lien against Leonidas Alfaro on September 18, 2019. The Code Enforcement Division (Code Enforcement) issued an affidavit of compliance for the property on January 5, 2023. The total fine on March 31, 2023 was \$312,609.82, the date on which settlement discussions began. Mr. Alfaro has agreed to pay Palm Beach County \$125,044 (40%) for full settlement of the outstanding code enforcement lien. Mr. Alfaro has listed the property for sale, and staff from the County's Facilities Development & Operations (FDO) is in the process of negotiating the acquisition of the property. To provide a clear title to FDO, Mr. Alfaro's attorney contacted Collections on March 31, 2023 to negotiate a lien settlement. The cited violation did not involve any life or safety issues, and it is a non-homestead property. District 2 (SF)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to receive and file: the First Amendment to Standard License Agreement for Use of County-Owned Property adjacent to the County Stockade located at 9620 Weisman Way, from April 13, 2023 through April 15, 2023 for parking by the public and the Palm Beach County Sheriff's office during the 2023 Barrett-Jackson event. **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 Standard License Agreement (R2023-0291) allowed the South Florida Fair and Palm Beach County Expositions Inc. to use the wheel lot for parking lot during the 2023 Barrett-Jackson event. The Fairgrounds requested the additional use of the paved parking area behind the Stockade as well. The attached Amendment One to Standard License Agreement has been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator or designee, who is in this case the Director of Facilities Development and Operations Department. The First Amendment to the Standard License Agreement was approved in accordance with R2010-0333, as amended and approved by the Board on October 1, 2013. This executed document is now being submitted to the Board to receive and file. (Property & Real Estate Management) Countywide/District 6 (HJF)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to receive and file:

- A) A Standard License Agreement for Use of County-Owned Property (West County Senior Center) for the period of January 1, 2023 through December 31, 2023, with the Senior Friendly Fitness, LLC for fitness classes; and
- B) A Standard License Agreement for Use of County-Owned Property (Judicial Center Parking Garage and Surface Lot, Governmental Center parking garage and 4<sup>th</sup> Street parking lot) for the period of May 5, 2023 through May 7, 2023, with Sunfest of Palm Beach County, Inc., for parking.

**SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts, agreements, and grants must be submitted by the initiating Department as a receive and file agenda item. The attached standard agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator or designee, who in this case was the Director of the Facilities Development and Operations Department. The Standard License Agreement was approved in accordance with R2010-0333, as amended and approved by the Board on October 1, 2013. The agreement with Senior Friendly Fitness, LLC did not entail payment of a license fee. The agreement with Sunfest of Palm Beach County, Inc. had a license fee of \$24,000. These executed documents are now being submitted to the Board to receive and file. (FDO Admin) Countywide (YBH)

3. CONSENT AGENDA APPROVAL

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

3. Staff recommends motion to receive and file: zero-dollar value (\$0) Change Order No. 15 Contingency Use Directive (CUD) No. 7 documenting a decrease in the amount of \$38,051.63 to the contingency fund of Amendment No. 1 (R2020-1812) for the Construction Manager (CM) at Risk Services contract (R2019-0850) with Kaufman Lynn Construction, Inc. for the Canyon District Park project. **SUMMARY:** On December 8, 2020, the Board of County Commissioners (Board) approved Amendment No. 1 (R2020-1812) to the CM at Risk Services contract (R2019-0850) with Kaufman Lynn Construction, Inc. in the amount of \$10,793,121.02, establishing a Guaranteed Maximum Price (GMP) for Phase 1 of the Canyon District Park project. Change Order No. 15 to Amendment No. 1 (Change Order No. 15) authorizes the substitution of the roofing subcontractor for the Canyon District Park-Phase 1 project. In accordance with Policy and Procedure Memorandum (PPM) CW-F-050, Lead Departments are authorized to approve \$0 Change Orders associated with a CUD (CUD Change Orders), then an agenda item notifying the Board of such \$0 Change Orders must be presented as a receive and file. Change Order No. 15 is a \$0 CUD Change Order. This agenda item is being submitted to notify the Board of a \$0 CUD Change Order established by PPM CW-F-050. The CM at Risk Services contract with Kaufman Lynn Construction, Inc. was awarded pursuant to the Small Business Enterprise (SBE) ordinance; however, the GMP was subject to the requirements of the Equal Business Opportunity (EBO) ordinance since it was established after January 1, 2019. On October 16, 2019, prior to subcontractor advertisement and bidding, the Goal Setting Committee applied an Affirmative Procurement Initiative (API) to the construction subcontracts of 25% SBE participation, of which 3% must be a Minority Business Enterprise (MBE) African American or Hispanic American. There is no SBE participation for this Change Order. To date, the cumulative SBE participation on this contract is 25.21% with 2.88% MBE participation. Kaufman Lynn Construction, Inc. is a Palm Beach County business. **The funding source for this project is the Infrastructure Sales Tax (IST) Fund.** (Capital Improvements Division) District 5 (MWJ)

3. CONSENT AGENDA APPROVAL

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

4. Staff recommends motion to approve: Amendment No. 1 to the continuing contract (R2022-0844) for property evaluation services with Urban Design Studio, LLC (UDS) to reduce the Small Business Enterprise (SBE) participation commitment of UDS since UDS has graduated from the County's SBE program. **SUMMARY:** On August 23, 2022, the Board of County Commissioners (Board) approved a continuing contract for property development evaluation services with UDS to provide planning, engineering and related consulting services to evaluate the possible development of existing county-owned property and potential land acquisition parcels that are associated with the design of various capital projects, which may include new construction, additions, or renovations. At the time of contract approval, UDS was a County certified SBE; and in its contract, UDS committed to an SBE participation goal of 100%, of which 9% is Minority Business Enterprise (MBE) participation for African American Owned Businesses. On March 23, 2023, UDS graduated from the County's SBE program, and its SBE certification was not renewed. Accordingly, Amendment No. 1 will revise the SBE participation commitment of UDS from 100% to 35% SBE participation. The County's Office of Equal Business Opportunity has reviewed this item and recommended this change. This continuing contract was presented to the Goal Setting Committee (Committee) on April 20, 2022. The Committee established a minimum mandatory contract goal of 20% SBE participation, so the revised UDS commitment of 35% SBE participation continues to meet the mandatory minimum goal. The Consultant committed to 35% SBE participation, of which 9% is MBE participation for African American owned businesses. S/M/WBE actual participation will be identified on each consultant services authorization (CSA), and will be tracked cumulatively over all CSAs issued under the continuing contract. (Capital Improvements Division) Countywide (MWJ)



3. CONSENT AGENDA APPROVAL

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

5. Staff recommends motion to approve: a contract with REG Architects, Inc. (Consultant) in the amount of \$670,725 to provide professional architectural/engineering (A/E) design, investigative, permitting and construction administration services for the Brooks Subdivision project. **SUMMARY:** The Brooks Subdivision is an existing single-family development project site, approximately 3.8-acres, located in the City of Riviera Beach that did not materialize and was acquired by Palm Beach County (County). As the existing subdivision remains vacant, the County intends to develop the twenty-two (22) parcels in order to construct affordable and/or workforce housing which is highly necessary within the County. The project will consist of twenty-two (22) detached single family housing units which will be distributed amongst three different layouts that may be either one story or two story units. At a minimum, the units shall include 3-bedroom/2-bathrooms, garage accommodations for one vehicle and approximately 1,400 square feet of living space each. Four (4) of the twenty-two (22) parcels are larger in size and are therefore capable of sustaining a larger housing unit slated for larger families. These units at a minimum shall include 4-bedrooms/2-bathrooms, garage accommodations for one vehicle and approximately 1,550 square feet of living space each. This contract authorizes the professional services necessary for the Brooks Subdivision residential development. Professional services include, but are not limited to the assessment of existing infrastructure, design of required ancillary parking facilities, and other customary site improvements; including professional architectural services, planning, geotechnical/survey services, customary civil, structural, mechanical/plumbing/electrical engineering, fire protection and landscape architectural services. The solicitation for design professionals was advertised on November 6, 2022 according to the Equal Business Opportunity (EBO) Ordinance, with the final selection on February 23, 2023. The project was presented to the Goal Setting Committee on November 2, 2022. The Committee established Affirmative Procurement Initiatives (APIs) of a minimum mandatory contract goal of 20% Small Business Enterprise (SBE) participation and an SBE evaluation preference. The Consultant has committed to 87% SBE participation for this contract. SBE participation for the project is 86.95%. The Consultant is a certified SBE and local firm. **These are County ARPA Response Replacement funds that do not require a local match. (Capital Improvements Division) District 7 (MWJ)**

3. CONSENT AGENDA APPROVAL

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

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

| <u>Contractor</u>                   | <u>Status</u> | <u>SBE or Non-SBE</u> |
|-------------------------------------|---------------|-----------------------|
| Advanced Painting Contractors, Inc. | Local         | Non-SBE               |

**SUMMARY:** On April 4, 2023, the Board of County Commissioners (Board) approved the annual painting and weatherproofing services contract (R2023-0416 though R2023-0420). The work consists of painting and weatherproofing services to County-owned properties on an as needed basis. The Contractor now joins the list of six (6) prequalified contractors for a total of seven (7) prequalified contractors with a contract expiration date of April 3, 2028. The specific requirements of the work will be determined by individual work orders issued against this annual painting and weatherproofing services contract. These contracts are five (5) year indefinite-quantity contracts with a maximum cumulative value of \$3,000,000 across all prequalified contractors. Work will be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors may qualify at any time and be added to this annual painting and weatherproofing services contract before the term ends. Projects \$100,000 or greater are advertised on the vendor self-service (VSS) website while projects \$200,000 or greater are additionally advertised in the newspaper. Projects less than \$100,000 are bid among the pool of certified Small Business Enterprise (SBE) contractors, when three (3) or more small businesses are qualified under the contract. The bidding pool is further expanded to include additional bidders responding to the specific project advertisement that submit a qualification application at least ten (10) calendar days before the bid due date. The annual painting and weatherproofing services contract was presented to the Goal Setting Committee on December 7, 2022 and the Committee established Affirmative Procurement Initiatives (APIs) of sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or an SBE contractor will be given a price preference for projects \$100,000 or greater if its bid is within 10% of the lowest non-small business bid. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for all work orders issued. (Capital Improvements) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

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

7. Staff recommends motion to approve: a Lease Agreement with the City of Boynton Beach for the use of approximately 220 square feet of office space within City Hall located at 100 E. Ocean Avenue in Boynton Beach, for an initial term of five years through February 28, 2028, with automatic one-year renewals at an annual rental rate of \$1. **SUMMARY:** This Lease Agreement (Agreement) is for approximately 220 square feet of office space to establish a Palm Beach County Community Services (Community Services) satellite office to directly assist the residents of the City of Boynton Beach (Boynton Beach). This satellite office will be used by Community Services staff to conduct intake and complete applications for housing stability services. Since March 2021, Community Services has provided housing stability services to 1,123 Boynton Beach families residing in zip codes 33425, 33426, 33435, 33436, and 33483, totaling \$10,295,368. The initial term of this Agreement becomes effective upon execution by the Board of County Commissioners, expires on February 28, 2028, and automatically renews annually unless either party cancels the Agreement upon ninety (90) days prior written notice to the other. Rent will be \$1 annually. The City is responsible for providing janitorial, water, sewer, waste disposal, electricity and telephone utility services. Property & Real Estate Management will have administrative responsibility for this Lease Agreement. (Property & Real Estate Management) District 7 (HJF)

3. CONSENT AGENDA APPROVAL

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

8. Staff recommends motion to:

- A) **approve** an Agreement with the Palm Beach County Sheriff's Office (Sheriff) for the provision of food and laundry services to the County's Homeless Resource Center a/k/a the Senator Philip D. Lewis Center (Lewis Center), the Lewis Center Annex, Melissa's Place Lake Village at the Glades (Melissa's Place), and the Central County Housing Resource Center ("CCHRC"); not to exceed \$235,000 annually, effective June 18, 2023 through June 18, 2028; and
- B) **authorize** the County Administrator or designee, which in this case shall be the Director of Facilities Development and Operations (FDO) to execute amendments to this Agreement involving necessary administrative and logistical changes that may need to be addressed as the County's housing resource centers continue to evolve.

3. CONSENT AGENDA APPROVAL

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

8. **SUMMARY:** Since July 2, 2012 when the Lewis Center opened, the County has been meeting its obligation to its housing resource centers lead operator (“Goodwill”) to: 1) produce meals meeting established dietary guidelines for adults and juveniles; and (ii) provide laundry service for linens, including bedding and towels, via agreements with the Sheriff (R2012-0885, R2015-0483 and R2018-0915). Staff is recommending that the County continue to meet its obligations to Goodwill for food and linen/laundry services through an Agreement with the Sheriff to use his facilities at the Main Detention Center (MDC) and West Detention Center (WDC) for a five year period. The Sheriff’s contracted food service provider (Food Service Provider) will continue to produce the meals on-demand. This Agreement requires that: (i) the Sheriff provide the County with meals and linens for use at the Lewis Center, Lewis Center Annex (a temporary extension of the Lewis Center), and the Central County Housing Resource Center (CCHC, which will be opening in Fall 2023); and linens only at Melissa’s Place; (ii) the County order and pick-up meals and linens from the MDC and WDC; (iii) the County reimburse the Sheriff for out of pocket expenses associated with production of meals actually ordered; and (iv) the County reimburse the Sheriff for out of pocket costs for lost trays and for linens required in excess of the annual allotment. The County will be opening the CCHRC in Fall 2023 and transitioning the residents of the Lewis Center Annex to the CCHRC before closing the Lewis Center Annex. The Agreement permits both the County and the Sheriff, upon mutual agreement, to delegate each of their administrative and logistical responsibilities to the Director of Facilities Development & Operations and the Major, Corrections Operations, respectively. Certain administrative responsibilities such as the ordering, meal preparation, serving of meals and transport duties can be further assigned to Goodwill and the Sheriff’s Food Service Provider. The Agreement is effective on June 19, 2023 and continues for five (5) years, with an expiration date of June 18, 2028, or until the expiration of the Food Service Provider’s contract, whichever occurs first. The Agreement may be terminated by either party, with or without cause with a minimum of thirty (30) days’ notice. Due to this being an on-demand contract with no minimum purchase requirement, the County is free to order as many or few meals as needed, allowing the County to utilize alternate food production sources/approaches as determined to be appropriate on a case by case or longer term basis. (FDO Admin) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT

1. **Staff recommends motion to receive and file:** Amendment 001 to Agreement (R2022-0023) with the Town of Mangonia Park, dated October 1, 2021, funded under various Fiscal Years for the Community Development Block Grant (CDBG) program, extending the completion date from August 31, 2022 to March 31, 2023. **SUMMARY:** The original Agreement provided \$54,939 in funding for playground equipment and improvements at the Addie Greene Park, located at 1233 53<sup>rd</sup> Street, in the Town of Mangonia Park. Amendment 001 extended the original Agreement performance requirement to submit for 100% reimbursement of CDBG funds from August 31, 2022 to March 31, 2023. Construction has been completed and the extension allowed the Town ample time for final inspections and project close-out documentation. The original Agreement was received and filed by the Board of County Commissioners (BCC) under Agenda Item 3I-4 on January 4, 2022. Amendment 001 was executed on March 29, 2023, on behalf of the BCC by the Director of the Department of Housing and Economic Development in accordance with Agenda Item 5A-3 (R2019-0979); dated July 2, 2019 that delegated authority to the County Administrator or designee. County PPM CW-O-051 provides that all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. **These are Federal CDBG funds which require no local match.** District 7 (HJF)
  
2. **Staff recommends motion to receive and file:** Documents executed in connection with a loan made to Daniel Madistin, L.L.C., in the amount of \$900,000 under the Housing and Urban Development (HUD) Section 108 Loan Program as follows:
  - A) Palm Beach County Section 108 Promissory Note;
  - B) Palm Beach County Section 108 Loan Agreement;
  - C) Section 108 Loan Program Agreement;
  - D) Mortgage Agreement with Assignment of Leases and Rents;
  - E) Collateral Security Mortgage Agreement;
  - F) Guaranty Agreement;
  - G) Environmental Indemnity Agreement;
  - H) Further Assurances and Errors and Omissions Statement;
  - I) State of Florida Uniform Commercial Code 1 Financing Statement; and
  - J) Intercreditor Agreement.

3. CONSENT AGENDA APPROVAL

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

2. **SUMMARY:** This Section 108 loan in the amount of \$900,000 is to Daniel Madistin, L.L.C., owner and operator of the Greenacres Learning Center (Center) located at 3950 South 57<sup>th</sup> Avenue, Greenacres, Florida. The Center currently has approximately 150 students and seven employees. This \$7.5M expansion project will create 26 new full-time equivalent jobs over five years and increase the building from 6,300 sq. ft. to a total of 13,000 sq. ft. The \$900,000 in Section 108 loan funds are leveraged with a bank loan and owner's equity. In accordance with County PPM CW-0-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The documents have been executed on behalf of the Board of County Commissioners (BCC) by the County Administrator or Designee in accordance with Resolution R2009-0725, and are now being submitted to the BCC to receive and file. District 3 (DB)
  
3. Staff recommends motion to approve: a Request for Release of Funds and Certification (HUD Form 7015.15) required for an environmental review conducted on behalf of The Lord's Place. **SUMMARY:** The U.S. Department of Housing and Urban Development (HUD) awarded a \$998,900 Community Project Funding (CPF) grant to The Lord's Place to renovate the interior of 17 residential units at its Family Campus located at 4964 Wedgewood Way, West Palm Beach, FL 33417. The Family Campus is a supportive housing facility for families experiencing homelessness. The CPF Program requires that an environmental review be performed in accordance with Federal regulations at 24 CFR Part 58. Palm Beach County bears responsibility for completing environmental reviews for HUD-funded projects located within the geographic area of its land use authority. The environmental review has been completed and the County must now provide HUD with a Request for Release of Funds and Certification (HUD Form 7015.15) for the project. The Certification affirms that procedures required by 24 CFR Part 58 have been followed, the activity did not require an Environmental Impact Statement, and the County will comply with the National Environmental Policy Act and other environmental laws as they relate to the activity. A required Notice of Intent to Request Release of Funds was published on March 30, 2023, and no public comments were received during a 7-day comment period. Approval of the Certification will allow The Lord's Place to proceed with CPF activities that will shelter homeless families. District 2 (HJF)

3. CONSENT AGENDA APPROVAL

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

4. Staff recommends motion to execute: a “Certification By State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan” for the Palm Beach County Housing Authority (PBCHA) in connection with its Annual Plan for Fiscal Year 2023-2024. **SUMMARY:** The PBCHA has prepared its Annual Plan for Fiscal Year 2023-2024 for submission to the Department of Housing and Urban Development (HUD). HUD requires the County to confirm that the plans and programs outlined in the Annual Plan are consistent with the goals and objectives set forth in the County’s Consolidated Plan. Consistency with the Consolidated Plan is documented through a “Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan.” The Department of Housing and Economic Development (HED) has reviewed the PBCHA Annual Plan Summary and determined that the goals, objectives, and activities outlined therein are consistent with the Palm Beach County Consolidated Plan for Fiscal Years 2020-2024. Some specific goals outlined in the PBCHA’s Plan which are consistent with the goals set forth in the County’s Consolidated Plan are to target assistance to households with incomes of no more than 50% of Area Median Income, as well as the elderly and families with disabilities. The Plan also calls for activities that will affirmatively further fair housing, increase the number of affordable housing units and de-concentrate public housing. Countywide (HJF)



3. CONSENT AGENDA APPROVAL

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

5. Staff recommends motion to receive and file:

- A) an Agreement with the City of Riviera Beach, in the amount of \$200,000 for the development of a new Playground located adjacent to the Brooks Center; and
- B) an Agreement with the City of Riviera Beach, in the amount of \$18,000 for the continued development of Phase II of the Urban Farm project.

**SUMMARY:** The Fiscal Year 2020-2021 Action Plan (R2020-0926) was amended to combine CDBG funds in the amount of \$26,968 and \$173,032 under Fiscal Year 2022-2023 (R2022-0746) for a total of \$200,000 in Community Development Block Grant (CDBG) funds to develop the Brooks Center Playground project. The playground will incorporate STEM themes such as Aerospace, Energy and or Robotics on a site comprising of two (2) lots within the area bound by the intersection of Atlanta Street North and West 5<sup>th</sup> Street, adjacent to the Brooks Center. Under Fiscal Year 2022-2023, \$18,000 in CDBG funding will continue the Phase II development of the existing Urban Farm project that promotes and expands the City's self-sufficiency and sustainability, by the continued provision of agricultural crops to its residents. The Urban Farm is located in the area of 1621 West Blue Heron Boulevard and 1901 Avenue S. These funding activities occurred via a CDBG Action Plan Amendment to FY2020-2021 and FY2022-2023 by the Department of Housing and Economic Development (DHED) as approved on April 1, 2023. The Agreements have been executed on behalf of the Board of County Commissioners by the Director of the DHED in accordance with R2022-0746; dated July 12, 2022 that delegated authority to the County Administrator or designee. County PPM CW-O-051 provides that all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. **These are Federal CDBG funds which require no local match.** District 7 (HJF)

3. CONSENT AGENDA APPROVAL

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

6. Staff recommends motion to receive and file:

A) a HOME Investment Partnership Program (HOME) Loan Agreement with Autumn Ridge Apartments, Ltd; and

B) a ARPA Response Replacement Fund Loan Agreement with Autumn Ridge Apartments, Ltd.

**SUMMARY:** The documents 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 Agenda Item 6D-1 and 6E-2, as approved by the BCC on August 17, 2021 and October 18, 2022 respectively. Agenda Item 6D-1 dated August 17, 2021 awarded HOME funds to successful respondents to Request for Proposal HES.2021.1, and Agenda Item 6E-2 dated October 18, 2022, awarded ARPA funds to successful respondents to Request for Proposal HES.2021.1. The Loan Agreements with Autumn Ridge Apartments, Ltd. provided \$715,000 in HOME funding, and \$2,760,000 in ARPA Response Replacement Fund toward the construction of Autumn Ridge Apartments, a 106-unit multifamily development in Westgate/Belvedere CRA in unincorporated West Palm Beach. All County assisted units will be provided to persons with incomes at 80% of the Area Median Income or below. 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. **HOME Program grant funds are Federal funds which require a 25% local match provided by SHIP funds. These are County ARPA Response Replacement Fund that do not require a local match.** District 7 (HJF)

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to approve: An Interlocal Agreement (ILA) with the Village of Royal Palm Beach providing for the annexation of an enclave, known as the Sunset Isles Condominiums generally located on the South side of Okeechobee Blvd., west of N. State Road 7. **SUMMARY:** The Village of Royal Palm Beach (Village) adopted an interlocal agreement on April 20, 2023, for the annexation of an enclave totaling 18.40 acres, identified in Exhibit A of the Interlocal Agreement. The proposed annexation was processed through the County's reviewing departments, including Fire Rescue; Engineering; Planning, Zoning & Building; Environmental Resources Management; Parks and Recreation; Water Utilities; County Attorney; Property and Real Estate Management; Sheriff's Office; and the Office of Financial Management and Budget. The Village provided written notice to all owners of real property located within the enclave. The proposed annexation meets the requirements of Chapter 171, F.S., and is consistent with the Intergovernmental Coordination Element of the County's Comprehensive Plan. District 6 (DL)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING (cont'd.)

2. Staff recommends motion to approve: Reappointment of two (2) members to the Building Code Advisory Board (BCAB).

| <u>Reappointment</u> | <u>Seat</u> | <u>Requirement</u> | <u>Recommended By</u>                          | <u>Term</u>     |
|----------------------|-------------|--------------------|--|-----------------|
| A. Thomas Hogarth    | 11          | Engineer           | Florida Engineer Society<br>Palm Beach Chapter | 6/13/23-6/12/26 |
| Robert A. Brown      | 3           | Building Official  | Building Officials Assoc.<br>Of PBC (BOAPBC)   | 6/13/23-6/12/26 |

**SUMMARY:** The Building Code Advisory Board (BCAB) was established by a Special Act of the Florida Legislature in 1974, and amended in 2001. The term of office for board members is three years with no limit to the number of terms a member may serve. The Board is comprised of 16 members; one registered architect appointed from nominees submitted by the Palm Beach Chapter of the American Institute of Architects (AIA); one professional engineer appointed from nominees submitted by the Palm Beach Chapter of the Florida Engineering Society (FES); seven members appointed from nominees submitted by any recognized regional industry trade association; and seven Building Officials, one from each commission district, appointed from nominees submitted by the Building Officials Association of Palm Beach County (BOAPBC). This Advisory Board has 16 seats, 13 currently filled and 3 vacancies, and a diversity count of Caucasian: 9 (69%), African-American: 2 (15%), Asian-American: 1 (8%) and Hispanic-American: 1 (8%). The gender ratio (male: female) is 12:1. The nominees are one Caucasian and one African-American male. Staff has addressed the need to increase diversity within our boards and will continue to encourage this in an effort to expand the Boards diversity. Countywide (RM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. Staff recommends motion to approve: Work Order (WO) No. 4 to the Pipeline Wet Tapping and Line Stops Continuing Construction Contract (Continuing Contract) with Rangeline Tapping Services, Inc. (Contractor), for the Line Stop Fittings for Emergency Services (Project) in the amount of \$224,490. **SUMMARY:** On January 12, 2021, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2021-0062) with Contractor. WO No. 4 provides for the furnishment of all the material necessary for future emergency installation of line stops on pressurized pipes within the PBCWUD service area. The Project includes the supply of epoxy coated line stop fittings with 304 Stainless Steel (SS) hardware and epoxy coated Ductile Iron (DI) carbon steel blow down saddles with 304 SS dual straps/hardware for 24-inch through 54-inch DI Pipe (DIP) and Prestressed Concrete Pressure Pipe (PCPP). The Continuing Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On April 15, 2020, the Goal Setting Committee applied an Affirmative Procurement Initiative (API) of a Small Business Enterprise (SBE) Price Preference. The Continuing Contract provides for 100% SBE participation. The Contract provides for 100% SBE participation. WO No. 4 includes 0.00% SBE participation. The cumulative SBE participation including WO No. 4 is 0.00%. At the time of award, the Contract provided for 100% SBE participation. The Contractor has since graduated from the SBE program. Contractor is a Palm Beach County based company. The Project is included in the PBCWUD FY23 budget. (PBCWUD Project No. 23-032) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

2. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 9 to the Consulting/Professional Utility Distribution & Collection System Engineering Services (Contract) with Holtz Consulting Engineers, Inc. (Consultant) for the Kings Point Water and Sewer Condition Assessment (Project) for a not to exceed amount of \$138,442.79. **SUMMARY:** On December 15, 2020 the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2020-1897) with Consultant. CSA No. 9 provides for consulting/professional engineering services to evaluate and prioritize future water and wastewater improvement projects within Kings Point residential community in Delray Beach. The services include, but are not limited to, evaluation and plan development, which will help to develop capital improvement projects focused on the water distribution and wastewater collection systems. This Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On October 2, 2019, the Goal Setting Committee applied an Affirmative Procurement Initiative (API) of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting goal and an evaluation preference for up to 15 points based upon the relative level of dollar participation by certified SBE firms. The Contract provides for 96.00% SBE participation, which includes 90.00% MBE participation, 85.00% MBE (H) and 5.00% MBE (A). CSA No. 9 includes 0.00% SBE participation, which includes 0.00% MBE participation, 0.00% MBE (H) and 0.00% MBE (A). The cumulative SBE participation including CSA No. 9 is 76.45% SBE, which includes 68.57% MBE participation, 67.32% (H) and 1.25 MBE (A). Consultant is a Palm Beach County based company. This project is included in the PBCWUD FY23 budget. (PBCWUD Project No. 23-030) District 5 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

3. Staff recommends motion to approve: Change Order (CO) No. 3 with All Webbs Enterprises, Inc., (Contractor) for the Upper Floridan Aquifer (UFA) Well Rehabilitation (Contract) in the amount of \$258,199.10 and for a Contract time extension of 84 calendar days. **SUMMARY:** On August 17, 2021, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2021-1081) with Contractor. The Project provides for the rehabilitation of eight (8) Upper Floridan Aquifer production wells (TP-2, PW-3, PW-4, PW-6, PW-7, PW-8, PW-10, and PW-11) for PBCWUD Water Treatment Plant (WTP) No. 11, located in Belle Glade. The Project also includes removal and reinstallation of wellhead and pumping equipment, well video inspection, geophysical logging, performance testing, acid treatment, post-rehabilitation testing, water disposal management, well disinfection and clearance, electrical work, reporting, and an optional cement back-plugging of one well and site restoration at each well. The optional cement back-plugging of well PW-10 was elected. CO No. 3 includes additional costs and contract time to complete the cement back-plugging of well PW-10 in the amount of \$258,199.10 and 84 calendar days. Additional change order items include the addition of 34 calendar days due to delays associated with laboratory protocols, six (6) days and \$3,000 for costs associated with the evaluation of an obstruction in well PW-6. The Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On December 17, 2020, the Goal Setting Committee applied an Affirmative Procurement Initiative (API) of a Small Business Enterprise (SBE) Price Preference. The Contract provides for 95.22% SBE participation. CO No. 3 includes 0.00% SBE participation. The cumulative SBE participation including CO No. 3 is 79.46%. At the time of award, the Contract provided for 95.22% SBE participation. The Contractor has since graduated from the SBE program. The Contractor is a Palm Beach County based company. The Project is included in the PBCWUD FY 23 budget. (PBCWUD Project No. 20-041) District 6 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

4. Staff recommends motion to approve: Supplement No. 1 to Consultant Services Authorization (CSA) No. 1 to the Consulting/Professional Services Water Treatment Plant No. 8 (WTP 8) Process Improvements (Contract) with Globaltech, Inc., (Globaltech) for the WTP 8 Process Improvements Design, Permitting, and Bidding Services (Project) for a not to exceed amount of \$232,181.93. **SUMMARY:** On June 8, 2021, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2021-0756) with Globaltech. The CSA No. 1 provides consulting/professional engineering, surveying, design, permitting, bidding services for the process improvements at WTP 8. At 30% design submittal, the Opinion of Probable Construction Cost was more than anticipated and budgeted by PBCWUD which was partially contributed by high market inflation. Globaltech provided additional engineering services to perform value engineering and scope reduction review per PBCWUD's request. This supplement is to compensate Globaltech for the additional design services due to the scope changes. The Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On August 19, 2020 the Goal Setting Committee applied an Affirmative Procurement Initiative of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting goal and evaluation preference for up to 15 points based upon the relative level of dollar participation by certified African American owned firms. The Contract provides for 33% SBE participation, which includes 32% MBE participation, 13% MBE (B), 1% MBE (H), and 18% MBE (A). Supplement No.1 includes 25.65% SBE participation, which includes 20.12% MBE, 2.17% MBE (B), 6.93% MBE (A), and 11.01% MBE (H). The cumulative SBE participation including this Supplement No. 1 is 48.94%, which includes 44.72% MBE, 13.31% MBE (B), 27.14% MBE (A), and 4.26% MBE (H). Globaltech is a Palm Beach County based company. The Project is included in the PBCWUD FY23 budget. (PBCWUD Project No. 21-044) District 2 (MWJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to receive and file: Change Order No. 2 to the State of Florida, Department of Environmental Protection (FDEP) Agreement No. 20PB11 (Agreement) for a budget reallocation of \$4,775.18 in the South Lake Worth Inlet Management Plan Implementation (Project). There is no change to the grant amount or to the termination date of July 30, 2023. **SUMMARY:** On October 8, 2019, the Board of County Commissioners approved the Agreement (R2019-1540), providing for design, construction, and monitoring of the Project. Change Order No. 2 reallocates \$4,775.18 from monitoring to construction in order to provide additional State cost share toward the underfunded portion of construction work. Delegated authority to execute all future time extensions, task assignments, certifications, and any other forms associated with the Agreement, and any necessary minor amendments that do not significantly change the scope of work, terms, or conditions of the Agreement was approved at that time. In accordance with County PPM CW-O-051, all delegated contracts, agreements, and grants must be submitted by the initiating department as a receive and file agenda item. **There is no cost to the County.** District 4 (SF)

S. FIRE RESCUE

1. Staff recommends motion to approve: an Emergency Services Agreement for Mutual Assistance and Automatic Aid with the City of Coconut Creek (City), for a period of ten (10) years commencing on June 13, 2023 through June 12, 2033. **SUMMARY:** The Agreement provides for emergency mutual assistance and automatic aid to each party for fire suppression, emergency medical services, hazardous material response, and technical rescue. The Agreement further authorizes the parties' Fire Chiefs to enter into Letter(s) of Understanding to develop automatic aid/closest unit response plans and procedures. The Agreement may be terminated by either party, upon thirty (30) days prior notice to the other party. Countywide (SB)



3. CONSENT AGENDA APPROVAL

T. HEALTH DEPARTMENT

1. Staff recommends motion to approve: the appointment of one (1) member to the Environmental Appeals Board to complete the term of Wayne Blythe 8-17-21 to 8-16-2024.

| <u>NOMINEE:</u> | <u>SEAT #:</u> | <u>REQUIREMENT:</u>                           | <u>NOMINATED BY</u> |
|-----------------|----------------|---|---------------------|
| Gregory Vazquez | 2              | Water Resource Professional employed by SFWMD | SFWMD               |

**SUMMARY:** The Board is composed of five (5) members. Membership must consist of one (1) lawyer recommended by the Palm Beach County Bar Association; one (1) member of the Gold Coast Builders Association (formerly known as Home Builders and Contractors Association); one (1) professional engineer recommended by the Palm Beach Branch of the American Society of Civil Engineers (ASCE); one (1) water resource professional employed by the South Florida Water Management District (SFWMD); and one (1) drinking water engineer employed by the Department of Environmental Protection (DEP). The applicant for appointment is for Seat # 2, Gregory Vazquez is a water resource professional recommended by the South Florida Water Management District (SFWMD). With this approval, the Board will consist of 4 members: diversity as: 1 African-American (20%), 1 Caucasian (20%), 2 Hispanics (40%) and 1 vacant seat (20%) awaiting recommendation from DEP. The gender ratio (female: male) is 1:3. Countywide (HH)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to:

**A) receive and file** the Emergency Medical Services (EMS) County Grant ID Code C1050 Award Letter from the Florida Department of Health, Bureau of EMS to improve and expand the EMS system for the period March 1, 2023 through February 29, 2024, in the amount of \$174,438; and

**B) approve** a Budget Amendment of \$174,438 in the EMS Grant Fund to adjust the budget to reflect the actual grant award of \$174,438.

**SUMMARY:** The EMS County Grant (CSFA #64.005) is an annual grant provided to Palm Beach County from the Florida Department of Health, Bureau of EMS, to improve and expand the EMS system. The funds are used to purchase EMS equipment which is distributed to EMS providers and other agencies that are eligible for EMS grant funding. On January 10, 2023, R2023-0023 authorized the County Administrator to sign the FY2022-2023 annual EMS county grant application. **No county matching funds are required for this grant.** Countywide (SB)

2. Staff recommends motion to: receive and file an amendment to the Miami UASI Budget Amendment Form attachment of the Memorandum of Agreement (MOA) UASI FY 2021 agreement number R0521 with the City of Miami to receive \$465,726 in reimbursable grant funding for the period July 1, 2022 through June 30, 2023.

**SUMMARY:** On November 15, 2022 the Board of County Commissioners (BCC) received and filed the MOA (CFDA # 97.067) that provides a means of funding various domestic security activities within the County using Federal UASI funds through the City of Miami as the UASI's fiscal agent. UASI awarded \$465,726 to the County's Public Safety Department Division of Emergency Management for a Fort, generator, and regional Citizen Corps/CERT training, exercise and equipment. R2013-0622 gave the authority to the County Administrator, or designee, to execute these agreements on behalf of the BCC. An amendment to the attachment was necessary due to a change in grant project priorities. No changes were made to the overall amount of grant funding received, only a change in project scope in order to effectively spend down the grant funds. Added projects now include two (2) generators, deployable technology and computers and regional Citizen Corps/CERT training, exercise and equipment. **No County matching funds are required.** Countywide (DB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (cont'd.)

3. Staff recommends motion to receive and file: an amendment to Attachment A (2) of the State-funded Grant Agreement (A0281) for FY2022-23 in the amount of \$105,806 for the Emergency Management Preparedness and Assistance (EMPA) Grant with the State of Florida, Division of Emergency Management (FDEM) to receive grant funding for the period of July 1, 2022 through June 30, 2023, to improve and enhance emergency management plans and programs and provide operational support to maintain state required programs. **SUMMARY:** On October 18, 2022 the Board of County Commissioners (BCC) received and filed the EMPA grant (CSFA #31.063), a state funded grant that recurs annually. This grant will be used to further enhance emergency planning, response, mitigation, and recovery in the County. R2012-1731 dated November 20, 2012 gave authority to the County Administrator, or designee, to execute this agreement on behalf of the BCC. An amendment was necessary to the attachment due to the original project costs coming in lower than anticipated. No changes were made to the overall amount of grant funding received, only a change in project scope in order to effectively spend down the grant funds. Added projects now include a Community Emergency Response Team (CERT) training course, backup water supply, duty officer support supplies, small generators, FORTs power cord, power distribution boxes and power cords for the power distribution boxes. **The EMPA grant requires a match at the amount either equal to the average of the previous three years' level of county general revenue funding for the Division of Emergency Management (DEM) budget or the level of funding for the DEM budget for the last fiscal year, whichever is lower.** Countywide (DB)
  
4. Staff recommends motion to receive and file: an amendment to Attachment A (2) of the federally-funded executed Grant Agreement (G0415) for FY2022-23 in the amount of \$281,119 for the Emergency Management Performance Grant (EMPG) with the State of Florida, Division of Emergency Management (FDEM) to receive grant funding for the period October 1, 2022, through September 30, 2023, to improve and enhance emergency management plans and programs and provide operational support to maintain state required programs. **SUMMARY:** On January 10, 2023 the Board of County Commissioners (BCC) received and filed the EMPG grant (CFDA #97.042), a federally funded grant that recurs annually. The grant will be used to further enhance emergency planning, response, mitigation, and recovery in the County. R2012-1731 dated November 20, 2012, gave authority to the County Administrator, or designee, to execute these agreements on behalf of the BCC. An amendment was necessary to the attachment due to original project costs coming in lower than anticipated. No changes were made to the overall amount of grant funding received, only a change in project scope in order to effectively spend down the grant funds. Added projects now include display monitor upgrades for the Emergency Operations Center (EOC) county warning point and meeting room as well as battery tenders for deployable equipment. **County matching funds of \$281,119 (100%) are required and included in the County budget.** Countywide (DB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (cont'd.)

5. Staff recommends motion to:

**A) approve** first amendment to Contract for Consulting/Professional Services with Drug Abuse Treatment Association, Inc. (DATA) (R2021-1444) increasing the contract amount by \$100,000 for a total new not-to-exceed contract amount of \$235,780 for the period October 1, 2021 through September 30, 2024; and

**B) approve** second amendment to Contract for Consulting/Professional Services Drug Abuse Foundation of Palm Beach County, Inc. (DAF) (R2022-1275) decreasing the contract amount by \$100,000 for a total new not-to-exceed contract amount of \$518,452 for the period October 1, 2021 through September 30, 2024.

**Summary:** On October 1, 2021, Palm Beach County's Department of Public Safety, Division of Justice Services, entered into contracts with DATA (R2021-1444) and DAF (R2021-1275) to coordinate Substance Use Disorder (SUD) treatment to those in the Fifteenth Judicial Circuit's Adult and Delinquency Drug Court programs. The first amendment to the DAF contract (R2022-1001) reallocated funding from Counseling Services of Lake Worth, Inc. (CSLW) for permanently closing due to unforeseen circumstances. Due to the increased need for drug treatment services in the Delinquency Drug Court program, it is necessary to allocate additional funding to DATA. DAF expenses for Adult Drug Court participants are less than anticipated due to the lower number of referrals. The Adult Drug Court program experienced a decline in both the number of defendants who qualify for the program and the number of individuals who choose to participate at the time of their arrest. The program's average monthly enrollment declined from 65 individuals in 2022 to 55 as of 2023. With the decline in enrollment and the projected cost of program participants individualized treatment plans, it is estimated that \$100,000 is available to increase the contract amount of DATA to meet their demand. Countywide (RS)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (cont'd.)

6. Staff recommends motion to:

**A) approve:** Contract for Professional Legal Services with Legal Aid Society of Palm Beach County, Inc. (LASPBC) to provide civil legal services to the indigent citizens of Palm Beach County in the amount not to exceed \$1,181,324 for the period October 1, 2023, through September 30, 2024; and

**B) authorize:** County Administrator or designee to execute amendments and administrative documents associated with the above contract, on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations.

**SUMMARY:** This contract between the County and LASPBC ensures the seamless continuation of legal services for indigent citizens of Palm Beach County. The contract funds the State mandate for general civil legal services (\$915,138), the Public Guardianship Program (\$152,542), and the Domestic Violence Representation Program (\$113,644). The State mandated funding for LASPBC is a local requirement, mandated by Article V of the Constitution of the State of Florida. Florida Statutes 939.185 allows the Board of County Commissioners to assess additional court costs, not to exceed \$65. The \$65 additional court cost generates \$275,000 in revenue, which partially offsets the costs of these programs. Countywide (RS)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. Staff recommends motion to:

**A) Adopt** a Resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, approving Public Transportation Grant Agreement (PTGA) (FM no. 438386-3-94-01) with the State of Florida Department of Transportation (FDOT), in the amount of \$2,000,000 in Intermodal Access Development funding (CSFA 55.014) to provide assistance for the purchase of Transit Signal Priority (TSP) equipment and installation along the US1 corridor in Palm Beach County. This PTGA will become effective upon FDOT execution with an expiration date of February 28, 2026; and

**B) Approve** a FY23 Budget Amendment of \$2,000,000 in Palm Tran's Grant Fund 1341 to recognize the grant award.

**SUMMARY:** TSP is a technology-based solution for enhancing transit service by reducing traffic signal delay and increasing reliability. The TSP system will support information from the traffic signal system with data from fleet vehicles (Palm Tran buses and emergency vehicles) and various public agencies to maximize transit schedule efficiency. Palm Tran will utilize grant funding to provide TSP equipment and software installation for Palm Tran buses and signalized intersections along US 1 corridor, with future expansion along Okeechobee corridor intersections and other major corridors to be determined over the next five years. This PTGA in the amount of \$2,000,000 **does not require a local match** and will become effective upon FDOT execution with an expiration date of February 28, 2026. The grant requires broader indemnification by the County than that approved by PPM CW-F-049. The grant requires the County and its officers, agents, or employees to indemnify, defend, and hold harmless FDOT and all of its officers, agents, and employees from any claim, loss, damage, cost, charge, or expense arising out of the County's non-compliance or performance of this agreement. The indemnification obligation must also be passed on to contractors and/or consultants. The Risk Management Department and County Attorney's Office have reviewed the indemnification requirements of this grant. Given that liability is limited to County's non-compliance or performance of this agreement and the statutory caps of Section 768.28, Florida Statutes, Palm Tran recommends Board approval. Countywide (MM)

3. CONSENT AGENDA APPROVAL

CC. TOURIST DEVELOPMENT COUNCIL

1. **Staff recommends motion to approve:** First Amendment to Tri-Party Agreement (R2021-1872) with the City of Boca Raton (City) and ESPN Productions, Inc. (ESPN) to extend the Agreement for one three-year term from August 1, 2023, to February 28, 2026, in the amount not to exceed \$183,000 in FY 2024, in the amount not to exceed \$189,000 in FY 2025, and in the amount not to exceed \$196,000 in FY 2026. **SUMMARY:** Palm Beach County entered into an Agreement with the City of Boca Raton and ESPN on December 7, 2021, to produce a college football bowl game featuring teams from NCAA Division I Football Bowl Games (Boca Raton Bowl). The Agreement allows for one (1) renewal for a three-year term. The dollar amount for five years was approved on December 7, 2021, in the amount of \$177,000 \$183,000 for the to be paid in 2023 year, for the production of the Boca Raton Bowl, and will increase by to \$189,000 for the in FY2024 year, and increasing to \$196,000 for the in FY 2025 year., and to \$6,000 each year for the remaining years. The Agreement provides for the City to match all of the County's funding obligations. The County is extending that Agreement for one additional three-year term. All other terms of the Agreement remain unchanged. This amendment has been reviewed and approved by the Tourist Development Council (TDC) Board. Countywide (YBH)

DD. INTERNAL AUDITOR'S OFFICE

1. **Staff recommends motion to receive and file:** Fully executed peer review agreement with the Association of Local Government Auditors (ALGA) to conduct a peer review of the County Internal Auditor's Office quality control system covering the three-year period October 1, 2019 to September 30, 2022. **SUMMARY:** The Board delegated authority to the County Internal Auditor to approve peer review engagement letters from ALGA for future peer reviews in amounts not to exceed \$10,000 for each triennial review. Countywide (DB)

EE. OFFICE OF RESILIENCE

1. **Staff recommends motion to receive and file:** the US Department of Agriculture's Urban Agriculture and Innovative Production program grant application for a \$250,000 grant, estimated to begin September 30, 2023 and end three (3) years after execution on September 29, 2026. **SUMMARY:** The Palm Beach County (PBC) Office of Resilience (OOR) and the PBC UF/IFAS Cooperative Extension Services Office have applied for a USDA UAIP planning grant to fund an assessment of small-scale, urban and innovative farming opportunities in PBC. The team will collaborate with County departments and stakeholders to develop a plan to increase community food access and opportunities for small-scale, sustainable urban agriculture (SUA) while demonstrating economic and environmental benefits. This project will prioritize historically underserved communities with high food insecurity. **No match is required for this grant.** Countywide (RM)

3. CONSENT AGENDA APPROVAL

EE. OFFICE OF RESILIENCE (cont'd.)

2. Staff recommends motion to receive and file: the US Environmental Protection Agency (EPA) Environmental Justice Government to Government (EJG2G) program grant application for a \$1,000,000 grant, estimated to begin on the date of contract execution in January 2024 and ending after three (3) years in December 2026. **SUMMARY:** The Palm Beach County (PBC) Office of Resilience (OOR) submitted a grant application to the US EPA's EJG2G grant program to collaborate with the PBC Parks and Recreation Department (PRD), Community Greening, the Palm Health Foundation, Florida Clinicians for Climate Action, and the cities of Belle Glade, Pahokee, and South Bay on a project to improve air quality and reduce heat islands in Western PBC through tree planting activities in local parks. The proposed project will help the PRD execute its greening strategy and help the County reduce climate change impacts. **No match is required for this grant.** District 6 (RM)

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

A. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends a motion to approve on first reading and advertise for adoption hearing on July 11, 2023: A Resolution of the Palm Beach County Board of County Commissioners (BCC), Florida, making certain findings and designating the real property located at 8760 Atlantic Avenue, in unincorporated Palm Beach County, Florida, further identified by Parcel Control Number 00-42-46-20-01-000-0130 (the “Subject Property”), as a Brownfield Area pursuant to Section §376.80(2)(c), *Florida Statutes*, to be known as the Former Southern Crop Services Green Reuse Area, for the purpose of rehabilitation, job creation and promoting economic development; providing for an effective date; and, for other purposes. **SUMMARY:** On April 18, 2023, the BCC approved two (2) motions to allow for a Brownfield Area designation of the Subject Property: 1) A waiver of the statutory requirement that one of two public hearings be held after 5:00 p.m.; and, 2) The advertising of public hearings on Tuesday, June 13, 2023 at 9:30 a.m., and Tuesday, July 11, 2023 at 9:30 a.m. On February 2, 2023, the owners of the property, PEBB Atlantic II and Socro, LLC, submitted an application to the Department of Housing and Economic Development to designate the Subject Property as a Brownfield Area. This designation requires two public hearings, one of which must be held after 5:00 p.m. per Section 125.66, *Florida Statutes* (cross-referenced in Section §376.80, *Florida Statutes*), unless the Board of County Commissioners, by a majority plus one vote, elects to conduct that hearing at another time of day. The Applicant indicates that the Subject Property was formerly operated as an airport for crop-dusting operations from the late 1940’s until 1992, and is impacted by discharges of contaminants in soil including Dieldrin, Toxaphene, and Copper and in groundwater by alpha-BHC, beta-BHC, and Dieldrin. PEBB Atlantic II, LLC and Socro, LLC plans to develop the Subject Property as a commercial development. The rezoning of the 9.89 acre site was approved by the BCC at the November 28, 2022 BCC Zoning Hearing via Resolution R-2022-1419, concurrent with a future land use amendment (Ord. 2022-032), to allow for the development of 107,800 square feet of commercial uses, including retail, multi-access and limited access self-service storage, and a car wash. The approved Preliminary Site Plan indicates; four one-story buildings comprised of one retail building, two self-storage buildings, and a car wash facility. Prior to redevelopment, PEBB Atlantic II and Socro, LLC is seeking a “Brownfield Area” designation under Florida’s Brownfields Redevelopment Act. The applicant indicates that the proposed development will create no fewer than 30 permanent, full-time equivalent jobs when fully developed, which exceeds the minimum job creation threshold of five jobs. **No County funds for implementation are required.** District 5 (DB)

4. PUBLIC HEARINGS

B. PALM TRAN

1. Staff recommends motion to:

- A) **ratify** a submitted application including the filing of Standard Form LLL- Disclosure of Lobbying Activities; and the filing of an electronic grant application 1098-2022-2, with the Federal Transit Administration (FTA), for Section 5307 funds (CFDA 20.507) allocated to the Palm Beach County Board of County Commissioners (BCC) under H.R. 1319 entitled the American Rescue Plan Act (ARPA) of 2021, for a cost reimbursement grant in the amount of \$56,503,871 that will become effective upon FTA Award with an anticipated end date of March 30, 2025; and
- B) **approve** the Program of Projects (POP) for the American Rescue Plan Act (ARPA) Section 5307 Grant allocation, in the amount of \$56,503,871 from the FTA; and
- C) **authorize** the County Administrator or designee to execute on behalf of the BCC, and to transmit electronically the BCC's approval of the grant agreement if awarded, provided that no special conditions or requirements are issued under Part 6 of the application.

**SUMMARY:** On March 11, 2021, the President signed into law H.R. 1319 entitled American Rescue Plan Act of 2021. The bill includes in Section 7006, funds appropriated under the Federal Transit Administration to maintain operations of Public Transit Agencies. This Act allows funding to be used for payroll, operational needs, and capital expenditures related to the provision of Public Transportation. Funds obtained from this grant will be used to offset payroll and operating expenses. Recent Congressional negotiations over the federal debt ceiling resulted in H.R. 3746, the Fiscal Responsibility Act of 2023, which, among other things, establishes new federal discretionary spending limits and rescinds unobligated funds. At the time H.R. 3746 was announced, it appeared that the discretionary spending limits therein could make ARPA Section 5307 grant funds unavailable. Accordingly, on May 30, 2023, Palm Tran obtained the Mayor's emergency approval to file the ARPA Section 5307 grant application before the suspension of any federal discretionary spending. The Final version of H.R. 3746 signed by President Biden on June 3, 2023 does not include ARPA Section 5307 grant funds in the law's discretionary spending limits, nor does it rescind those unobligated funds. However, since the application was already submitted on May 30, Palm Tran requests that the BCC ratify the submitted application for these grant funds. A list of specific projects will be brought to the BCC for direction and approval at the time of award. **This grant funding will be provided at 100-percent federal share, with no County match required.** The grant application requires execution of the Disclosure of Lobbying Activities, Form LLL. Countywide (MM)

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5. REGULAR AGENDA

A. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to: Receive and File presentation on property values and the Property Appraiser's FY 2024 budget proposal. **SUMMARY:** The Property Appraiser will provide a presentation on property values and the Property Appraiser's FY 2024 budget proposal (Time: 15 Minutes) Countywide (DB)

B. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to:
  - A) **approve** an American Rescue Plan Act (ARPA) Response Replacement Fund award of \$3,000,000 to Roseland Gardens, LLLP;
  - B) **approve** an ARPA Response Replacement Fund award of \$600,000 to ME-ST LLC;
  - C) **approve** an ARPA Response Replacement Fund award of \$550,000 to Vita Nova, Inc.;
  - D) **approve** a Budget Transfer of \$4,150,000 in the ARPA Response Projects Fund;
  - E) **direct** staff to negotiate the loan agreements; and
  - F) **authorize** the County Administrator, or designee, to execute the loan agreement, amendments thereto, and all other documents necessary for project implementation.

5. REGULAR AGENDA

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

1. **SUMMARY:** On February 10, 2023, the Department of Housing and Economic Development issued Request for Proposals HED.2023.2 (RFP) making \$4,633,305 in County ARPA Response Replacement Fund funding available to developers for new construction of affordable multifamily housing. A selection committee consisting of three (3) voting members met at a public meeting held on April 14, 2023, and recommended funding for all three (3) projects:

- 1) \$3,000,000 to Roseland Gardens, LLLP (joint venture between Smith & Henzy Affordable Group, Inc. and West Palm Beach Housing Authority) to construct Roseland Gardens, a 148-unit multifamily development for the elderly, located at Lake Avenue, northeast of the intersection of Lake Avenue and Southern Boulevard within the City of West Palm Beach. The project includes 15 units for tenants at 30% Area Median Income (AMI), and 133 units for 60% AMI. All 148 units will be considered as County-assisted. The total project development cost is \$52,223,889 (District 2);
- 2) \$600,000 to ME-ST LLC to construct 4825 Maine Street, a 14-unit multifamily rental development for homeless or disabled U.S. veterans, located at 4825 Maine Street within the unincorporated area of Lake Worth. All housing units are for tenants not to exceed 80% AMI. All 14 units will be considered as County-assisted. The total project development cost is \$1,959,985 (District 3); and
- 3) \$550,000 to Vita Nova, Inc. to construct Omega Apartments, a 12-unit rental development for youth 18-25 years old transitioning from foster care, located at 1330 Alpha Street within the City of West Palm Beach. All 12 units will be set-aside for households with income no greater than 80% AMI. All 12 units will be considered as County-assisted. The total project development cost is \$1,564,550 (District 2).

All County-assisted units will remain affordable to tenants with incomes no greater than 80% of AMI for no less than 30 years. The funding agreements and related documents pursuant to these funds will be between the County and the entities identified herein or their respective successors and/or assigns. To facilitate project implementation, staff requests authorization for the County Administrator, or designee, to execute the loan agreements and related documents. **These are County ARPA Response Replacement funds that do not require a local match.** Districts 2 and 3 (HJF)

5. REGULAR AGENDA

C. COMMUNITY SERVICES

1. Staff recommends motion to adopt: Resolution of the Board of County Commissioners of Palm Beach County, Florida, creating the Palm Beach County Veterans Advisory Board; providing for a purpose; providing for membership, appointments, terms; providing for officers; providing for roles and responsibilities; providing for sunshine law, code of ethics; providing for meetings; providing for subcommittees; providing for general provisions; and providing for an effective date, sunset. **SUMMARY:** Palm Beach County (County) is home to more than 72,000 Veterans. Many of these Veterans struggle with accessing benefits that may assist with health issues, employment, and other human services support. In response to these challenges, the Board of County Commissioners (BCC) directed County Administration to create the Veterans Advisory Board (VAB) to periodically assess the needs of Veterans in the County and provide more efficient coordination amongst service providers in order to address the needs identified. (Division of Senior and Veteran Services) Countywide (HH)
  
2. Staff recommends motion to approve: Amendment No. 1 to Subrecipient Agreement with United Way of Palm Beach County, Inc. (UWPBC) (R2022-0460), for the period April 1, 2022 through September 30, 2026, to increase the overall total agreement amount by \$1,200,000, for a new not-to-exceed amount of \$5,729,858, to provide funding assistance for the expansion of hunger relief system in order to increase food bank storage and food processing capacity. **SUMMARY:** The cost of construction is significantly higher than previously estimated. Amendment No. 1 increases the overall total contract amount due to increased construction and equipment costs. Funding for the project will continue to be a collaboration, with the County contributing \$5,729,8258, UWPBC contributing \$3,068,624, and the remaining \$1,934,824 to be secured by the Palm Beach County Food Bank, Inc. (PBCFB). To date, there has been significant progress with the project. The warehouse space for the build out was secured with a 20-year lease. All architectural designs have been completed and approved. PBCFB received the demolition permits and subcontractors have been selected by the General Contractor. The kitchen equipment and appliances were secured with a deposit to lock in current prices. The capacity expansion and enhancements will include space to process fresh produce, a commercial teaching kitchen for job training programming, year-round childhood feeding programs, nutrition education classes, and fundraising events with local chefs. Some of the economic opportunities include a community hub for personal and career development, the anticipation of up twelve full-time positions, and opportunity for workforce training. The funds generated for this project will sustain the support of additional full-time positions, enhance operations by increasing fleet capacity and improve the quality of meals being served. **These are County ARPA Response Replacement funds that do not require a local match.** (Administration) Countywide (HH)

5. REGULAR AGENDA

D. COUNTY ATTORNEY

1. **Staff recommends motion to approve:** The Employment Contract for Internal Auditor Services with David A. J. Zamora (Zamora) for the position of County Internal Auditor for a term of two (2) years, effective July 1, 2023. **Summary:** On April 4, 2023, pursuant to the Palm Beach County Internal Audit Committee Charter Ordinance, the Palm Beach County Internal Audit Committee unanimously selected David Zamora as the Internal Auditor Candidate to succeed Joe Bergeron whose retirement is effective on June 30, 2023, and recommended an employment contract for Zamora for two (2) years as the Internal Auditor. The Contract is effective on July 1, 2023 for a period of two (2) years with an initial base salary of \$205,000 annually. Countywide (DO)

E. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:**
  - A) an Agreement for Purchase and Sale of a 7.91 acre parcel of vacant land located north of Indiantown Road and east of Bee Line Highway from Jorge Rodriguez for \$319,137 plus closing, title insurance and recording costs estimated to be \$2,080; and
  - B) a Memorandum of Agreement with Jorge Rodriguez to be recorded in the public records to provide notice of this Agreement.

5. REGULAR AGENDA

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

1. **SUMMARY:** On November 2, 2021, the Board of County Commissioners (Board) approved a Fiscal Strategy for the spending of American Rescue Plan Act (ARPA) funds, which included an allocation of \$4,000,000 for the acquisition of environmentally sensitive lands. Jorge Rodriguez contacted the County and offered to sell his parcel (Rodriguez parcel) which is a road frontage parcel located on Beeline Highway in an area known as Palm Beach Heights (part of the Pal-Mar Ecosite). The Pal-Mar Ecosite is part of a large ecological greenway that stretches from just west of the Atlantic Ocean to just east of Lake Okeechobee. The area provides habitat for a wide variety of native plants and animals and it is part of a hydrologically significant region that includes the headwaters of the federally designated Wild and Scenic Northwest Fork of the Loxahatchee River. Hence its value as environmentally sensitive land. Appraisals were obtained from Anderson & Carr, Inc. and M.R. Ford & Associates, Inc. who assigned a \$35,000 and \$40,922 per acre value for road frontage parcels in Palm Beach Heights, respectively. Callaway & Price, Inc. reviewed the appraisals and concluded a reasonable aggregate value of \$40,346 per acre for road frontage Palm Beach Heights parcels, which is the basis of the purchase price. The Agreement allow for the County's due diligence review of the parcel within 45 days of Board approval. The County will pay title insurance policy premium, closing and recording costs estimated to be \$2,080 for the Rodriguez parcel. The Environmental Resources and Management (ERM) Department will perform a pre-acquisition environmental assessment for the parcel prior to closing. A boundary survey will not be obtained for the parcel due to its environmentally sensitive and wet nature. ERM will be responsible for the administration of the parcel. All costs related to the acquisition will be paid from existing funds received from the ARPA Response Replacement Fund. **These are County ARPA Response Replacement funds that do not require a local match. This acquisition must be approved by a supermajority vote (5 Commissioners).** (Property & Real Estate Management) District 1 (HJF)

5. REGULAR AGENDA

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

2. Staff recommends motion to approve:

- A) an Agreement for Purchase and Sale of a 1.1 acre parcel of vacant land located north of Indiantown Road and east of Bee Line Highway from Helen Stratton f/k/a Helen Czuprowski for \$10,000 plus closing, title insurance and recording costs estimated to be \$515; and
- B) a Memorandum of Agreement with Helen Stratton f/k/a Helen Czuprowski to be recorded in the public records to provide notice of this Agreement.

**SUMMARY:** On November 2, 2021, the Board of County Commissioners (Board) approved a Fiscal Strategy for the spending of American Rescue Plan Act (ARPA) funds, which included an allocation of \$4,000,000 for the acquisition of environmentally sensitive lands. The parcel owned by Helen Stratton f/k/a Helen Czuprowski (Stratton parcel) is an interior parcel located in an area known as Palm Beach Heights (part of the Pal-Mar Ecosite). The Pal-Mar Ecosite is part of a large ecological greenway that stretches from just west of the Atlantic Ocean to just east of Lake Okeechobee. The area provides habitat for a wide variety of native plants and animals and it is part of a hydrologically significant region that includes the headwaters of the federally designated Wild and Scenic Northwest Fork of the Loxahatchee River. Hence its value as environmentally sensitive land. Appraisals were obtained from Anderson & Carr, Inc. and M.R. Ford & Associates, Inc. who assigned a \$15,000 and \$16,000 per acre value for interior Palm Beach Heights parcels, respectively. Callaway & Price, Inc. reviewed the appraisals and concluded a reasonable aggregate value of \$15,500 per acre for interior Palm Beach Heights parcels, which is the basis of the offers. Staff sent Ms. Stratton an offer of \$17,050 for the 1.1 acre parcel based on the appraised value. However, Ms. Stratton wishes to sell for a reduced amount of \$10,000, which is the purchase price stated in the Agreement. The Agreement allows for the County's due diligence review of the parcel within 45 days of Board approval. The County will pay title insurance policy premium, closing and recording costs estimated to be \$515 for the Stratton parcel. The Environmental Resources and Management (ERM) Department will perform a pre-acquisition environmental assessment for the parcel prior to closing. A boundary survey will not be obtained for the parcel due to its remote location. ERM will be responsible for the administration of the parcel. All costs related to the acquisitions will be paid from existing funds received from the ARPA Response Replacement Fund. **These are County ARPA Response Replacement funds that do not require a local match. This acquisition must be approved by a supermajority vote (5 Commissioners).** (Property & Real Estate Management) District 1 (HJF)



5. REGULAR AGENDA

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

3. Staff recommends motion to approve:

- A) an Agreement for Purchase and Sale of a 1.5 acre parcel of vacant land located north of Indiantown Road and east of Bee Line Highway from Philip G. Rathof for \$23,250.00 plus closing, title insurance and recording costs estimated to be \$545; and
- B) a Memorandum of Agreement with Philip G. Rathof to be recorded in the public records to provide notice of this Agreement.

**SUMMARY:** On November 2, 2021, the Board of County Commissioners (Board) approved a Fiscal Strategy for the spending of American Rescue Plan Act (ARPA) funds, which included an allocation of \$4,000,000 for the acquisition of environmentally sensitive lands. The parcel owned by Philip G. Rathof (Rathof parcel) is an interior parcel located in an area known as Palm Beach Heights (part of the Pal-Mar Ecosite). The Pal-Mar Ecosite is part of a large ecological greenway that stretches from just west of the Atlantic Ocean to just east of Lake Okeechobee. The area provides habitat for a wide variety of native plants and animals and it is part of a hydrologically significant region that includes the headwaters of the federally designated Wild and Scenic Northwest Fork of the Loxahatchee River. Hence its value as environmentally sensitive land. Appraisals were obtained from Anderson & Carr, Inc. and M.R. Ford & Associates, Inc. who assigned a \$15,000 and \$16,000 per acre value for interior Palm Beach Heights parcels, respectively. Callaway & Price, Inc. reviewed the appraisals and concluded a reasonable aggregate value of \$15,500 per acre for interior Palm Beach Heights parcels, which is the basis of the offer. The Agreement allows for the County's due diligence review of the parcel within 45 days of Board approval. The County will pay title insurance policy premium, closing and recording costs estimated to be \$545 for the Rathof parcel. The Environmental Resources and Management (ERM) Department will perform pre-acquisition environmental assessments for the parcel prior to closing. A boundary survey will not be obtained for the parcel due to the remote location. ERM will be responsible for the administration of the parcel. All costs related to the acquisition will be paid from existing funds received from the ARPA Response Replacement Fund. **These are County ARPA Response Replacement funds that do not require a local match. This acquisition must be approved by a supermajority vote (5 Commissioners).** (Property & Real Estate Management District 1 (HJF))

5. REGULAR AGENDA

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

4. Staff recommends motion to approve: the Transit Village Subdivision replat on the condition that after approval by the City of West Palm Beach the County will hold such replat in escrow and recording of same will be at the closing of the transaction pursuant to the Purchase and Sale Agreement (R2012-1158). **SUMMARY:** On August 14, 2012, the County entered into an Agreement for Purchase and Sale (R2012-1158, as amended thrice: R2018-0956; R2020-0517; and R2021-1587; collectively referred to as PSA) with Transit Village, LLC (TV) for the sale of County-owned real property and air rights at the southeast corner of Banyan Boulevard and Clearwater Drive in the City of West Palm Beach, which is the current site of the County's Intermodal Transit Center (ITC Property). Pursuant to the PSA, TV is to construct a mixed-use development, including a parking garage on the ITC Property (Project). In order to satisfy the City of West Palm Beach's development requirements, TV is replatting the County property as the Transit Village Subdivision (Replat) into three separate tracts. The County will maintain ownership of Tract 3, approximately 1.648 acres, which is the existing area of Palm Tran's bus and passenger operations at the ITC. The Board of County Commissioners' (Board) approval of the Replat is required to authorize the Mayor to sign same as representative of the County as the property owner. Once the County has signed the Replat, it will be submitted by TV to the City of West Palm Beach (City) for final approval by the City Commission. Under the construction of the PSA, a condition precedent to closing is having County-approved plans, drawings and supporting documents, including permitting of same by the City. The Replat must then reflect and conform to the limits and boundaries established on said County-approved and City-permitted plans and drawings. Approval and recording of the Replat would necessarily occur prior to closing. TV has represented that delaying approval of the Replat until a later time would affect the ability to close and overall project implementation schedule. However, County Staff comments to the plans and construction drawings have remained unaddressed since February 17, 2023. Therefore, County Staff's position is that County approval of the Replat is premature at this time and the possibility remains that additional revisions to the Replat could be required prior to closing in order to conform it to eventual County-approved and City-permitted drawings. Consistent with prior Board direction, County Staff has accommodated TV's request to expedite approval of the Replat in order to facilitate project implementation. The required public hearing to consider the Replat has already been scheduled by the City Commission, at TV's request, to take place on June 26, 2023. In its exchanges with TV, County Staff recommended that the Replat be held in escrow by County following City Commission approval and not be recorded into the public records of Palm Beach County until closing on the property.

5. REGULAR AGENDA

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

4. **SUMMARY (cont'd.):** The City is only willing to allow 60 days after approval by the City Commission to record the Replat, which County Staff suspects is an insufficient amount of time for TV to fulfill all pre-closing obligations of the PSA. TV has represented that it will obtain City's concurrence for the County to hold the Replat in escrow until closing. As of the date of this agenda item, a final determination from the City on said matter is yet to be received. County Staff is moving this item forward accommodating the aforementioned request by TV and based upon TV's representations regarding potential delays to the project timeline, and in alignment with prior Board direction to collaborate with TV towards project attainment. (Property & Real Estate Management) District 2/Countywide (HJF)

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JUNE 13, 2023

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

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**JUNE 13, 2023**

**7. STAFF COMMENTS**

**A. ADMINISTRATION COMMENTS**

**B. COUNTY ATTORNEY**

**JUNE 13, 2023**

**8. COMMISSIONER COMMENTS**

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

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

**District 3 – COMMISSIONER MICHAEL A. BARNETT**

**District 4 – COMMISSIONER MARCI WOODWARD**

**District 5 - COMMISSIONER MARIA SACHS**

**District 6 - COMMISSIONER SARA BAXTER**

**District 7 – COMMISSIONER MACK BERNARD**

**JUNE 13, 2023**

**9. ADJOURNMENT**

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