

BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA

ADDITIONS, DELETIONS, & SUBSTITUTIONS

JULY 11, 2023

| <u>PAGE</u> | <u>ITEM</u> | |
|-------------|-------------|---|
| 18 | 3D4 | <p>ADD-ON / RENUMBERED TO 6M1 / REVISED MOTION / TITLE /: <u>Staff recommends a motion to a) approve payment of a Final Judgment resulting from a jury verdict rendered</u>, in the total amount of \$604,959.47, which includes statutory interest, but excludes attorney’s fees, expert fees, and costs, in the Inverse Condemnation action styled <u>Golden City Highland Beach, LLC, v Palm Beach County, Case No.: 502018CA004089XXXMB AK.</u> <u>b) to approve</u> a budget transfer of \$604,960 in the General Fund from Contingency Reserves to allocate funds for payment of a Final Judgement. <u>Staff recommends a motion to approve: payment of a Final Judgment resulting from a jury verdict rendered</u>, in the total amount of \$604,959.47, which includes statutory interest, but excludes attorney’s fees, expert fees, and costs, in the Inverse Condemnation action styled <u>Golden City Highland Beach, LLC, v Palm Beach County, Case No.: 502018CA004089XXXMB AK.</u> SUMMARY: In 2015, as part of the Living Shoreline Projects, the County placed Rip Rap Breakwaters (“rocks”) on the submerged lands owned by Golden City Highland Beach LLC without the owner’s consent. The owner subsequently filed an Inverse Condemnation lawsuit claiming entitlement to full compensation for the County’s unlawful physical taking of its property from August 3, 2015 through June 2, 2022 when the County removed the rocks. After a two-week trial in which the owner claimed \$3.2 million in damages to its property for the County’s placement and removal of the rocks, on June 8th 2023, the Jury awarded the owner \$425,700 in damages. The Court entered a final judgment in favor of the owner on June 13, 2023 for a total of \$604,959.47, including \$179,259.47 as statutory interest from the date of the taking August 3, 2015 the date of the Final Judgment. District 4 (DO).</p> |

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

JULY 11, 2023

PAGE ITEM

61 3U3

- REVISED MOTION / TITLE / SUMMARY / Staff recommends motion to:**
- A. Approve** the Master Agreement with Comcast for the provision of network services for 60 months; ~~and~~
 - B. Authorize** the County Administrator or designee to initiate services at locations at an approximate annual cost of \$6,000 per location; and
 - C. Authorize** the County Administrator or designee to execute an order form that will identify the sites, in an amount not to exceed \$6,000 per approved location, in which network services will be provided in accordance with the Master Agreement.

SUMMARY: A need has been identified to enter into a master agreement with Comcast to provide supplemental internet service. ISS is requesting a contract with Comcast to install backup circuits in priority locations. This will provide network access in the event that the primary connection for a site fails. It will also provide access to certain remote locations where alternative services are not currently available. Comcast required the County to agree to a limitation of liability that deviates from the County's standard requirements. Due to business needs and after advising the Department accordingly, in accordance with PPM CW-F-049, approval has been granted by the Department of Risk Management and the County Attorney's Office to move the Agreement forward for Board of County Commissioner approval. The limitation of liability limits Comcast's liability to the sum total of payments made by County to Comcast during the nine (9) months immediately preceding the event for which damages are claimed. This limitation does not apply to Comcast's indemnification obligations and claims for damage to property or personal injuries arising out of the negligence or willful misconduct of Comcast while on County service location. The individual sites where network services will be provided are not identified in the Agreement. Each site, once identified will have an order form, which will be executed by the County Administrator or designee upon approval of the requested delegated authority. Comcast cannot make changes directly to their Master Agreement, so the First Amendment is entered into concurrently with the Master Agreement to revise some of the terms and conditions in which the County and Comcast have agreed upon changing in the Master Agreement. Delegated authority is being requested for sites that have already been identified as possible locations for these services. Countywide (AH)

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

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| <u>PAGE</u> | <u>ITEM</u> | |
|-------------|-------------|--|
| 74 | 3EE3 | DELETED BY STAFF FOR FURTHER REVIEW |
| 81 | 6A1 | REVISED SUMMARY / SUMMARY: The proposed millage rates for Countywide, Library, and Fire Rescue MSTU are at the current year millage rate and above the rolled-back rate. The millage rate for the Jupiter Fire MSTU is below the current year millage rate and above the rolled-back rate. These millage rates are not-to-exceed rates, and may be lowered but not raised at the September public hearings, <u>without additional Truth in Millage (TRIM) notices being sent out. If the rates are raised at the first September public hearing, new notices to the property owners must be prepared by the Property Appraiser and mailed between 10 to 15 days prior to the second September public hearing at the County's expense. This expense is estimated to be approximately \$500,000. The rates cannot be raised at the second September public hearing. Countywide (DB)</u> |
| 101 | 6G1 | REVISED MOTION / TITLE / Staff recommends motion to: A) adopt a Resolution of the Board of County Commissioners of Palm Beach County, Florida (BCC), authorizing the execution and submittal of a grant application and grant agreement with the Florida Commission for the Transportation Disadvantaged (CTD), for a grant amount of \$3,136,928, which requires a local match of \$348,547; resulting in a total agreement of \$3,485,475; for the Trip & Equipment Grant Program (CSFA 55.001) to provide Palm Tran Connection Service (Connection) trips and discounted daily and monthly fixed route bus passes. This is a unit cost agreement and has an anticipated start date of July 1, 2023 and an anticipated end date of June 30, 2024; B) approve an upward Budget Amendment of \$2,291,762 \$4,523,264 in Palm Tran's Operating Fund 1340 to recognize the actual grant award amount; and C) approve a budget transfer in General Fund 0001 of \$2,231,502 to increase the transfer to Palm Tran's Operations Fund 1340 from Contingency Reserves for the required match and necessary overmatch. |
| 104 | 6K1 | REVISED MOTION / TITLE: Staff recommends motion to authorize the County Administrator or designee to contract with a consultant <u>an approved consultant, in an amount not to exceed \$50,000,</u> to prepare flood modeling and technical assessment reports for five (5) capital construction projects and pursue grant funding from the Resilient Florida Capital Grant Program, which will be open for applications July 1, 2023, to Sept 1, 2023. |

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

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

JULY 11, 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 14 - 74)

- 4. SPECIAL PRESENTATIONS** (Page 75)

- 5. PUBLIC HEARINGS - 9:30 A.M.** (Pages 76 - 80)

- 6. REGULAR AGENDA** (Pages 81 - 107)

- 7. BOARD APPOINTMENTS** (Page 108)

- 8. STAFF COMMENTS** (Page 109)

- 9. BCC COMMENTS** (Page 110)

- 10. MATTERS BY THE PUBLIC – 2:00 P.M.** (Page 111)

- 11. ADJOURNMENT** (Page 112)

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CONSENT AGENDA

B. CLERK & COMPTROLLER

Page 14

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

C. ENGINEERING & PUBLIC WORKS

Page 14

- 3C-1 FP&L lighting agreements for various locations within Palm Beach County.
- 3C-2 Report of plat recordation's from Oct 2022 through March 2023.

Page 15

- 3C-3 Interlocal Agreement with the Village of Royal Palm Beach repealing and replacing previous agreement; and providing for traffic control jurisdiction within the Village of Royal Palm Beach; and approval Budget Amendment.

Page 16

- 3C-4 Supplement No. 12 under the Annual Intersection Improvements Services Contract with HSQ Group, LLC for Half Mile Road, Brook Isles Avenue to Atlantic Avenue project for professional services.

Page 17

- 3C-5 Change Order No. 2 with Ranger Construction Industries, Inc. to widen Florida Mango Road and replace existing bridge, Edgewater Drive to south of Barbados Road project.

D. COUNTY ATTORNEY

Page 18

- ~~3D-1 Approval for final payment of a final judgement related to the Golden City Highland Beach, LLC case.~~

E. COMMUNITY SERVICES

Page 19

- 3E-1 Amendment NO. 1 with Palm Healthcare Foundation, Inc. to extend the end date and increase funding to provide additional services.

Page 20

- 3E-2 Contract for Professional Services with Florida State University Research Foundation, Inc. for holistic crisis mitigation services for at-risk individuals and families.

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CONSENT AGENDA

E. COMMUNITY SERVICES

Page 21

3E-3 Approval for Low-Income Household Water Assistance Program Vendor Agreement with the City of West Palm Beach to provide financial assistance to maintain or restore water utility services to eligible residents of Palm Beach County.

Page 22

3E-4 Agreement for Provision of Financial Assistance with GBDC Entrepreneurship Institute, Inc. for the provision of Economic Stability services.

Page 23 - 24

3E-5 Receive and file several Notice of Grant Award/Fund Availability Modifications to include Community Services Block Grant program; CSBG-Coronavirus Aid, Relief, and Economic Security Act program; Low Income Home Energy Assistance program; and approve a downward Budget Amendment; and approve an upward Budget Amendment.

Page 25

3E-6 Amendment 002 with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. to amend, review and replace portions of the standard agreement, to provide in-home and community-based services to seniors; and approval an upward Budget Amendment.

F. AIRPORTS

Page 26

3F-1 Amendment No 5 with Turner Construction Company for Airport Improvements for Palm Beach County Department of Airports exercising the final one year renewal option for continuation of services.

Page 27

3F-2 Change Order No. 1 with All-Site Construction, Inc. reducing the amount of the contract and providing an extension of time for the Fence and Security Improvements at Palm Beach County Park Airport; and approve a Budget Transfer.

Page 28

3F-3 Change Order No. 2 with Ranger Construction Industries, Inc. reducing the amount of the contract and providing an extension of time for the Runway and Taxiway Rehabilitation at Palm Beach County Glades Airport; and approve a Budget Transfer.

3F-4 Approve License Agreement with the United States of America acting by and through the Secretary of the Navy, Naval Facilities Engineering Command Southeast for overflow vehicle parking on unimproved property north of Palm Beach International Airport.

Page 29

3F-5 Two Consent to Sublease agreements consenting to sublease of space by Jet Aviation, Ltd at PBI with Bridgeport Associates, Inc. and Hera Flight, LLC.

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CONSENT AGENDA

F. AIRPORTS

Page 29

3F-6 Other Transaction Agreement issued by TSA for the use of space by TSA and providing for reimbursement for fixed electrical consumption costs, heating, ventilation and air conditioning and lighting costs at the TSA security checkpoint and baggage screening space at PBI.

Page 30

3F-7 Consent to Sublease agreement with twenty subtenants consenting to the sublease of space by Signature Flight Support LLC at PBI.

Page 31

3F-8 Award Modification of Law Enforcement Officer Reimbursement Program Other Transaction Agreement with TSA for law enforcement services at PBI; and a Budget Amendment.

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

Page 32

3G-1 Appointment of one individual to the County Infrastructure Surtax Independent Citizen Oversight Committee.

3G-2 Settlement for satisfaction of code enforcement liens against Top Cut Lawn Services North, LLC.

Page 33

3G-3 Settlement for satisfaction of code enforcement liens.

H. FACILITIES DEVELOPMENT & OPERATIONS

Page 34

3H-1 Resolution authorizing a Lease Agreement with Professional Firefighters/paramedics of Palm Beach County, Local 2928, I.A.F.F., Inc.; and approve Lease Agreement for property located at 2971 Richard Road, Lake Park, FL as a post disaster storage facility.

Page 35

3H-2 Annual contract with Quick Paint Group Corp for flooring services on an as-needed basis.

Page 36

3H-3 Annual contract with Mario's Painting and Services, Inc. and Quick Painting Group Corp for painting and weatherproofing services on an as-needed basis.

Page 37

3H-4 First Amendment to Agreement for Art Services with Social Space, LLC to change the scope of services, decrease the fixed fee amount and extend the duration of the contract for art in public places installation at the new Palm Beach County Supervisor of Elections Production Facility.

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CONSENT AGENDA

H. FACILITIES DEVELOPMENT & OPERATIONS

Page 38

3H-5 Change Order No. 6 to the contract with The Morganti Group, Inc. for the Fire Station No. 40 project to increase the duration.

Page 39

3H-6 Approve Consultant Services Authorization No. 1 to the contract with Netta Architects, LLC for the interior renovations to the 4th floor Information System Services for the Governmental Center Renewal/Replacement project.

Page 40

3H-7 Approve annual contract with One Call Florida, Inc. for demolition services on an as-needed basis.

Page 41

3H-8 Emergency contract with Colome & Associates, Inc. for the Melissa's Place Lake Village at the Glades Moisture/Structural Crawl Space project.

Page 42

3H-9 Adopt a Resolution authorizing a five year Lease Agreement with Okeeheelee BMX Parents Council, Inc.; and approve a Lease Agreement.

Page 43

3H-10 Approve a Termination Agreement with Housing Partnership; and approve a Lease Agreement with Ric L. Bradshaw, Sheriff for the use of the building located at 1101 Mentone Road.

I. HOUSING AND ECONOMIC DEVELOPMENT

Page 44

3I-1 Documents executed in connection with a loan made to Performance NAPA, LLC under the Housing and Urban Development Section 108 Loan Program.

Page 45

3I-2 Documents executed in connection with a loan made to Performance NAPA, LLC under the United States Department of Agriculture Intermediary Relending Program.

Page 46

3I-3 Documents executed in connection with U.S. Department of Housing and Urban Development Section 108 Loan Guarantee Program.

Page 47

3I-4 Loan Agreement with Legacy 45th Street, LLC in the ARPA Response Replacement Fund.

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CONSENT AGENDA

K. WATER UTILITIES

Page 47

3K-1 Contract for the Mechanical Integrity Testing project with Layne Christensen Company.

Page 48

3K-2 Standard Potable Water and Wastewater Development Agreements with Avalon MF LP and All Seasons Delray Beach, LLC.

Page 49

3K-3 Standard Grant Agreement with the State of Florida Department of Environmental Protection for the Western Region Wastewater Treatment Plant Sand and Grit Removal project; authorize County Administrator or designee; and approve a Budget Amendment.

Page 50

3K-4 Consultant Services Authorization No. 4 with Mock Roos & Associates, Inc. for Construction for Century Village South Water Main Improvements project.

Page 51

3K-5 Consultant Services Authorization No. 10 with Holtz Consulting Engineers, Inc. for the Main Street and Gator Boulevard Water Main Break Analysis project.

L. ENVIRONMENTAL RESOURCES MANAGEMENT

Page 52

3L-1 Detailed Work Plan Budget – Arthropod Control and Operational Work Plan for Mosquito Control; and authorize County Administrator or designee.

Page 53

3L-2 Accept State of Florida Department of Environmental Protection Purchase Order to acquire, study, and outplant corals to PBC reefs; approval a Budget Amendment; approve Agreement with Healthy Aquatics Marine Institute of Florida Inc.; and authorize County Administrator or designee.

Page 54

3L-3 Supplement No. 0090-03A to contract with Olsen Associates, Inc. providing for additional seagrass mapping in the Lake Worth Lagoon.

Page 55

3L-4 Amendment No. 1 to contract with Arbor Tree & Land, Inc.; and Amendment No. 1 to contract with Coston Marine Services, Inc. to extend the contracts.

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CONSENT AGENDA

M. PARKS & RECREATION

Page 56

- 3M-1 Executed Amphitheater Rental Agreement with AEG Presents SE, LLC for the Gojira & Mastodon Concert at Sunset Cove Amphitheater.
- 3M-2 Executed Sound and Light Production Service Contractor Agreement with Sanderford Sound, Inc. for the Gojira & Mastodon Concert at Sunset Cove Amphitheater.

Page 57

- 3M-3 Entertainment Contractor Agreements with Hector Diaz and NHS Consulting Inc.
- 3M-4 Special Events Rental Agreement for Spartan Race, Inc. for the Palm Beaches Spartan Race event at Burt Aaronson South County Regional Park.

Q. CRIMINAL JUSTICE COMMISSION

Page 58

- 3Q-1 Sustainability grant application to fund existing strategies to safely reduce the County's jail population for the Black population; approve two Budget Amendments.

S. FIRE RESCUE

Page 59

- 3S-1 Lease Agreement for the Use of School Facilities with the School Board of Palm Beach County for Fire Rescue Promotional testing.
- 3S-2 Fifth Amendment to Interlocal Agreement for Fire Vehicle Maintenance with the City of West Palm Beach to extend the term of the agreement.
- 3S-3 Interlocal Agreement for Fire Protection and Emergency Medical Services with the Town of Jupiter for a period of ten years.

Page 60

- 3S-4 Appointment of one individual to the Fire Code Board of Appeals and Adjustments Board.

U. INFORMATION SYSTEMS SERVICES

Page 60

- 3U-1 Second Amendment to the Interlocal Agreement with the City of Greenacres for new and additional phone services.

Page 61

- 3U-2 Master Agreement with AT&T for the provision of services.
- 3U-3 Master Agreement with Comcast for the provision of services.

X. PUBLIC SAFETY

Page 62

- 3X-1 Agreement with Port of Palm Beach District to provide Vehicle for Hire licensing services.

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CONSENT AGENDA

X. PUBLIC SAFETY

Page 63

3X-2 First Amendment to the contract with Tri-County Humane Society for spay/neutering medical services.

Page 64

3X-3 Agreement with NextEra, Inc. to receive monies for the Radiological Emergency Preparedness Program.

BB. YOUTH SERVICES

Page 65

3BB-1 First Amendment to the Community Based Agency Contract with American Association of Caregiving Youth, Inc. to expand programming and activities during the summer; and approve a budget transfer.

Page 66

3BB-2 First Amendment to Community Based Agency Contract with The Children’s Home Society of Florida to extend the contract.

CC. SHERIFF

Page 67

3CC-1 Accept a Florida Division of Emergency Management Federally-Funded SubAward Grant Agreement for FY2022 Operation Stonegarden Grant; and approve a Budget Amendment.
3CC-2 Modification #2 for the FY21 Urban Security Area Initiative Memorandum of Agreement to extend the grant period.

Page 68

3CC-3 Grant Modification #1 to FY19 State Homeland Security Subgrant Agreement to extend the grant period.
3CC-4 Modification #5 to FY20 Urban Security Area Initiative Memorandum of Agreement to extend the grant period.

Page 69 - 70

3CC-5 Budget Transfer from the Law Enforcement Trust Fund.

DD. OFFICE OF RESILIENCE

Page 71

3DD-1 Ratify signature of Resilience Director on an Urban & Community Forestry Program grant application to fund urban tree plantings; authorize County Administrator or designee.

Page 72

3DD-2 Amendment to an Interlocal Agreement with Broward, Miami-Dade, and Monroe Counties for cost-share support of services for the Southeast Florida Regional Climate Change Compact.

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CONSENT AGENDA

EE. WATER RESOURCES

Page 73

3EE-1 Approve Florida Department of Environmental Protection Standard Grant Agreement for the C-51 Reservoir Phase II Cell 12; approve a Budget Amendment; approve Sub-Grant Agreement and authorize County Administrator or designee.

Page 74

3EE-2 Approve Florida Department of Environmental Protection Standard Grant Agreement for the Corbett WMA Levee Upgrade; approve a Budget Amendment; approve Interlocal Agreement and authorize County Administrator or designee.

~~Page 74~~

~~3EE-3 Approve Florida Department of Environmental Protection Standard Grant Agreement for the C-51 Reservoir Phase II Cell 13; approve a Budget Amendment; approve Sub-Grant Agreement and authorize County Administrator or designee.~~

SPECIAL PRESENTATIONS

Page 76

- 4A Fibroid Awareness Month
- 4B Certificate of Congratulations – Mounts Botanical Garden
- 4C Boca Helping Hands Day
- 4D Park and Recreation Month
- 4E Healing Kids’ Hearts Day

PUBLIC HEARINGS – 9:30 A.M.

A. HOUSING AND ECONOMIC DEVELOPMENT

Page 77

5A-1 Resolution making certain finds and designating the real property located 8760 Atlantic Avenue.

B. OFFICE OF FINANCIAL MANAGEMENT AND BUDGET

Page 78

5B-1 Ordinance concerning Board Members qualification and term limits for members of the Impact Fee Review Committee.

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PUBLIC HEARINGS – 9:30 A.M.

B. OFFICE OF FINANCIAL MANAGEMENT AND BUDGET

Page 79

5B-2 Approve the use of the Uniform Method of collecting non-ad valorem special assessments; approve special assessment roll and specify the unit of measurement and amount; and authorize Mayor or designee.

C. PALM TRAN

Page 80 - 81

5C-1 Approve the Program of Projects FY2022 Grant allocations; approve the filing of Standard Form LLL – Disclosure of Lobbying Activities; approve a Budget Amendment and authorize County Administrator or designee.

REGULAR AGENDA

A. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

Page 82

6A-1 Proposed not-to-exceed millage rates for the FY 2024.

B. AIRPORTS

Page 83

6B-1 Amendment No. 1 to the agreement with HDR Engineering, Inc. for the continued services related to construction – phase services for the Central Airfield Improvements project; approve a Budget Transfer.

Page 84

6B-2 Amendment No. 10 to the contract with The Morganti Group, Inc. for Work Order MC 19: Landside Security Improvements at PBI.

Page 85 - 86

6B-3 Amendment No. 12 to the contract with The Morganti Group, Inc. for Work Order SMC 18: Domestic Water Valve Replacement Phase II at PBI.

Page 87

6B-4 Approve General Consultant Agreement with AECOM Technical Services, Inc. for the performance of General Engineering Consultant Services for tasks related to the approved Palm Beach County Airports' Capital Improvement Program; and approve a Budget Transfer.

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REGULAR AGENDA

B. AIRPORTS

Page 88

6B-5 Airport Parking Facilities Management Agreement with SP Plus Corporation for the operation and management of the airport parking facilities and shuttle services at PBI; and a Budget Transfer.

C. ENGINEERING & PUBLIC WORKS

Page 89

6C-1 Approve preliminary reading and advertise for public hearing Ordinance amending Five Year Road Program.

D. HOUSING AND ECONOMIC DEVELOPMENT

Page 90 - 91

6D-1 Amendment 002 to Interlocal Agreements to participate in the Urban County Program related to U.S. Department of Housing and Urban Development funding with 28 municipalities; Amendment 001 to Interlocal Cooperation Agreement with Town of Highland Beach, and Interlocal Cooperation Agreement with City of Westlake; and Interlocal Cooperation Agreement with Town of Ocean Ridge.

Page 92

6D-2 State Housing Initiatives Partnership (SHIP) Program proposed FY2023-2024 funding; and approve a Budget Amendment.

Page 93

6D-3 Adopt a Resolution approving the Action Plan for FY2023-2024 for Certifications for the Community Development Block (CDBG), HOME Investment Partnerships; and Emergency Solutions Grant (ESG).

E. FACILITIES DEVELOPMENT AND OPERATIONS

Page 94

6E-1 First Amendment to the Lease Agreement with Florida Department of Education, Division of Blind Services to provide for rent abatement; adjust the rental rate and adjust rental payments.

Page 95

6E-2 Approve for additional security officer positions for Facilities Development and Operations Electronic Services and Security Division due to recent changes to Florida law.

Page 96

6E-3 Approve Antenna Site Agreement with SBA Towers VI, LLC for tower antenna space; Antenna Site Agreement with SBA Properties, LLC for tower antenna space; and Antenna Site Agreement with SBA Steel, LLC for tower antenna space.

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REGULAR AGENDA

E. FACILITIES DEVELOPMENT AND OPERATIONS

Page 97

6E-4 Approve agreement to purchase vacant land north of Indiantown Road and east of Bee Line Highway; and a Memorandum of Agreement.

Page 98 - 99

6E-5 Approve Construction Manager at Risk Services contract with Verdex Construction LLC for the Vista Center Expansion project and Task Order No. 1 for preconstruction services.

Page 100

6E-6 Approve Consultant Services Authorization No. 2 to the contract with Netta Architects, LLC for the Building Condition Assessment for life cycle cost analysis and programming services for the Governmental Center Renewal/Replacement project.

F. INFORMATION SYSTEM SERVICES

Page 101

6F-1 Overview on the Connect PBC application.

G. PALM TRAN

Page 102

6G-1 Adopt a Resolution authorizing the execution and submittal of a grant application and grant agreement with the Florida Commission for the Transportation Disadvantaged; approve an upward Budget Amendment and approve a Budget Transfer.

H. ENVIRONMENTAL RESOURCES MANAGEMENT

Page 103

6H-1 An updated Management Plan for Juno Dunes Natural Area.

I. CLERK & COMPTROLLER

Page 103

6I-1 Approve Budget Transfer from General Fund Contingency Reserves to supplement the 2023 Value Adjustment Board Budget.

J. CAREERSOURCE

Page 104

6J-1 Adopt a Resolution approving the CareerSource FY2022 – 2023 Budget.

K. OFFICE OF RESILIENCE

Page 105

6K-1 Authorize County Administrator or designee to contract with consultant to prepare flood modeling and technical assessment reports for the five (5) capital construction projects; and pursue grant funding from the Resilient Florida Capital Grant Program.

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REGULAR AGENDA

L. LIBRARY

Page 106

6L-1 Approve the material terms and conditions for the established operation of a new branch of Palm Beach County Library System in the Town of Hypoluxo; and authorize staff to negotiate acquisition from the Town.

M. COUNTY ATTORNEY

Page 107

6M-1 Approval for final payment of a final judgement related to the Golden City Highland Beach, LLC case.

BOARD APPOINTMENTS (Page 108)

STAFF COMMENTS (Page 109)

COMMISSIONER COMMENTS (Page 110)

MATTERS BY THE PUBLIC – 2:00PM (Page 111)

ADJOURNMENT (Page 112)

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:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller’s Office. Countywide
3. **Staff recommends motion to receive and file:** change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations Department; Water Utilities Department; Environmental Resources Management Department; and the Department of Airports during May 2023. Countywide

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to receive and file:** twenty-seven (27) fully executed lighting agreements with Florida Power & Light Company (FP&L) for various locations within Palm Beach County. **SUMMARY:** In accordance with Countywide PPM CW-O-051, all delegated contracts, agreements, and grants must be submitted by the initiating Department as a receive and file agenda item. These agreements were executed by the County Engineer, per Resolution R2020-0990. The table of executed agreements details specific details and locations. Countywide (YBH)
2. **Staff recommends motion to receive and file:** a report of plat recordations from October 1, 2022 through March 31, 2023. **SUMMARY:** This report is a bi-annual summary of subdivision plats recorded during the fiscal quarters since the previous report. There were 18 plats recorded during this period. This report is required by the Department of Engineering and Public Works Policies and Procedures Manual Item No. EL-O-2618, governing administrative approval of plats by the County Engineer. Countywide (YBH)

3. CONSENT AGENDA APPROVAL

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

3. Staff recommends motion to approve:

- A) an interlocal agreement (Agreement) with the Village of Royal Palm Beach (Village), repealing and replacing interlocal agreement R1998-594D, signed May 5, 1998, as amended by R1998-2073D, and providing for traffic control jurisdiction within the Village by Palm Beach County (County) and the terms pertaining to the upgrade of the Royal Palm Beach Elementary school zone traffic control devices (School Zone Project); and
- B) a Budget Amendment of \$150,000 in the Transportation Improvement Fund to recognize reimbursement funding from the Village and appropriate it to the School Zone Project.

SUMMARY: Section 316.006(2)(a), Florida Statutes, vests municipalities with traffic control jurisdiction over all streets and highways located within their boundaries, except state roads, and provides that a municipality may, by interlocal agreement with a county, agree to transfer traffic regulatory authority (Authority) over areas within the municipality to the county. On May 5, 1998, the County and the Village entered into interlocal agreement R1998-594D wherein the Village transferred certain traffic control functions and duties to the County over certain signalized intersections. The interlocal agreement was amended on December 15, 1998 (R1998-2073D). The Village now agrees to repeal and replace the interlocal agreements (R1998-594D and R1998-2073D) with the Agreement to transfer Authority over all County maintained thoroughfare roadways within the Village's municipal boundaries, as may be amended, to the County, and outlining certain operations and maintenance duties retained by the Village. The County has agreed to design and construct the School Zone Project and the Village has agreed to reimburse the County for all costs incurred by the County. District 6 (YBH)

3. CONSENT AGENDA APPROVAL

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

4. Staff recommends motion to approve: Supplement No. 2 (Supplement) to the Work Task Order (WTO) dated August 12, 2020 under the Annual Intersection Improvements Services Contract dated June 2, 2020 (R2020-0541) as amended November 1, 2022 (R2022-1257) (Contract) with HSQ Group, LLC (HSQ) in the amount of \$120,725.55 for Half Mile Road, Brook Isles Avenue to Atlantic Avenue (Project). **SUMMARY:** Approval of this Supplement will provide the professional services necessary to update the design plans for the Project. The plans will be updated to revise the existing Half Mile Road and Atlantic Avenue connection as well as the entrance on Half Mile Road to the Reserve at Atlantic Multiple Use Planned Development (Development) and an exclusive southbound left turn lane at the entrance to the Development. The Affirmative Procurement Initiatives selected for this Contract on May 1, 2019 by the Goal Setting Committee are a 20% minimum mandatory Small Business Enterprise (SBE) participation and an SBE evaluation preference. HSQ agreed to 75% SBE participation for the Contract. They agreed to 100% SBE participation for this Supplement. Their cumulative SBE participation to date for the Contract including this Supplement is 89.2%. HSQ has an office located in Palm Beach County and is a certified SBE company. **This Project is included in the Five-Year Road Program. District 5 (YBH)**

3. CONSENT AGENDA APPROVAL

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

5. Staff recommends motion to approve: Change Order No. 2 in the amount of \$263,604.82 and a contract time extension of 246 days to the contract dated August 17, 2021 (R2021-0989) (Contract) with Ranger Construction Industries, Inc. (Ranger) to widen Florida Mango Road and replace existing bridge, Edgewater Drive to south of Barbados Road (Project). **SUMMARY:** Per PPM CW-F-050, the total of this Change Order exceeds the threshold of \$100,000 and allowable time extensions relating to staff approvals of change orders to contracts and requires the Board of County Commissioners (BCC) approval. Approval of Change Order No. 2 will compensate Ranger for delays, indirect costs, and maintenance of traffic costs associated with Florida Power and Light's (FPL) relocation of overhead electrical lines and the Village of Palm Springs' (Village) relocation of their underground utilities that were in conflict with the proposed bridge construction. FPL and the Village attended the utility coordination meeting held on July 26, 2017, as well as the preconstruction meeting on January 12, 2022. Palm Beach County (County) and FPL had special coordination meetings on August 24, 2021, and December 9, 2021, which included this project. The Notice to Proceed was issued to Ranger on February 22, 2022. FPL began relocating utility lines on July 13, 2022 and Ranger was able to fully resume work on October 19, 2022. The County is obligated by the Contract to pay this Change Order No. 2; however, the County will seek reimbursement from FPL and the Village for the delay. Moving forward, the County will be working directly with utility companies to require adherence to a utility schedule for each project and to hold all parties accountable. The Affirmative Procurement Initiative selected for this contract on May 4, 2021 by the Goal Setting Committee is a 20% minimum mandatory Small Business Enterprise (SBE) participation. Ranger committed to 21.4% SBE participation for this contract. There is no SBE participation for Change Order No. 2. The cumulative SBE participation for this Project including this Change Order is 13%. Ranger expects to meet their SBE participation toward the end of the Project. District 3 (YBH)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. ~~Staff recommends a motion to approve: payment of a Final Judgment resulting from a jury verdict rendered~~, in the total amount of \$604,959.47, which includes statutory interest, but excludes attorney’s fees, expert fees, and costs, in the Inverse Condemnation action styled Golden City Highland Beach, LLC, v Palm Beach County, Case No.: 502018CA004089XXXXMB AK. **SUMMARY:** In 2015, as part of the Living Shoreline Projects, the County placed Rip Rap Breakwaters (“rocks”) on the submerged lands owned by Golden City Highland Beach LLC without the owner’s consent. The owner subsequently filed an Inverse Condemnation lawsuit claiming entitlement to full compensation for the County’s unlawful physical taking of its property from August 3, 2015 through June 2, 2022 when the County removed the rocks. After a two-week trial in which the owner claimed \$3.2 million in damages to its property for the County’s placement and removal of the rocks, on June 8th 2023, the Jury awarded the owner \$425,700 in damages. The Court entered a final judgment in favor of the owner on June 13, 2023 for a total of \$604,959.47, including \$179,259.47 as statutory interest from the date of the taking August 3, 2015 the date of the Final Judgment. District 4 (DO).

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. **Staff recommends motion to approve:** Amendment No. 1 to Contract for Provision of Services with Palm Healthcare Foundation, Inc. (PHF) (R2022-0233), to amend and revise portions of the agreement, to extend the end date from September 30, 2023 to September 30, 2024, and to increase funding by \$200,000 for a new total contract amount not-to-exceed \$400,000, contingent upon a budgetary appropriation by the Board of County Commissioners (BCC) for the term of this contract. **SUMMARY:** The contract with PHF was initially entered into for a two (2) year term to provide a Behavioral Health and Wellness Initiative and provide support to the then existing Behavioral Health, Substance Use and Co-Occurring Disorders Steering Committee (Steering Committee). On November 1, 2022, the Board of County Commissioners approved the Behavioral Health, Substance Use and Co-Occurring Disorders Plan Update (Plan Update) and on November 15, 2022, the BCC approved the formation of the Palm Beach County Advisory Committee on Behavioral Health, Substance Use and Co-Occurring Disorders (Advisory Committee) identifying the Community Services Department (CSD) as the lead entity. Since CSD is the lead for the Advisory Committee, it was necessary to amend the PHF contract to remove deliverables related to the Steering Committee and Plan Update. The contract amendment adds a Wellness and Recovery Initiative to provide education, training, community engagement and capacity-building related to systems that serve and support individuals with mental health, substance use and co-occurring disorders and recovery from such disorders. This agreement expands the leadership capacity for Palm Beach County providers and citizen advocates, especially those most impacted or affected by alcohol and substance use disorders. PHF will work with subject matter experts to develop a curriculum that includes the most current research, resources, and supports available to improve outcomes for individuals in recovery. Building leadership capacity within the behavioral health and substance use disorders system of care will improve collaboration, quality of services, and reduce substance use and co-occurring disorders deaths. Additionally, with the increase in stress and trauma levels across the County and the country, we are at a critical point in ensuring that the systems providing care are aligned and addressing key components that are essential for all populations and in particular for vulnerable populations that do not have the safety nets or resources to access care. It is critical that an assessment of the existing systems and their inter-connectivity takes place so that effective measures can be identified and built-up as needed. (Community Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

2. Staff recommends motion to approve: a Contract for Provision of Services with Florida State University Research Foundation, Inc. (FSURF), for the period July 11, 2023 through September 30, 2025, in an amount totaling \$75,000, of which \$25,000 is budgeted in FY 2023, with an anticipated annual allocation of \$25,000 in each subsequent fiscal year, contingent upon a budgetary appropriation by the Board of County Commissioners (BCC), for the term of this agreement, for the provision of holistic crisis mitigation services for at-risk individuals and families. **SUMMARY:** FSURF will collaborate with The Lord's Place, Inc. (TLP), Adopt-A-Family, Inc. (AAF), and Center for Child Counseling, Inc. (CCC) to develop and implement an integrated and holistic health risk assessment to connect clients to urgent community services to prevent a family health crisis. This project integrates holistic risk assessment into TLP and AAF programs, where homeless and Asset Limited, Income Constrained, Employed (ALICE) families are provided with social services, but lack access to integrated and holistic care coordination that offers high-quality care to prevent transgenerational health disparities. The interprofessional integrated team will provide virtual holistic risk assessment and care coordination and services. Further, it will reach into the community to connect families with long-term community health providers for ongoing treatment. The holistic early screening and care coordination management will build trust, better health, and authentic community partnerships. The project is designed to increase early screening for social, physical, and behavioral risk for recently homeless and ALICE families through partnerships and outreach, increase access to quality integrated and holistic care coordination and services for at-risk families identified, integrate a holistic model of care among three (3) community partners, and provide a multi-level evaluation to enhance and replicate this integrated and holistic model of community care. The team will be composed of a holistic care coordinator (HCC) hired by TLP, a mental health therapist (MHT) from CCC, personnel from AAF, advanced practice nurse students, and Florida State University professors. These community partners and academician team have more than ten years of collaboration. This project considers and evaluates the mind, body, and environment intersectionality to identify and mediate risk for a crisis, chronic health conditions, parental stress, and adverse childhood experiences of recently homeless and ALICE families. (Financially Assisted Agencies) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

3. Staff recommends motion to approve: Low-Income Household Water Assistance Program (LIHWAP) Vendor Agreement with the City of West Palm Beach, for the period August 1, 2022 through July 31, 2025, to provide financial assistance to maintain or restore water utility services to eligible residents of Palm Beach County, at no cost to the County. **SUMMARY:** LIHWAP funds allow Community Action Programs across the country to provide financial assistance to low-income households experiencing a water utility service emergency. The LIHWAP Federally Funded Subgrant Agreement No. E2016 (R2021-0783) requires that Palm Beach County Community Action Program (CAP) have agreements with local water utility vendors. On July 12, 2022, CAP received a Notice of Grant Award/Funding Availability (NFA) Modification from The State of Florida, Department of Economic Opportunity (FDEO) in the amount of \$2,234,474 in LIHWAP funds. On August 23, 2022, FDEO issued a second NFA in the amount of \$2,819,509 in LIHWAP funds, for a total amount of \$5,053,983. The FDEO provided a waiver to Palm Beach County, which offered time for the County to enter into agreements with utility vendors to prevent gaps in services or avoid residents being without water. Therefore, LIHWAP funding became effective August 1, 2022, and lasts for two years after the effective date. This agreement with the local water utility vendor will allow CAP to issue payments on behalf of low-income clients; therefore, avoiding the disconnection of essential services for eligible participants. Funds will be provided directly to local water utility vendors to assist qualified households. In Federal Fiscal Year (FFY) 2022, water utility services were prevented from disconnection or restored through LIHWAP to a total of 466 households. Under the Federally Funded Subgrant Umbrella Agreement No. E2016, Section 5, letter F – Funding Consideration, the State of Florida’s and DEO’s performance and obligation to pay under this Agreement is contingent upon an annual appropriation by the Legislature of the State of Florida. DEO shall have final authority as to both the availability of funds and what constitutes an “annual appropriation” of funds. The lack of appropriation or availability of funds shall not create DEO’s default under this Agreement. If there is a state or federal funding shortfall, then the funding otherwise made available under this Agreement may be reduced. (Community Action Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

4. **Staff recommends motion to approve:** an Agreement for Provision of Financial Assistance with GBDC Entrepreneurship Institute, Inc. (GBDC), for the period June 1, 2023 through September 30, 2024, in the amount totaling \$150,000, of which \$75,000 is budgeted in FY 2023 with an anticipated annual allocation of \$75,000 in FY 2024, contingent upon a budgetary appropriation by the Board of County Commissioners (BCC), for the term of this agreement, for the provision of Economic Stability services. **SUMMARY:** The mobile outreach services program will provide a mobile bus unit that is equipped with computer and internet access to promote equity and assist vulnerable residents, such as older adults, individuals with language barriers, and/or those with special needs throughout Palm Beach County (PBC) with applying for emergency rental and utility assistance. The mobile unit will enhance access to support services in low-income neighborhoods throughout PBC. Under this agreement, approximately 100 households will be served. (Financially Assisted Agencies) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

5. Staff recommends motion to:

- A) **receive and file** Notice of Grant Award/Fund Availability (NFA) Modification No. 039964 (Federal Award Identification Number (FAIN) G2101FLCOSR, Catalog of Federal Domestic Assistance (CFDA) 93.569), from the State of Florida, Department of Economic Opportunity (FDEO), to extend the end date from October 31, 2022 to November 30, 2022, and to reduce the funding amount by \$5,894.16, for a new grant amount not-to-exceed \$1,059,020.84, for the Community Services Block Grant program (CSBG);
- B) **receive and file** NFA No. 39797 (FAIN 2001FLCSC3, CFDA 93.569), from FDEO, to extend the end date from October 31, 2022 to November 30, 2022, with no increase in funding, in the amount of \$1,063,042.74, for the CSBG – Coronavirus Aid, Relief, and Economic Security (CARES) Act program;
- C) **receive and file** NFA No. 42042 (FAIN G-2202FLLIEI, CFDA 93.568) from FDEO, in the amount not- to-exceed \$335,869, for the period October 1, 2021 through September 30, 2023, for the Low Income Home Energy Assistance Program (LIHEAP);
- D) **receive and file** NFA No. 040037 (FAIN 2102FLE5C6, CFDA 93.568) from FDEO, to extend the end date from March 31, 2023 to June 30, 2023, with no increase in funding, in the amount of \$4,273,460, for the American Rescue Plan Allocation (ARPA);
- E) **approve** a downward Budget Amendment for FY 2023 in the amount of \$5,894 in the CSBG fund to align the budget to the actual grant award; and
- F) **approve** an upward Budget Amendment for FY 2023 in the amount of \$335,869 in the LIHEAP fund to align the budget to the actual grant award.

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

5. **SUMMARY:** On June 15, 2021, the Board of County Commissioners (BCC) ratified the Mayor's signature on the Federally Funded Subgrant Umbrella Agreement #E2016 (R2021-0783) with FDEO, for the period October 1, 2020 through September 30, 2023, for the CSBG and LIHEAP programs. Under the terms of the umbrella agreement, FDEO will issue NFAs and amendments for each program award. CSBG funds are used to provide economic stability and mobility services to approximately 2,300 low-income individuals and 900 families. Economic stability services include rent and utility assistance. Economic mobility services include employment skills training, job placement, resume writing training, financial management training, and case management. Electric bill assistance will be provided to approximately 13,250 low-income individuals and 5,300 families. In Federal Fiscal Year (FFY) 2022, 7,783 households received emergency utility assistance and as a result, either prevented disconnection or restored their service. In addition, 81 clients enrolled in the self-sufficiency program, 64 completed vocational training, and 52 obtained jobs. Under the Federally Funded Subgrant Umbrella Agreement No. E2016, Section 5, letter F – Funding Consideration, The State of Florida's and DEO's performance and obligation to pay under this Agreement is contingent upon an annual appropriation by the Legislature of the State of Florida. DEO shall have final authority as to both the availability of funds and what constitutes an "annual appropriation" of funds. The lack of appropriation or availability of funds shall not create DEO's default under this Agreement. If there is a state or federal funding shortfall, then the funding otherwise made available under this Agreement may be reduced. **No County match is required.** (Community Action Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

6. Staff recommends motion to approve:

- A) Amendment 002 to Standard Agreement No IA023-9500 (R2023-0485) for the Older Americans Act (OAA) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), for the period January 1, 2023 through December 31, 2023, to amend, revise and replace portions of the standard agreement and increase the overall funding by \$471,301.16 for a new total agreement amount not-to-exceed \$3,424,183.16, to provide in-home and community-based services to seniors; and
- B) an upward Budget Amendment of \$471,301 in the Division of Senior and Veteran Services (DSVS) Administration Fund to align the budget to the actual grant award.

SUMMARY: OAA Amendment No. 002 allows DSVS to provide services to eligible seniors ages 60 and older and their caregivers. OAA provides funding for critical services that help older adults maintain their independence. Services include meals, caregiver support, and in-home support services. The congregate meal program provides meals and nutrition education in areas strategically located throughout the County, such as churches, community and senior centers and other public and private facilities. The home-delivered meal program provides meals and nutrition education to homebound seniors. The in-home services program provides support services to families/caregivers caring for frail older family members. These services improve the overall well-being of seniors, allowing them to live in their homes more independently. **There is a required County match under 3B Catalog of Federal Domestic Assistance (CFDA) No. 93.044 in the amount of \$23,889, C1 CFDA No. 93.045 in the amount of \$2,249, C2 CFDA No. 93.045 in the amount of \$17,895 and 3E CFDA No. 93.052 in the amount of \$8,333, totaling \$52,366, which is already included in the budget. No additional County match is required.** The number of seniors served is based on the grant and the need of the clients and funding availability. In Grant Year 2022, 1,866 clients were served. The upward budget amendment is necessary to align the County budget with the actual grant award. DSVS is responsible for providing services north of Hypoluxo Road. The areas of service include all of the districts, excluding District 2, 4, 5 and 7 south of Hypoluxo Rd. The Mae Volen Center, Inc. is responsible for providing services in the areas south of Hypoluxo Road. (DSVS) Countywide except for portions of Districts 2, 4, 5, and 7 south of Hypoluxo Rd. (HH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. Staff recommends motion to approve: Amendment No. 5 to the Construction Manager (CM) at Risk Contract (Contract) with Turner Construction Company (Turner) for CM at Risk Services for 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 Turner for CM at Risk Services for Airport Improvements for the Department was approved by the Board on August 20, 2019 (R2019-1147). 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. Turner is based in New York City, New York; however, the work will be directly managed by its southeast regional office in Miami-Dade County. Turner was one of two firms selected to provide project management and construction supervision services. The County exercised the first one (1) year renewal option on July 13, 2021 (R2021-0889). The County exercised the second one (1) year renewal option on July 12, 2022 (R2022-0689). The contract value to date is \$12,869,610. Approval of Amendment No. 5 will allow the County, at its sole discretion, to exercise the third, and final, one (1) year renewal option for the continuation of services provided under the CM at Risk Contract. The Disadvantaged Business Enterprise (DBE) goal for this contract is 12%. The current cumulative DBE participation for all work orders to date is anticipated to be 19%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

2. Staff recommends motion to approve:

- A) Change Order No. 1 to the contract with All-Site Construction, Inc. (All-Site) reducing the total contract amount by \$27,927.70 and providing for an extension of 160 Calendar Days for the Fence and Security Improvements at Palm Beach County Park Airport (LNA); and
- B) A Budget Transfer of \$27,928 in the Airport's Improvement and Development Fund.

SUMMARY: The contract with All-Site in the amount of \$1,079,056.25 and 150 Calendar Days was approved by the Board on December 7, 2021 (R2021-1786). The project consists of demolition of the existing perimeter fence, clearing and grubbing, tree removal, installation of new security fence, installation of new manual and electric gates (vehicle and pedestrian) with card access readers, and installation of security cameras at LNA. Approval of Change Order No. 1 will compensate the contractor for modifications required to the layout of the main gate and extend the contract time due to delays in procurement of the gate(s). In addition, this project included full-time daily inspections by an independent consultant when work was in progress. The contractor failed to notify the inspector when work was cancelled or had not been scheduled. Pursuant to the contract requirements, the costs for failed inspections are deducted from the contract amount. The combination of these items results in a net reduction in the contract amount of \$27,927.70. A Disadvantaged Business Enterprise (DBE) goal of 14% was established for this project. All-Site has committed to meet the DBE goal of 14%. The DBE participation is decreased to 12.5% due to the reimbursement for failed inspections. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

3. Staff recommends motion to approve:

- A) Change Order No. 2 to the contract with Ranger Construction Industries, Inc. (Ranger) reducing the total contract amount by \$1,823.42 and providing for an extension of 151 Calendar Days for the Runway and Taxiway Rehabilitation at Palm Beach County Glades (PHK) Airport; and
- B) A Budget Transfer of \$1,823 in the Airport's Improvement and Development Fund.

SUMMARY: The Contract with Ranger for the Runway and Taxiway Rehabilitation at PHK in the amount of \$2,477,555.83 and 190 Calendar Days was approved by the Board on October 19, 2021 (R2021-1584). Change Order No. 1 extending the contract for 60 Calendar Days was approved under the delegated authorities detailed in PPMCW-F-050. Approval of Change Order No. 2 will compensate the contractor primarily for additional expenses related to the mitigation of Burrowing Owls (a threatened species), within the vicinity of the work and repairs to an existing drainage pipe and will extend the contract for an additional 151 Calendar Days. This change order also includes a credit that was offered by the contractor to close the runway during the day instead of at night as required by the contract. The combination of these items results in a reduction in the contract amount. In addition, the time extension is due to the impacts of the mitigation of the Burrowing Owls and limited Airport Staff required in scheduling runway closures to complete the work. A Disadvantaged Business Enterprise (DBE) goal of 16% was established for this project. The DBE participation to date is 12.5%. Countywide (AH)

- 4. Staff recommends motion to approve: License Agreement (Agreement) with the United States of America, acting by and through the Secretary of the Navy, Naval Facilities Engineering Command Southeast (Navy), for overflow vehicle parking on unimproved property north of the Palm Beach International Airport (PBI), commencing upon Board approval and expiring on September 30, 2023, with automatic monthly renewals thereafter through September 30, 2028, without charge. **SUMMARY:** The Agreement provides for vehicle parking by Navy reserve personnel. The Navy conducts drills at their facility on Marine Drive, located north of PBI, and has requested the right to use County property adjacent to their facility, from time to time, for overflow parking. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

5. Staff recommends motion to receive and file: Two (2) Consent to Sublease (Consent) documents, consenting to the sublease of space by Jet Aviation, Ltd. (Jet Aviation) at the Palm Beach International Airport (PBI), with the following subtenants:

- 1) Bridgeport Associates, Inc., effective February 1, 2023.
- 2) Hera Flight, LLC, effective February 1, 2023.

SUMMARY: Jet Aviation provides fixed based operator services for general aviation aircraft at PBI pursuant to a Lease Agreement dated November 23, 1999 (R99-2239, as amended). The Lease Agreement provides for the sublease of space subject to the County's consent. Delegation of authority for execution of the standard form consent to sublease was approved by the Board in R94-1453. Countywide (AH)

6. Staff recommends motion to receive and file: Other Transaction Agreement No.70T01023T7668N017 (OTA), issued unilaterally by the Transportation Security Administration (TSA) establishing the terms and conditions for the use of space by TSA and providing for the reimbursement in the amount of \$128,055.96 per year, for fixed electrical consumption costs, heating, ventilation and air conditioning (HVAC) and lighting costs at the TSA security checkpoint and baggage screening space at Palm Beach International Airport (PBI), commencing June 1, 2023 and expiring May 31, 2024, and renewing from June 1 to May 31 on an annual basis to May 31, 2028, at TSA's option. **SUMMARY:** Pursuant to the Aviation and Transportation Security Act (ATSA) of 2001, the TSA is required to conduct screening of all passengers, property and baggage. In order to carry out its statutory mandate, the TSA requires use of security checkpoint and baggage makeup areas at PBI. Although the County is not permitted to charge the TSA for use of the security checkpoint and baggage makeup areas under the ATSA, the OTA obligates funding by TSA related to reimbursement of electrical, HVAC and lighting costs. The OTA will automatically renew each June 1 until May 31, 2028, at TSA's option. The OTA uses TSA's standard form that provides dispute resolution shall ultimately be determined by TSA's assistant administrator and is not subject to judicial review. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

7. Staff recommends motion to receive and file: Twenty (20) Consent to Sublease (Consent) documents, consenting to the sublease of space by Signature Flight Support LLC (Signature) at the Palm Beach International Airport (PBI), with the following subtenants:

1. Aircraft Detailing Solutions, effective January 1, 2023
2. Blade Urban Air Mobility, Inc., effective November 1, 2022
3. Cherokee Air, Ltd., effective December 1, 2022
4. Executive Jet Management Inc., effective March 1, 2023
5. Florida Holdings Partners 2 LLC, effective September 1, 2022
6. Fly Exclusive, effective July 1, 2022
7. Jet Access Aviation, LLC, effective March 1, 2023
8. Jet Access Aviation LLC, effective January 1, 2023
9. Jet Access Aviation LLC, effective January 1, 2023
10. Mannis Operations, LLC, effective September 1, 2022
11. Nicklaus Design, LLC, effective March 1, 2023
12. Palm Beach County Sheriff's Office, effective December 1, 2022
13. Private Consulting Partners, LLC; effective April 1, 2023
14. Robtoria Aircraft Leasing, LLC, effective July 1, 2022
15. Skyline Group MC, effective March 1, 2023
16. Skyline Group MC, effective April 1, 2023
17. Steven Shenouda, effective July 1, 2022
18. TRT Leasing, Inc, effective March 1, 2023
19. TRT Leasing, Inc, effective March 1, 2023
20. UberJets, LLC, effective December 1, 2022

SUMMARY: Signature provides fixed based operator services for general aviation aircraft at PBI pursuant to a Lease Agreement dated September 30, 2004 (R2004-1990, as amended). The Lease Agreement provides for the sublease of space subject to the County's consent. Delegation of authority for execution of the standard form consent to sublease was approved by the Board in R94-1453. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

8. Staff recommends motion to approve:

A) receive and file an Award Modification (Modification Number 00005) of Law Enforcement Officer (LEO) Reimbursement Program Other Transaction Agreement (OTA) 70T02021T6114N251 with the Transportation Security Administration (TSA) in the amount of \$220,000 for law enforcement services at Palm Beach International Airport (PBI) for the period commencing April 1, 2023 through December 31, 2023. Delegation of authority for execution of the LEO Agreements was approved by the BCC on August 14, 2012 (R2012-1093); and

B) approve a Budget Amendment in the Airport's Operating Fund, for the receipt of \$220,000 of funding from the TSA.

SUMMARY: The TSA LEO Reimbursement Agreement Program provides grants for reimbursement of airport operators for expenses incurred for the provision of LEO support at airport security checkpoints. The Palm Beach County Sheriff's Office (PBSO) provides LEO support at PBI. Acceptance of LEO Reimbursement Agreements will allow the County to recoup a portion of its costs for the provision of PBSO's services at PBI. Reimbursement is based on the availability of funds and is provided on a first-come, first-serve basis. The initial award in the amount of \$72,000 provided funds for the period of January 1, 2021 through March 31, 2021. Modification Number 00001 in the amount of \$220,000 provided funds for the period of April 1, 2021 through December 31, 2021. Modification Number 00002 in the amount of \$72,000 provided funds for the period of January 1, 2022 through March 31, 2022. Modification Number 00003 in the amount of \$220,000 provided funds for the period April 1, 2022 through December 31, 2022. Modification Number 00004 in the amount of \$72,000 provided funds for the period January 1, 2023 through March 31, 2023. Modification Number 00005 will provide for the continuation of funding for the LEO Reimbursement Program at PBI for reimbursement of LEO services/activities for the period commencing April 1, 2023 through December 31, 2023. Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **Staff recommends motion to approve:** appointment of the following individual to the County Infrastructure Surtax Independent Citizen Oversight Committee (Surtax Committee) for the term beginning July 11, 2023 to April 30, 2026.

| <u>Nominee</u> | <u>Seat No.</u> | <u>Nominated By</u> |
|----------------|-----------------|--|
| Rex B. Kirby | 17 | Associated General Contractors Association, Florida East Coast Chapter |

SUMMARY: On December 20, 2016, the Board of County Commissioners (BCC) created the Surtax Committee. The Surtax Committee will meet quarterly, issue an annual report, may make recommendations to the BCC, and ensure that the proceeds of the surtax are expended for the purposes set forth in the ballot measure and are in compliance with the County’s surtax plan. Mr. Rex B. Kirby disclosed that he is employed by Verdex Construction, LLC that has several contracts with the County for services relating to construction projects. The Surtax Committee provides no regulation, oversight, management, or policy-setting recommendations regarding the subject contracts. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Sec. 2-443, of the Palm Beach County Code of Ethics. The Surtax Committee has 19 seats, and out of the current 11 positions filled, the diversity count is: 2 African-American (18%); 3 Hispanic (27%); and 6 Caucasian (55%). The gender ratio (female:male) is 5:6. Countywide (MJ)

2. **Staff recommends motion to approve:** a negotiated settlement offer in the amount of \$160,000 for the full satisfaction of two code enforcement liens entered against Top Cut Lawn Services North, LLC on July 10, 2019. **SUMMARY:** The Code Enforcement Special Magistrate (CESM) executed an order on August 24, 2018 for two adjacent properties owned by Top Cut Lawn Services North, LLC (Top Cut Lawn), giving it until February 28, 2019 to bring their property located at 6723 Park Ln W and 6845 Park Lane Rd, Lake Worth, Florida into full code compliance. The two properties were cited for landscape service operations without zoning approval and construction without a building permit. Compliance with the CESM’s order was not achieved, and a fine of \$250 per day for each case/property was imposed. The CESM executed two orders imposing the code liens against Top Cut Lawn Services North, LLC on July 10, 2019. The Code Enforcement Division (Code Enforcement) issued affidavits of compliance for both properties on April 18, 2022. The total fine on January 5, 2023 was \$546,157.10, the date on which settlement discussions began. Top Cut Lawn has agreed to pay Palm Beach County \$160,000 (29%) for full settlement of its outstanding code enforcement liens. District 6 (RS)

3. CONSENT AGENDA APPROVAL

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

3. Staff recommends motion to approve: a negotiated settlement offer in the amount of \$30,000 for the full satisfaction of a code enforcement lien executed against Jean R. Tournesy and Kemeisha Clarke on August 2, 2017. **SUMMARY:** The Code Enforcement Special Magistrate (CESM) executed an order on March 3, 2017 for the property owned by Jean R. Tournesy and Kemeisha Clarke giving them until April 30, 2017 to bring their property located at 17184 75th Place N., Loxahatchee, Florida into full code compliance. The property was cited for a storage building installed without a building permit, two expired permits, and several accessory structures in disrepair. Compliance with the CESM's order was not achieved, and a fine of \$50 per day was imposed. The CESM executed an order imposing a code lien against Jean R. Tournesy and Kemeisha Clarke on August 2, 2017. The Code Enforcement Division (Code Enforcement) issued an affidavit of compliance for the property on April 19, 2023. The total fine on May 4, 2023 was \$109,020.80, the date on which settlement discussions began. Jean R. Tournesy and Kemeisha Clarke have agreed to pay Palm Beach County \$30,000 (28%) for full settlement of their outstanding code enforcement lien. District 6 (RS)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to:

A) **adopt** a Resolution authorizing a Lease Agreement with Professional Firefighters/Paramedics of Palm Beach County, Local 2928, I.A.F.F., Inc., a Florida not-for-profit corporation, and providing for an effective date; and

B) **approve** a Lease Agreement with Professional Firefighters/Paramedics of Palm Beach County, Local 2928, I.A.F.F., Inc., (Local 2928) a Florida not-for-profit corporation, commencing on June 13, 2023 through June 12, 2026, for use of property located at 2971 Richard Road in Lake Park as a post disaster storage facility, at an annual rental rate of \$1.

SUMMARY: Palm Beach County (County) is the owner of the property which is currently used by Local 2928 to store post disaster recovery supplies and equipment to serve the employees of the Palm Beach County Fire Rescue Department (Fire Rescue). County and Local 2928 desire to formalize their agreement to use the property as a storage facility by entering into a long term lease agreement (Agreement). Pursuant to PPM CW-L-023, the County may directly enter into leases with not for profit organizations as an alternative to conducting a competitive process. This Agreement will commence upon execution by the Board of County Commissioners (Board); has an initial term of three (3) years, provides two (2) automatic extensions options for three (3) years each; at annual rent of \$1. Each party has the right to terminate the Agreement at any time with a 180-day written notice to the other party. Local 2928 will be responsible for the building and ground maintenance, utilities, future non-ad valorem taxes and repairs or replacements under \$5,000. Property & Real Estate Management Division will have management responsibility for this Agreement. (Property & Real Estate Management) District 1 (HJF)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to approve: an annual contract with the following contractor for flooring services on an as-needed basis through May 17, 2026.

| <u>Contractor</u> | <u>Status</u> | <u>SBE or Non-SBE</u> |
|---------------------------|---------------|-----------------------|
| Quick Painting Group Corp | Non-Local | Non-SBE |

SUMMARY: On May 18, 2021, the Board of County Commissioners (Board) approved the annual flooring contract (R2021-0633 through R2021-0639). The work consists of new installations, replacement and/or repairs of flooring to County-owned properties on an as needed basis. The Contractor now joins the list of nine (9) prequalified contractors for a total of ten (10) prequalified contractors with a contract expiration date of May 17, 2026. The specific requirements of the work will be determined by individual work orders issued against this annual flooring contract. These contracts are five (5) year indefinite-quantity contracts with a maximum cumulative value of \$2,000,000 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 flooring 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 flooring contract was presented to the Goal Setting Committee on January 20, 2021 and the Committee established Affirmative Procurement Initiatives (APIs) of sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or an SBE contractor will be given a price preference for projects \$100,000 or greater if its bid is within 10% of the lowest non-small business bid. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for all work orders issued. To date, the cumulative S/M/WBE participation for all work orders under the annual flooring contract is 58.28%. (Capital Improvements) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

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

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

| <u>Contractors</u> | <u>Status</u> | <u>SBE or Non-SBE</u> |
|--|---------------|-----------------------|
| A) Mario's Painting and Services, Inc. | Non-Local | Non-SBE |
| B) Quick Painting Group Corp | Non-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 two (2) Contractors now join the list of seven (7) prequalified contractors for a total of nine (9) 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.)

4. Staff recommends motion to approve: a First Amendment to Agreement for Art Services (Amendment) with Social Space, LLC to change the scope of services, decrease the fixed fee amount by \$71,936.39, and to extend the contract duration by an additional 159 days to February 14, 2024 for the art in public places installation at the new Palm Beach County Supervisor of Elections Production Facility. **SUMMARY:** On March 8, 2022, the Board of County Commissioners (Board) approved an Agreement for Art Services (Agreement, R2022-0193) with Matthew Mazzotta, dba Social Space, LLC, (Artist) in the amount of \$796,000 for the design, permitting, fabrication and installation of "VOTE!" sculptural installation for the new Supervisor of Elections Production Facility with a duration of 593 days. Through the design development process it was determined to be most efficient and effective for the project's Construction Manager at Risk (i.e., Kast Construction Company LLC) to install all concrete footers and plaza areas, and install all lighting, including those concrete and lighting improvements that are currently in the Agreement. Since the County paid the associated permitting fees for the installation of the art work, shifting of the identified scope of work to the Construction manager at Risk also helps streamline the permit and inspection process. Thus, this Amendment includes a change in scope and corresponding \$71,936.39 reduction to the Agreement for the permit services, concrete footers and plaza, and light fixtures to illuminate the work that will no longer be the responsibility of the Artist. In order for the art installation to remain aligned with the facility's capital construction schedule a 159 day extension to the Agreement is also required. This Amendment will be offset by a Change Order to the Construction Manager at Risk and reimbursement to Capital Improvement Division's project budget to cover the same services and in the same dollar amount. This item therefore will have no fiscal impact. Funding remains from the \$51.05M NAV Pub Imp Rev Bonds, 21A, CP, SOE Bldg Bond issued to support construction of the new facility. (FDO ADMIN) District 7/Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

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

5. Staff recommends motion to receive and file: Change Order No.6 to the contract (R2021-1072) with The Morganti Group, Inc. in the amount of \$92,610.54 for the Fire Station No. 40 project with an increase to the project duration of eighteen (18) calendar days. **SUMMARY:** On August 17, 2021, the Board of County Commissioners (Board) approved the contract (R2021-1072) with The Morganti Group, Inc. in the amount of \$4,547,000 to construct a two (2) bay single story prototypical fire station that is approximately 6,700 square feet in size with nine (9) bunk rooms, weight room, kitchen, dayroom, detached generator, dumpster building, water retention systems and associated infrastructure. Change Order No. 6 authorizes labor and material for additional storm structure and ex-filtration trench to be installed in the dry retention pond for Fire Station No. 40. In accordance with Policy and Procedure Memorandum (PPM) CW-F-050, when the cumulative value for additional work exceeds the greater of 5% or \$250,000 of the original contract value (Threshold Amount) then an agenda item notifying the Board of the item that puts the cumulative value in the excess category must be presented as a receive and file. To date, the cumulative value of additive change orders, including Change Order No. 6, totals \$316,122.58. This agenda item is being submitted to notify the Board that the cumulative value of changes or additional work is in excess of the \$250,000 Threshold Amount established by PPM CW-F-050. This project was competitively advertised on March 7, 2021 in accordance with the Palm Beach County Purchasing Code and pursuant to the requirements of the Equal Business Opportunity (EBO) Ordinance. This project was presented to the Goal Setting Committee on February 3, 2021 and the Committee established an Affirmative Procurement Initiative (API) of a mandatory 20% Small Business Enterprise subcontracting goal of which 5% must be from a Minority Enterprise Business (MBE) – African or Hispanic for the contract. There is no SBE participation for this change order. To date, the overall SBE participation on this project is 19.69% SBE participation, of which 8.25% is MBE. The Contractor is not a certified SBE. The Contractor is a Palm Beach County business. This project is funded from the Fire Rescue Improvement Fund. (Capital Improvements Division) District 2 (MWJ)

3. CONSENT AGENDA APPROVAL

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

6. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 1 to the contract (R2022-0744) with Netta Architects, LLC (Consultant) in the amount of \$208,396 for the interior renovations to the 4th floor Information Systems Services (ISS) department as part of the Governmental Center Renewal/Replacement (R/R) project. **SUMMARY:** On July 12, 2022, the Board of County Commissioners (Board) approved the contract (R2022-0744) with the Consultant in the amount of \$91,055 for the Governmental Center R/R project which included the initial phase of the project: a structural condition assessment which was conducted in two phases, an investigatory phase and condition assessment phase. This item will authorize professional services for CSA No. 1. Under CSA No. 1, the Consultant will provide the professional services (i.e., design and construction administration services) necessary for the interior improvements to the 4th floor ISS department office area. Interior renovations will impact approximately 14,425 sf of office space and include, but are not limited to, the removal of raised computer flooring, the removal and reconfiguration of walls to provide a more unified work environment, new flooring, lighting upgrades, Heating, Ventilation and Air Conditioning (HVAC) capacity upgrades, electrical capacity and distribution upgrades, and fire alarm, fire protection and low voltage distribution upgrades. The contract for the Governmental Center R/R was presented to the Goal Setting Committee on July 7, 2021 and the Committee established Affirmative Procurement Initiatives (APIs) of a Minority/Women Business Enterprise (M/WBE) participation evaluation preference of up to 15 points based on the level of participation from African American firms for the selection of the Consultant and a minimum mandatory contract goal of 20% Small Business Enterprise (SBE) participation. The Consultant has committed to 33% SBE participation, of which 21% is from African American owned businesses for this contract. The SBE participation on this CSA is 1.50%. There is no SBE participation from African American owned businesses on this CSA. SBE participation on the contract to date is 23.62%. There is no SBE participation from African American owned businesses on this contract to date. The Consultant is not a certified SBE but is a local firm. Funding for this project is from the Public Building Improvement Fund. (Capital Improvements Division) District 7 (MWJ)

3. CONSENT AGENDA APPROVAL

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

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

| <u>Contractor</u> | <u>Status</u> | <u>SBE or Non-SBE</u> |
|-----------------------|---------------|-----------------------|
| One Call Florida, Inc | Local | SBE |

SUMMARY: On April 4, 2023, the Board of County Commissioners (Board) approved the annual demolition contract (R2023-0414 through R2023-0415). The work consists of demolition services to County-owned properties on an as needed basis. The Contractor now joins the list of two (2) prequalified contractors for a total of three (3) prequalified contractors with a contract expiration date of April 3, 2028. The specific requirements of the work will be determined by individual work orders issued against this annual demolition contract. These contracts are five (5) year indefinite-quantity contracts with a maximum cumulative value of \$1,000,000 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 demolition 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 demolition 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.)

8. **Staff recommends motion to receive and file:** an emergency contract with Colomé & Associates, Inc. for the Melissa's Place Lake Village at the Glades (Melissa's Place) Moisture/Structural Crawl Space Project in the amount of \$108,917.83. **SUMMARY:** Melissa's Place is located at 1749 E. Main Street, Pahokee. On June 2, 2020, the BCC authorized the County Administrator or designee, which in this case was the Director of Facilities Development and Operations (FDO), to execute emergency design and construction contracts to renovate the Pahokee and Belle Glade Facilities as part of the County's Non-Congregate Sheltering Strategy for the Western Communities. The project received its Certificate of Substantial Completion on December 31, 2020 and residents occupied the facility shortly after. Recently the County was notified by staff responsible for managing the facility that they were experiencing flooring moisture issues in select areas of the facility. An initial investigation by the Capital Improvements Division (CID) and Colomé & Associates, Inc. deemed that further investigation in both the crawl space area and areas adjacent to the building perimeter are required in order to identify the cause of the grade settlement and water migration issues being experienced. Professional services for this project include, but are not limited to, performing moisture and structural crawl space studies, designing civil grading and drainage solutions to address roof downspouts and adjacent landscape areas identified as concerns due to grade settlement, providing construction details and drawings and construction administration services. This project was awarded as an emergency contract in accordance with the F.S. 287.055, Consultant's Competitive Negotiation Act and County PPM CW-O-048. The Director of the Facilities Development and Operations Department (FD&O) executed this emergency contract under its construction authority pursuant to the Purchasing Code Section 2-53(f). In accordance with PPM CW-F-050, staff is submitting this emergency contract to the Board of County Commissioners as a receive and file item for transparency and for informational purposes. Pursuant to section 2-80.22 of the Equal Business Opportunity (EBO) Ordinance and the County PPM CW-O-043, this emergency contract is exempt from the EBO requirements. Colomé & Associates, Inc. is a certified Small Business Enterprise (SBE) firm. Funding for this project is from the Public Building Improvement Fund. (Capital Improvements Division) District 6 (MWJ)

3. CONSENT AGENDA APPROVAL

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

9. Staff recommends motion to:

A) **adopt** a Resolution authorizing a five (5) year Lease Agreement with Okeeheelee BMX Parents Council, Inc. for the continued use of the 3.78-acre BMX facility in Okeeheelee Park for public recreational purposes as a Bicycle Moto-Cross Track; and

B) **approve** a Lease Agreement with Okeeheelee BMX Parents Council, Inc., for the continued use of the 3.78-acre BMX facility in Okeeheelee Park for public recreational purpose as a bicycle Moto-Cross track for a term of five (5) years at an annual rental rate of \$1.

SUMMARY: Since July 21, 1998 Okeeheelee Parents Council, Inc. (BMX) has operated under the current Lease Agreement (R98-1015) for the management of a bicycle moto-cross track in the southwest corner of Okeeheelee Park for public recreation purposes. The current term of the Lease Agreement expires on July 20, 2023 with no remaining options to extend. Since Parks and Recreation Department is satisfied with BMX's performance and since no other not-for-profit has expressed an interest in providing these services at this location, a new five (5) year Lease Agreement with the option to extend the term for two (2) successive period(s) of five (5) years each under the same terms and conditions was negotiated. The annual rent is one dollar (\$1). Parks will continue to have administrative responsibility for this Lease Agreement. (Property & Real Estate Management) District 2 (HJF)

3. CONSENT AGENDA APPROVAL

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

10. Staff recommends motion to approve:

- A) a Termination Agreement with Housing Partnership, Inc., a not for profit corporation; and
- B) a Lease Agreement with Ric L. Bradshaw, Sheriff, in his official capacity as the Sheriff of Palm Beach County (PBSO), for the use of approximately 1,600 square foot (SF) building located at 1101 Mentone Road in unincorporated Palm Beach County to provide sports, education and mentoring programs for an initial term of five (5) years at an annual rate of \$10.

SUMMARY: On April 7, 2015, the Board of County Commissioners (Board) approved a Lease Agreement (R2015-0451) with Housing Partnership, Inc., a not-for profit corporation (Housing Partnership) for the County-owned 1,600 SF building located at 1101 Mentone Road in unincorporated Palm Beach County, also known as the San Castle Community Center (Community Center) for a term of ten (10) years with five (5) renewal options for two (2) years each, at an annual rental rate of \$10. On September 1, 2015, the Board approved the Restated Lease Agreement (R2015-1113) amending Exhibit "B" (the Premises), and adding Exhibit "G" (a Service Agreement). Housing Partnership has requested that the lease and all obligations thereunder be transferred to PBSO. In lieu of transferring said lease, County wishes to terminate the lease with Housing Partnership, Inc. and enter into the proposed Lease Agreement with PBSO. The initial term of the Lease Agreement is for five (5) years with two (2) options to extend, each for a period of five (5) years. The rent will be \$10 annually and PBSO is responsible for utilities. County will be responsible for maintenance and repair of building systems and PBSO will be responsible for all other operational maintenance and repairs to the property (under the existing lease with Housing Partnership, responsibilities for all maintenance lies with Housing Partnership). Property & Real Estate Management will have administrative responsibility for this Lease Agreement. (Property & Real Estate Management) District 7 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to receive and file: Documents executed in connection with a loan made to Performance NAPA, LLC, in the amount of \$315,000 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) 108 Mortgage and Security Agreement with Assignment of Leases and Rents;
- E) 108 Security Agreement;
- F) 108 Guaranty Agreement;
- G) 108 Environmental Indemnity Agreement;
- H) Further Assurances and Errors and Omissions Statement;
- I) State of Florida Uniform Commercial Code Financing Statement Form; and
- J) Intercreditor Agreement.

SUMMARY: This Section 108 loan in the amount of \$315,000 is to Performance NAPA, LLC, which holds NAPA Auto Parts store franchises in 16 locations. The total cost of the project is \$2,981,499. The project consists of acquisition of land and construction of a NAPA Auto Parts store, purchase of machinery & equipment, and working capital. The project will be located at 221 SE 1st Street, Belle Glade, Florida. The County's Section 108 loan funds will be used to purchase machinery & equipment and for working capital. The funds are leveraged with a bank loan from Truist Bank, a United States Department of Agriculture loan, and borrower's equity. The project will create a total of seventeen (17) new full-time equivalent jobs over five years. 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 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 6 (DB)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to receive and file: Documents executed in connection with a loan made to Performance NAPA, LLC, in the amount of \$150,000 under the United States Department of Agriculture (USDA) Intermediary Relending Program (IRP) as follows:

- A) Palm Beach County IRP Promissory Note;
- B) Palm Beach County Intermediary Relending Program Loan Agreement;
- C) IRP Mortgage and Security Agreement with Assignment of Leases and Rents;
- D) IRP Security Agreement;
- E) Guaranty Agreement;
- F) Environmental Indemnity Agreement;
- G) Further Assurances and Errors and Omissions Statement;
- H) State of Florida Uniform Commercial Code Financing Statement Form; and
- I) Intercreditor Agreement.

SUMMARY: This USDA IRP loan in the amount of \$150,000 is to Performance NAPA, LLC, which holds NAPA Auto Parts store franchises in 16 locations. The total cost of the project is \$2,981,499. The project consists of acquisition of land and construction of a NAPA Auto Parts store, purchase of machinery & equipment, and working capital. The project will be located at 221 SE 1st Street, Belle Glade, Florida. The County's USDA IRP loan funds will be used for working capital. The funds are leveraged with a bank loan with Truist Bank, a Section 108 Housing and Urban Development loan and borrower's equity. The project will create a total of seventeen (17) new full-time equivalent jobs over five years. 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 above documents have been executed on behalf of the Board of County Commissioners (BCC) by the County Administrator or designee in accordance with Resolution R2022-0264, and are now being submitted to the BCC to receive and file. District 6 (DB)

3. CONSENT AGENDA APPROVAL

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

3. Staff recommend motion to receive and file: Documents executed in connection with the \$14,000,000 U.S. Department of Housing & Urban Development (HUD) Section 108 Loan Guarantee Program (Program):

- A) Contract for Loan Guarantee Assistance;
- B) Variable/Fixed Rate Note;
- C) Legal Opinion Letter;
- D) Collateral Assignment; and
- E) Section 108 Loan Program Criteria.

SUMMARY: On August 9, 2021, the Department of Housing & Economic Development (DHED) applied for and was subsequently awarded \$14,000,000 for the Program. The Program provides a source of low-cost long-term financing for economic development projects. The Board of County Commissioners (BCC) received and filed the Funding/Approval Agreement on March 14, 2023 (R2023-0318). The above documents relating to the Program have been executed by the Director of the DHED on behalf of the BCC in accordance with R2009-0725; dated May 5, 2009 that delegated authority to the County Administrator or designee to execute all documents related to the HUD Section 108 Loan Guarantee program and all things necessary and proper to carry out the terms and conditions of said program. 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 funds which require no local match.** Countywide (DB)

3. CONSENT AGENDA APPROVAL

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

4. Staff recommends motion to receive and file: a Loan Agreement in the amount of \$5,500,000 in ARPA Response Replacement Fund with Legacy at 45th Street, LLC. **SUMMARY:** The Loan Agreement with Legacy at 45th Street, LLC, a wholly owned subsidiary of The Spectra Organization, Inc., provided \$5,500,000 in ARPA Response Replacement Fund toward the construction of Legacy @ 45th Street, a 48-unit multifamily development located at 3430 45th Street in West Palm Beach. All County assisted units will be provided to persons with incomes at 80% of the Area Median Income or below. The document has been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development (DHED) in accordance with Agenda Item 6E-2, as approved by the BCC on October 18, 2022 that delegated authority to the County Administrator or designee to execute agreements, amendments, and all other related documents necessary for project implementation. Agenda Item 6E-2 dated October 18, 2022, awarded ARPA Response Replacement Fund to successful respondents to Request for Proposal HES.2021.4. 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. **These are County ARPA Response Replacement Fund that do not require a local match.** District 7 (HJF)

K. WATER UTILITIES

1. Staff recommends motion to approve: a Contract for the Mechanical Integrity Testing (MIT) (Project) with Layne Christensen Company (Contractor) in the amount of \$521,680. **SUMMARY:** On March 1, 2023, the Palm Beach County Water Utilities Department (PBCWUD) received three (3) bids for the Project. Contractor was determined to be the lowest responsive and responsible bidder in the amount of \$521,680. The Project provides for mechanical integrity testing of one (1) deep injection well (DIW) located at Southern Region Operations Center (SROC), two (2) DIW located at Southern Region Water Reclamation Facility (SRWRF), one (1) DIW located at Northern Region Operations Center (NROC), one (1) DIW located at Western Region North Wastewater Treatment Plant (WRNWWTP) and one (1) DIW located at Western Region Wastewater Treatment Plant (WRWWTP). The Contract amount includes Alternative Bid Items A-1 through A-4 to rehabilitate the injection well at WRWWTP Plant in the amount of \$79,050.00. This Project was procured under the requirements of the Equal Business Opportunity Ordinance (EBO). On November 14, 2022, the Goal Setting Committee (GSC) applied an Affirmative Procurement Initiative (API) of a Small Business Enterprise (SBE) Price Preference. The Contract provides for 0.00% for SBE participation. Contractor is headquartered in Woodlands, Texas. (PBCWUD Project No. 22-040) Districts 5 and 6 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

2. Staff recommends motion to receive and file: Two (2) executed Standard Potable Water and Wastewater Development Agreements for the month of March 2023:

A) Standard Potable Water and Wastewater Development Agreement with Avalon MF LP, SDA #03-01054-000 (District 5), Recorded in OR BK 34198 PG 1600; and

B) Standard Potable Water and Wastewater Development Agreement with All Seasons Delray Beach, LLC, SDA #09-01101-000 (District 5), Recorded in OR BK 34166 PG 496.

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

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

3. Staff recommends motion to:

- A) **approve** the acceptance of standard grant agreement with the State of Florida Department of Environmental Protection (FDEP) in the amount of \$231,573.00 for the Western Region Wastewater Treatment Plant (WRWWTP) Sand and Grit Removal (Project). This agreement is effective as of the date of execution by the Board of County Commissioners and ends October 31, 2024;
- B) **authorize** the County Administrator, or designee, to execute standard grant agreements, amendments, and all other documents necessary of the grant award that do not substantially change the scope of work, terms or conditions of the agreement; and
- C) **approve** a \$231,573 Budget Amendment in the Water Utilities Department Operations and Maintenance Fund to establish budget for the grants.

SUMMARY: The DEP has allotted \$2,000,000 for publicly owned utilities to remove sand and grit from wastewater treatment plants with daily flow less than 3 million gallons per day (MGD) and must remain in operation during cleaning to avoid the discharge of untreated wastewater. Palm Beach County Water Utilities Department (PBCWUD) is eligible for this grant as: 1) the Bid 20-024-CC was competitively bid and awarded; 2) WRWWTP has daily flows less than 3 MGD and must remain in service during cleaning to avoid discharge of untreated wastewater; and 3) The facility is located in Belle Glade which is registered as 37.9% above the poverty level with the US Census Bureau, exceeding the grant requirement of equal to or greater than 25%. Since the location of the WRWWTP exceeds the poverty requirement for this grant, no local match is required. District 6 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

4. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 4 to the Consulting/Professional Services Pressure Pipeline Engineering Services (Contract) with Mock Roos & Associates, Inc. (Consultant) for Engineering Services during Construction for Century Village South Water Main Improvements (Project) for a not to exceed amount of \$336,136. **SUMMARY:** On April 20, 2021, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2021-0505) with Consultant. CSA No. 4 provides for professional engineering services during construction for installation of 37 meter assemblies ranging in size from 1.5-inch to 6-inch with associated appurtenances within Century Village South, a residential community. The Project also includes installation of backflow preventers, site restoration, landscaping, striping, and asphalt restoration. Services include, but are not limited to, construction management services, field observations, project administration and review of deliverables. This Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On July 1, 2020, the Goal Setting Committee applied an Affirmative Procurement Initiative (API) of a 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 African American owned firms. The Contract provides for 34.00% SBE participation, which includes 34.00% MBE participation, 34.00% MBE (B). CSA No. 4 includes 35.27% SBE participation, which includes 35.27% MBE, 35.27% B. The cumulative SBE participation, including CSA No. 4, is 33.35%, which includes 33.35% MBE, 33.35% B. Consultant is a Palm Beach County based company. The Project is included in the PBCWUD FY23 budget. (PBCWUD Project No. 20-056) District 5 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

5. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 10 to the Consulting/Professional Services Utility Distribution & Collection System Engineering Services Contract (Contract) with Holtz Consulting Engineers, Inc. (Consultant) for the Main St. and Gator Blvd. Water Main Break Analysis (Project) for a not to exceed amount of \$218,892.68. **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. 10 provides for professional engineering services to conduct an investigation of the water main failures along SR 80/N. Main St. and Gator Blvd. in Belle Glade, Florida. The investigation shall include forensic testing and investigations, geotechnical investigations, and recommendations for future projects. 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. 10 includes 0.00% SBE participation, which includes 0.00% MBE participation, 0.00% H, and 0.00% A. The cumulative SBE participation including CSA No. 10 is 75.52%, which includes 62.73% MBE participation, 61.63% H, and 1.10% A. Consultant is a Palm Beach County based company. The Project is included in the PBCWUD FY23 budget. (PBCWUD Project No. 23-033) District 6 (MWJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to: **approve** the Detailed Work Plan Budget – Arthropod Control (Budget) and Operational Work Plan for Mosquito Control (Work Plan) for the State Financial Assistance Recipient Agreement (Agreement) or State Mosquito Control Memorandum of Understanding (MOU) with the Florida Department of Agriculture and Consumer Services (FDACS) for fiscal year beginning October 1, 2023 and ending September 30, 2024. **SUMMARY:** The Budget and Work Plan are due to FDACS by July 15, 2023, as part of the re-application process for state aid for FY2024. The current MOU No. 29353 was approved by the Board of County Commissioners on January 24, 2023 (R2023-0091). The County anticipates receiving a new Agreement or MOU for FY2024 from FDACS in September to support mosquito control activities as approved by FDACS. An Agreement would be required if FDACS awards grant assistance to the County, but the County anticipates there will be no grant assistance awarded for FY2024. However, even if there is no Agreement for a grant award, an MOU would still be required by Florida Administrative Code (F.A.C) Rule 5E-13.022 for counties that are not eligible to receive state aid for control of arthropods, but want to remain in the state approved program. Under the MOU, the Mosquito Control Division would be responsible for the completion of monthly deliverables as stated in the MOU. State aid determination is based on a tier system. Based on Mosquito Control’s Annual Certified Budget FY2023, FDACS placed Mosquito Control into Tier 1, which receives no state funding, which resulted in the current MOU instead of an Agreement. Countywide (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (cont'd.)

2. Staff recommends motion to:

- A) **accept** State of Florida Department of Environmental Protection (DEP) Purchase Order of \$432,396.93, which includes funding for Palm Beach County (PBC) to conduct reef restoration work, and pass through funding for The Reef Institute (Reef Institute) to acquire, study, and outplant corals to PBC reefs, beginning July 11, 2023 and terminating June 30, 2024;
- B) **approve** Budget Amendment of \$432,397 in the Environmental Resources Capital Projects Fund to recognize the revenue from DEP;
- C) **approve** Agreement with Healthy Aquatics Marine Institute of Florida Inc., DBA The Reef Institute, for a cost reimbursement of the Phase 4A Coral Restoration Project (Project) for an amount not to exceed \$389,327.33 beginning July 11, 2023 and terminating December 31, 2023; and
- D) **authorize** the County Administrator, or designee, to sign all future time extensions, task assignments, certifications, and other forms associated with this Agreement and Purchase Order, and any necessary minor amendments that do not substantially change the scope of work, terms, or conditions of the Agreement and Purchase Order.

SUMMARY: In response to the Stony Coral Tissue Loss Disease epidemic which recently devastated reefs from Florida to the Caribbean, the Florida legislature appropriated funds to DEP to restore and protect Florida's Coral Reef. DEP is authorized to disburse these funds to local governments and agencies via a Purchase Order. DEP identified Reef Institute as a not-for-profit entity that could expand their current coral nursery to accept and grow additional corals for State-led restoration efforts. On March 17, 2020 and again on February 2, 2021, the Board of County Commissioners approved Agreements R2020-0319 and R2021-0192, respectively, to pass money from DEP to Reef Institute to acquire, maintain, and propagate corals and enhance a land-based nursery. The DEP Purchase Order will fund \$389,327.33 of Reef Institute's Project costs to rear additional corals, study the effects of medical treatments on captive corals, and outplant corals to PBC reefs. The County will receive deliverables from Reef Institute and submit those as an invoice to DEP. Upon payment by DEP to the County, the County will pay Reef Institute. The remaining \$43,069.60 from the DEP Purchase Order includes \$6,188.15 in County administrative costs and will support County-led restoration and monitoring efforts of the natural reef. The County will submit its own deliverables to DEP as described in the Purchase Order. Countywide (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (cont'd.)

3. Staff recommends motion to approve: Supplement No. 0090-03A to Consultant Services Authorization (CSA) No. 0090-03 to Contract (R2023-0090), approved on January 24, 2023 with Olsen Associates, Inc. (OAI) for the amount of \$124,767.98, providing for additional seagrass mapping in the Lake Worth Lagoon (LWL). **SUMMARY:** On January 24, 2023, the Board of County Commissioners approved the Contract (R2023-0090) with OAI, a Jacksonville company. This Supplement adds seagrass mapping services for the north and south LWL segments. The CSA is funded by the Pollution Recovery Trust Fund and Manatee Protection Fund. The Contract requires OAI to adhere to 20% mandatory Small Business Enterprise (SBE) subcontracting goal as the Affirmative Procurement Initiative. OAI committed to an overall 48.0% SBE participation in the contract. SBE participation for this CSA, including the Supplement, is 97.3%. **The cost to the County is \$124,767.98.** Districts 1, 2, 3, 4 and 7 (YBH)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (cont'd.)

4. Staff recommends motion to approve:

- A) Amendment No. 1 to the Palm Beach County Inshore Annual Contract (Federalized), Project No. 2021ERM02 with Arbor Tree & Land, Inc. (ATL) (R2021-0918) to extend the construction contract for one year to July 12, 2024; and
- B) Amendment No. 1 to the Palm Beach County Inshore Annual Contract (Federalized), Project No. 2021ERM02 with Coston Marine Services, Inc. (Coston) (R2021-0919) to extend the construction contract for one year to July 12, 2024.

SUMMARY: On July 13, 2021, the Board of County Commissioners (BCC) approved the Palm Beach County Inshore Annual Contract (Federalized), Project No. 2021ERM02 with ATL (R2021-0918), a West Palm Beach, Florida company, and Coston (R2021-0919), a Jupiter, Florida company. ATL has been issued one work order totaling \$1,660,222. Coston has not been issued any work. Amendment No. 1 to the ATL Contract will extend the expiration date of the Contract for one year, from July 12, 2023 to July 12, 2024. Amendment No. 1 to the Coston Contract will extend the expiration date of the Contract for one year, from July 12, 2023 to July 12, 2024. The contract period in each contract may be extended for a defined period of time, not to exceed thirty-six months total Contract Time, upon approval by the Contractor and the BCC. A single annual price adjustment to the unit prices in the Bid Schedule based on the Consumer Price Index is allowed if requested in writing by the Contractor. ATL's Contract was designated Secondary and Coston's was Tertiary based on the bid ranking at Contract award. The projects to be constructed under these contracts include potential federal funding or reimbursement in all project areas. Federal rules prohibit local geographical preferences in construction procurements involving federal funds, so the County's Office of Equal Business Opportunity (OEBO) Program, Local Preference, Glades Local Preference, Glades Resident Incentive, and Apprentice Incentive are not included in both contracts. Districts 1,2,4,7 (YBH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: an executed Amphitheater Rental Agreement with AEG Presents SE, LLC for the Gojira & Mastodon Concert at Sunset Cove Amphitheater, for the period May 4, 2023 through May 5, 2023. This event generated \$14,918 in revenue, with \$4,652 in expenses; thus providing a net fiscal impact of \$10,266. **SUMMARY:** This Amphitheater Rental Agreement has been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution 2011-1960. The Department is now submitting this Agreement in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a receive and file agenda item. District 5 (AH)

2. Staff recommends motion to receive and file: an executed Sound and Light Production Service Contractor Agreement with Sanderford Sound, Inc. in an amount not to exceed \$700 for Gojira & Mastodon concert at Sunset Cove Amphitheater for the period May 4, 2023 through May 5, 2023. **SUMMARY:** This Sound and Light Production Service Contractor Agreement has been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution 2009-0592, amended by Resolutions 2010-0645, 2014-0167, 2017-1368 and 2018-0179. The Department is now submitting this Agreement in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a receive and file agenda item. District 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (cont'd.)

3. Staff recommends motion to receive and file: the following two (2) executed Entertainment Contractor Agreements:

A) Hector Diaz in an amount of \$600 for the Killbillies concert at Canyon Amphitheater on April 15, 2023; and

B) NHS Consulting Inc. in the amount not to exceed \$750 for the KRUSH Party Band at Canyon Amphitheater, on May 20, 2023.

SUMMARY: The Parks and Recreation Department produces cultural activities to promote the quality of life in the communities it serves. A sponsorship in the amount of \$6,000 for the Legends of the Lawn events from Nostalgic America offset the expense of this concert at the Canyon Amphitheater. These Entertainment Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution 2008-1109, amended by Resolutions 2010-0644, 2014-0168 and 2017-1367. The Department is now submitting these Agreements in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a receive and file agenda item. District 5 (AH)

4. Staff recommends motion to receive and file: an executed Special Events Rental Agreement for Spartan Race, Inc. for the Palm Beaches Spartan Race event at Burt Aaronson South County Regional Park, for the period April 13, 2023 through April 26, 2023. This event generated \$14,890 in revenue, with \$690 in expenses; thus providing a net fiscal impact of \$14,200. **SUMMARY:** The Parks and Recreation Department assists users in obtaining the necessary permits to hold special events in County Parks. The Palm Beach County Sports Commission supported the Spartan Race and agreed to offset the costs associated with the event in the amount of \$14,200. This Special Events Rental Agreement has been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution R2021-1552. The Department is now submitting this Agreement in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a receive and file agenda item. District 5 (AH)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to:

- A) **receive and file** a sustainability grant application to the John D. and Catherine T. MacArthur Foundation's (Foundation) Safety and Justice Challenge (SJC) in the amount of \$875,000 beginning January 1, 2023 through December 31, 2024 to fund existing strategies to safely reduce Palm Beach County's jail population and reduce the ethnic and racial disparities within the average daily jail population (ADP) for the Black population by 10% each year;
- B) **receive and file** the grant award agreement #22-2001-154459-CJ with the Foundation in the amount of \$875,000 pursuant to the above application;
- C) **approve** a Budget Amendment of \$875,000 in the MacArthur Foundation Safety and Justice Challenge Fund to recognize grant funding from the Foundation; and
- D) **approve** a Budget Amendment of \$72,100 in the General Fund to recognize a transfer of grant funding from the Foundation to Public Safety.

SUMMARY: PBC, through the Criminal Justice Commission (CJC), was awarded \$2,000,000 from the Foundation's SJC Grant Program on October 2, 2017 to be a Core Site. On January 1, 2020, the County was awarded a renewal grant of \$1,400,000 to continue participation in the SJC Project. On March 9, 2023, the County was awarded a sustainability grant of \$875,000 to continue criminal justice system reform work through funding 1) SJC Coordinator (two years); 2) continuation/expansion of the Text Reminder System (one year); 3) continuation (one year) and an evaluation (two years) of the "Next Steps" Frequent Utilizers Pilot; 4) continuation and expansion of community engagement through "Dialogues to Change" to assist with the development of a system-wide strategic plan with increased emphasis on racial equity through coordinated dialogues (two years); 5) continuation of the Pretrial Client Release Project with rapid housing, peer mentoring, and supportive services; 6) continuation of the Pretrial Service position for supervision of the Supervised Own Recognizance levels (one year); and 7) deeper-dive data research and enhancements to improve decision-making. If grant funding ceases, the SJC Coordinator position will be deleted from the CJC complement, and the Pretrial Counselor position will be deleted from Public Safety Justice Services. The sustainability grant agreement was executed on May 15, 2023 on behalf of the Board by the Executive Director of the CJC in pursuant to the delegated authority contained in R2017-0914, after review by the County Attorney. **No County matching funds are required.** Countywide (HH)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

1. Staff recommends motion to receive and file: a Lease Agreement for the Use of School Facilities with the School Board of Palm Beach County, for Fire Rescue Promotional testing (Wellington High), on May 19 and 20, 2023. **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 lease agreement has been fully executed on behalf of the Board of County Commissioners (Board) by the Fire Rescue Administrator, in accordance with a delegation of authority from the Board (R2017-1072) through the County Administrator. This executed document is now being submitted to the Board to receive and file. Countywide (SB)
2. Staff recommends motion to approve: a Fifth Amendment to Interlocal Agreement (R2008-1567) for Fire Vehicle Maintenance with the City of West Palm Beach ("City") to extend the term of the Agreement from September 9, 2023 through September 8, 2024. **SUMMARY:** The Agreement provides the terms and conditions under which Palm Beach County Fire Rescue Support Services personnel provides maintenance and emergency repair to Aerials/Platforms and Ladders, only, of the City's Fire-Rescue fleet. This Agreement, as amended, is cost neutral with no supplemental funding from the Fire Rescue MSTU as the City is billed for all time, materials, and services performed to maintain and repair the City's fire vehicles. Countywide (SB)
3. Staff recommends motion to approve: an Interlocal Agreement for Fire Protection and Emergency Medical Services with the Town of Jupiter (Town) for a period of ten (10) years commencing on October 1, 2023 through October 1, 2033. **SUMMARY:** The Agreement provides for the Town to receive fire protection and emergency medical services from the County through the County's established Jupiter Municipal Service Taxing Unit (MSTU). The cost of services will be funded by emergency transport services fees, non-emergency service fees, hazardous materials mitigation service fees, and ad valorem taxes levied through the Jupiter MSTU. The Town has agreed to remain in the Jupiter MSTU, pursuant to a Town ordinance of consent, for each year during the term of the Agreement. The Agreement outlines the terms regarding the provision of services and funding and can be terminated by the Town with thirty-six (36) months' notice. District 1 (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (cont'd.)

4. Staff recommends motion to approve: One (1) appointment to the Fire Code Board of Appeals and Adjustments beginning July 11, 2023 through September 30, 2026.

| <u>Nominee</u> | <u>Category</u> | <u>Seat No.</u> | <u>Nominated By</u> |
|----------------|---------------------|-----------------|--|
| Peter LeDuc | Municipal Fire Rep. | 3 | Commissioner Marino Commissioner Barnett Commissioner Woodward |

SUMMARY: The Fire Code Board of Appeals and Adjustments is maintained in accordance with the Palm Beach County Local Amendments to the Florida Fire Prevention Code (Section 12-57, Palm Beach County Code). On March 13, 2023 a memo was distributed to the Commissioners requesting nominations to this eight (8) - member board (At-Large). This board is appointed by the Board of County Commissioners and members serve no more than three (3) consecutive three (3) year terms. Peter LeDuc, Fire Marshal for the City of West Palm Beach, was nominated. No other nominations were received. The Board consists of eight (8) members. Upon approval of this item, four (4) seats will be filled with a diversity count of Caucasian: 4 (100%) and African-American: 0 (0%), and a gender ratio (male: female) of 4:0. Staff will continue to address the need to increase diversity on our boards. Countywide (RM)

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to approve:

- A) the Second Amendment to the Interlocal Agreement to provide network services to a new site and additional phone services to the City of Greenacres. The Second Amendment will generate an increase in annual income of \$1,880 to the County from \$21,120 to \$23,000 for network and telephone services; and
- B) a Budget Amendment of \$1,164 in the General Fund to allocate funds and recognize revenue related to one-time installation costs.

SUMMARY: The City of Greenacres has an existing Interlocal Agreement with Palm Beach County (R2020-1834 as amended by R2022-0213) for network services, and has requested to add network services at 301 Swain Blvd., as well as, the addition of seven basic telephone lines to their current 105 lines of telephone services, for a total of 112 phone lines. This Second Amendment of Exhibits A and B to the Interlocal Agreement will generate an increase in annual income of \$1,880 to the County from \$21,120 to \$23,000 for network and telephone services. The Florida LambdaRail, LLC has approved connection of the City of Greenacres to the Florida LambdaRail network. District 2 (DB)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES (cont'd.)

2. Staff recommends motion to:

A) approve the Master Agreement with AT&T for the provision of services for a period of 60 months; and

B) authorize the County Administrator or designee to execute future AT&T Pricing Schedules and in order to maintain current rates on existing services, and to extend services with \$0 agreements, as needed.

SUMMARY: The existing AT&T Master Service Agreement (MSA) has been in place since July 1, 2009. The AT&T MSA bundles a broad range of telecommunications services, including voice and data network circuits, long-distance telephone service, and 911 services. The approval of an updated MSA allows for updated terms and conditions as well as the provision of services below maximum tariff rates for 60 months. Delegated authority is being requested for efficiency, to allow for the extension of existing services at current discounted rates without delay, and to extend services where no charges apply. Countywide (DB)

3. Staff recommends motion to:

A) Approve the Master Agreement with Comcast for the provision of network services for 60 months; and

B) Authorize the County Administrator or designee to initiate services at locations at an approximate annual cost of \$6,000 per location; and

C) Authorize the County Administrator or designee to execute an order form that will identify the sites, in an amount not to exceed \$6,000 per approved location, in which network services will be provided in accordance with the Master Agreement.

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES (cont'd.)

3. **SUMMARY:** A need has been identified to enter into a master agreement with Comcast to provide supplemental internet service. ISS is requesting a contract with Comcast to install backup circuits in priority locations. This will provide network access in the event that the primary connection for a site fails. It will also provide access to certain remote locations where alternative services are not currently available. Comcast required the County to agree to a limitation of liability that deviates from the County's standard requirements. Due to business needs and after advising the Department accordingly, in accordance with PPM CW-F-049, approval has been granted by the Department of Risk Management and the County Attorney's Office to move the Agreement forward for Board of County Commissioner approval. The limitation of liability limits Comcast's liability to the sum total of payments made by County to Comcast during the nine (9) months immediately preceding the event for which damages are claimed. This limitation does not apply to Comcast's indemnification obligations and claims for damage to property or personal injuries arising out of the negligence or willful misconduct of Comcast while on County service location. The individual sites where network services will be provided are not identified in the Agreement. Each site, once identified will have an order form, which will be executed by the County Administrator or designee upon approval of the requested delegated authority. Comcast cannot make changes directly to their Master Agreement, so the First Amendment is entered into concurrently with the Master Agreement to revise some of the terms and conditions in which the County and Comcast have agreed upon changing in the Master Agreement. Delegated authority is being requested for sites that have already been identified as possible locations for these services. Countywide (AH)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to: **approve** an Agreement with Port of Palm Beach District to provide Vehicle for Hire (VFH) licensing services for an administrative fee of 30% of port permit fees for the period beginning July 11, 2023 through April 30, 2024 with automatic one-year renewals up to seven (7) years. **SUMMARY:** The Division of Consumer Affairs (DCA) administers the VFH Ordinance which includes licensing and enforcement. In order to streamline the permitting process for the VFH industry, this Agreement allows the DCA to issue permits on behalf of the Port of Palm Beach to VFH companies requiring vehicle permit decals at the port. For the provision of licensing services such as processing applications, charging/receipting fees, record and license storage, issuing and tracking permits/applications, sending renewal notices, providing reports, and monitoring insurance policies, the County will retain 30% of the fees collected for administrative costs. It is estimated that approximately 25 permits will be processed by DCA annually. Enforcement of the port decal will remain the responsibility of the Port of Palm Beach. This agreement shall be valid for nine months and automatically renewed every year on April 30th for up to seven (7) years, unless either party gives written notice of its intent not to renew no fewer than 30 days prior to the renewal date. Countywide (RS)

2. Staff recommends motion to: **approve** First Amendment to the Contract for Consulting/Professional Services in the area of veterinary and medical services with Tri-County Humane Society, Inc for spaying/neutering at risk cats as part of the Countdown 2 Zero (C2Z) initiative in an amount not to exceed \$75,000 beginning July 12, 2023 to July 11, 2024. This serves as one of two potential extensions for one additional one-year term as per the original contract (R2022-0730). **SUMMARY:** Spaying/neutering at risk animals is part of the overall C2Z program to reduce and/or eliminate euthanasia. The County currently has one agreement each with Peggy Adams Animal Rescue League (PAARL) and Barky Pines Animal Rescue & Sanctuary Inc. (BP) for outsourcing sterilization services. Under this contract, Tri-County Humane Society, Inc will sterilize at risk cats in the southern region of Palm Beach County to include spaying/neutering, microchipping, vaccinating against rabies and ear tipping. Once these services are provided, the cats are returned to their original location by caregivers, vounteers, or Tri-County Humane Society, Inc. This contract will provide sterilization services to 1,000 cats at \$75 per cat. Countywide (SF)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (cont'd.)

3. Staff recommends motion to:

A) **approve** an agreement with NextEra Energy, Inc. (FPL) to receive \$262,500 for the Radiological Emergency Preparedness (REP) Program for the period October 1, 2022 through September 30, 2024; and

B) **approve** a Budget Amendment of \$137,500 in the Radiological Emergency Preparedness-FPL Fund to adjust the budget to the actual grant award.

SUMMARY: FPL will provide Palm Beach County \$262,500 over two years, for the Palm Beach County Public Safety Department's Division of Emergency Management REP Program, in accordance with U.S. Nuclear Regulatory Commission Provision (NRC) 10 CFR Parts 50 and 70, NRC guidance documents NUREG 0654 and Florida Statute, Chapter 252. The FPL agreement will continue to fund an Emergency Management Specialist III position (pay grade 38) that oversees the REP program, which includes planning, training, and exercises. If funding ceases, the REP Program and position will be evaluated. However, the County's REP program has been funded for over 20 years through renewal of this agreement and there are no anticipated changes. The agreement is renewed every two (2) years. **No County match is required.** Countywide (DB)

3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES

1. Staff recommends motion to approve:

- A) a First Amendment to Community Based Agency Contract with the American Association of Caregiving Youth, Inc. (AACY) (R2022-1150), for the period October 1, 2022 through September 30, 2025, to serve an additional 70 youth for expanded programming and activities during the summer of 2023, and increase the Contract by \$30,000 from \$120,000 to a new total contract amount not to exceed \$150,000; \$70,000 for FY2023 and \$40,000 each for FY2024 and FY2025; and
- B) a Budget Transfer of \$30,000 in the General Fund from the Evidence-Based Programming unit (Unit 1451) to fund the additional cost associated with summer programming in year one of the Contract.

SUMMARY: In October 2022, the Board of County Commissioners (Board) approved a Community Based Agency Contract with the AACY to provide services for the Caregiving Youth Project (CYP). AACY will increase the number of youth served, in FY2023 only, from 200 to 270. In FY2023, AACY expanded their services countywide and has already exceeded the contract projected 200 youth. AACY has identified youth in need of services during the summer months. Programming and activities provide social and emotional supports and opportunities for caregiving youth to socialize with their peers. The programming and activities include home visits to assess family needs, skills building sessions, summer events, recreational activities, transportation options for youth activities, field trips, and mentorship. These activities include field trips, FAU Camp Day, educational adventures such as: Manatee Lagoon/Beach Day as well as family engagements. Funds are available in the Community Based Agency (CBA) budget to support this need due to the termination of a contract by another CBA. It is important that caregiving youth continue to receive services during the summer months. AACY will continue to seek other funding in future years to meet increasing needs. In FY2022, AACY exceeded their projected number of youth served by 60%. After completion of each contract year, a report will be developed detailing AACY's progress in meeting their performance measurements. Countywide (HH)

3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES (cont'd.)

2. Staff recommends motion to approve: a First Amendment to Community Based Agency Contract with The Children's Home Society of Florida (CHS) (R2020-0702), extend the contract period from July 1, 2020 through September 30, 2023, to July 1, 2020 through September 30, 2026, for a new total contract amount not to exceed \$812,500 (\$32,500 quarterly), for Visitation Center services, over a 6.25 year period. **SUMMARY:** When the Youth Services Department (Department) was created, the Board of County Commissioners (BCC) assigned a number of responsibilities to the Department, one of which was a Family Visitation/Exchange program. The program need was identified by Juvenile Court judges and ChildNet, Inc. This visitation center at The Children's Home Society was created to address this need in 2018, with support from the BCC. In 2020, the Board approved a Community Based Agency Contract to continue support of the Visitation Center and provide quality visitation to children removed from their parents involved in the dependency system, who have court orders that dictate visitation level and frequency, with a goal of reunification. The Visitation Center continues to operate in partnerships with community members and local universities including students from Florida Atlantic University (FAU) School of Social Work. Approval of this First Amendment further modifies the Contract's performance measures to more accurately capture data on parental stress, abuse and overall satisfaction with the services. The Visitation Center provides a safe and confidential homelike environment for parents to bond with their children. In 2022, the CHS Visitation Center program completed a total of 4,189 visits, a significant increase of the 1,017 visits reported in 2021. After completion of each contract year, a report will be developed detailing CHS's progress in meeting their performance measurements. Countywide (HH)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

1. Staff recommends motion to:

A) **accept** on behalf of the Palm Beach County Sheriff's Office, a Florida Division of Emergency Management Federally-Funded SubAward and Grant Agreement for a FY 2022 Operation Stonegarden Grant, in the amount of \$346,500 for the period of May 10, 2023 through March 31, 2024; and

B) **approve** a Budget Amendment of \$346,500 in the Sheriff's Grants Fund.

SUMMARY: On May 10, 2023, the Palm Beach County Sheriff's Office (PBSO) received a FY22 Operation Stonegarden grant award to enhance the United States Border Patrol's (U.S.B.P) mission to secure the Nation's coastline through an all-threats layered integrated approach in collaboration with local law enforcement agencies and the U.S. Border Patrol. Specifically, grant funding will pay for overtime to reinforce our presence within local communities along the coast; and intercepting those who have illegally crossed our borders through highway interdiction and crime suppression operations. There is **no match requirement** associated with this award. The Catalog of Federal Domestic Assistance (CFDA) Number for this program is 97.067 and the contract number is R0563. Countywide (LDC)

2. Staff recommends motion to: **receive and file** Modification #2 to the FY21 Urban Security Area Initiative (UASI) Memorandum of Agreement between the City of Miami and the Palm Beach County Sheriff's Office, which extends the grant period from June 30, 2023 through October 31, 2023. **SUMMARY:** On September 13, 2022, the Board of County Commissioners (BCC) accepted a Palm Beach County Sheriff's Office (PBSO) grant award in the amount of \$1,909,519 for the FY21 Urban Area Security Initiative Grant Program, for the period August 2, 2022 through June 30, 2023 (R2022-1008). On April 18, the BCC accepted \$30,000 in supplemental funds (R2023-0526). **There is no match requirement associated with this award.** The Catalog of Federal Domestic Assistance (CFDA) number is 97.067 and the contract number is R0521. Countywide (RS).

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (cont'd.)

3. **Staff recommends motion to: receive and file:** Grant Modification #1 to the FY19 State Homeland Security Subgrant Agreement with the State of Florida, Division of Emergency Management, to extend the grant period from June 30, 2023 through September 30, 2023. **SUMMARY:** On June 6, 2023, the Board of County Commissioners (BCC) approved a grant award from the State of Florida, Division of Emergency Management in the amount of \$79,000 for the period of September 1, 2019 through June 30, 2023 to offset the costs of a training course for Region 7 bomb technicians. This agenda item will extend the period of performance through September 30, 2023. **There is no match associated with this award.** The Catalog of Federal Domestic Assistance (CFDA) Number for this program is 97.067 and the contract number is R0737. Countywide (RS)

4. **Staff recommends motion to: receive and file** Modification #5 to the FY20 Urban Security Area Initiative (UASI) Memorandum of Agreement between the City of Miami and the Palm Beach County Sheriff's Office, which extends the grant period from May 1, 2023 through August 1, 2023. **SUMMARY:** On August 17, 2021, the Board of County Commissioners (BOCC) accepted a Palm Beach County Sheriff's Office (PBSO) grant award in the amount of \$1,069,108 for the FY20 Urban Area Security Initiative Grant Program, for the period June 8, 2021 through June 30, 2022 (R2021-1139). On July 12, 2022, the BCC approved an extension through September 30, 2022 (R2022-0733). On August 23, 2022, the BCC approved an extension through December 31, 2022 (R2022-0874). On April 18, 2023, the BCC approved a supplemental award in the amount of \$470,000 to acquire a large Bomb Robotic Platform and to extend the grant period through May 1, 2023 (R2023-0527). This agenda item extends the period of performance through August 1, 2023 to allow more time to procure the large Bomb Robotic Platform. The UASI is a federally-funded homeland security grant program, pass-through to the State of Florida and the City of Miami, as the UASI's fiscal agent. The Catalog of Federal Domestic Assistance (CFDA) number is 97.067 and the contract number is R0232. **There is no match requirement associated with this award.** Countywide (RS).

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (cont'd.)

5. **Staff recommends motion to approve:** a Budget Transfer of \$523,850 from the Law Enforcement Trust Fund (LETf) to the Palm Beach County Sheriff's Office (PBSO). **SUMMARY:** Section 932.7055(5), Florida Statutes; provides that the seizing agency shall use Forfeiture proceeds for school resource officer, crime prevention, safe neighborhood, drug abuse education and prevention programs, or for other law enforcement purposes, which include defraying the cost of protracted or complex investigations, providing additional equipment or expertise, purchasing automated external defibrillators, and providing matching grant funds. Section 932.7055(5), Florida Statutes; also requires that no less than 25% of the LETf's previous year's revenues be used for the support or operation of drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood and school resource officer programs of various non-profit organizations. The PBSO's FY 2023 donation requirement is \$230,119. The PBSO's support of these programs exemplifies its strong commitment to the prevention and reduction of crime throughout the communities it serves and its desire to put money back into these communities to support organizations that provide such services. The year-to-date transfer for all donations to outside organizations after approval of this item is \$1,663,884. The funds requested are to aid PBSO and qualified organizations that meet the requirements set forth in Section 932.7055(5), Florida Statutes. Use of LETf requires approval by the Board, upon request of the Sheriff. The current State LETf balance is \$3,016,837. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$2,492,987. The PBSO certifies that the use of these funds is in accordance with Section 932.7055(5), Florida Statutes. Below is a table indicating the organizations the PBSO seeks to fund and the corresponding amount of funding proposed per respective organization or agency. No new positions are needed and no additional County funds are required. Countywide (RS)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (cont'd.)

5. SUMMARY (cont'd.)

| ORGANIZATION | AMOUNT |
|--|------------------|
| BAM Festival, Inc. | \$2,500 |
| Believer's Academy, Inc. | \$10,000 |
| Boys & Girls Clubs of Palm Beach County, Inc. - Belle Glade | \$20,000 |
| Boys & Girls Clubs of Palm Beach County, Inc. - Wellington | \$7,500 |
| Boys & Girls Clubs of Palm Beach County, Inc. - West Palm Beach | \$5,000 |
| Center for Trauma Counseling, Inc. | \$10,000 |
| Child Rescue Coalition, Inc. | \$15,000 |
| Children's Place at Home Safe, Inc. | \$10,000 |
| Cox Science Center and Aquarium, Inc. | \$25,000 |
| Crime Stoppers of Palm Beach County, Inc. | \$35,000 |
| Els for Autism, Inc. | \$25,000 |
| Esperanza Community Center, Inc. | \$10,000 |
| Florida Crime Prevention Association, Inc. | \$7,000 |
| HACER Ministry Corporation, Inc. | \$25,000 |
| Homeless Coalition of Palm Beach County, Inc. | \$35,000 |
| Mothers Against Murder Association, Inc. | \$25,000 |
| NAMI Palm Beach County, Inc. | \$15,000 |
| Palm Beach Economic Crimes Unit, Inc. | \$5,000 |
| Palm Beach County Sheriff's Foundation, Inc. - Explorers Program | \$86,850 |
| Palm Beach County Sheriff's Foundation, Inc. - School Supplies | \$35,000 |
| Palm Beach County Sheriff's Foundation, Inc. - Shop with a Cop | \$50,000 |
| Restoration Bridge International, Inc. | \$15,000 |
| Sweet Dream Makers, Inc. | \$10,000 |
| Vita Nova, Inc. | \$15,000 |
| West Palm Beach Library Foundation, Inc. | \$25,000 |
| | |
| Total Amount | \$523,850 |

3. CONSENT AGENDA APPROVAL

DD. OFFICE OF RESILIENCE

1. Staff recommends motion to:

A) ratify the signature of the Resilience Director on an Urban & Community Forestry (UCF) Program grant application submitted to the U.S. Department of Agriculture (USDA) on May 31, 2023, requesting \$10,467,229.94 to fund urban tree plantings and giveaways in disadvantaged census tracts of Palm Beach County (PBC), which would begin upon grant contract execution and end after five (5) years, and which includes one 5-year Urban Forestry Community Coordinator (UFCC) position at pay grade 38, which would be requested upon the grant being awarded and eliminated when grant funding is discontinued; and

B) authorize the County Administrator or designee to execute the forthcoming grant project agreement and all future time extensions, task assignments, certifications, and other forms associated with the forthcoming grant agreement and any necessary minor amendments that do not change the scope of work, or conditions of the forthcoming grant agreement by more than 20% of the agreement, if funding is awarded.

SUMMARY: The Office of Resilience (OOR), the Parks and Recreation Department, and local nonprofit Community Greening have applied for a USDA UCF grant to expand tree canopy coverage through tree plantings and giveaways in disadvantaged census tracts of PBC to increase tree canopy to reduce extreme heat, mitigate stormwater flooding, and reduce utility costs. This project will also fund urban forestry workforce development. This project will prioritize areas with low tree-equity scores and high severity of urban heat. To meet the grant application deadline, the emergency signature process was utilized because there was insufficient time to submit this application through the regular agenda process. In addition, the County Administrator delegated signing authority to the Resilience Director. Due to future grant-related items requiring timely execution by the County, staff is requesting Board of County Commissioners approval for the County Administrator or designee to approve grant documents and to act as the designee and liaison for this project. A match waiver is available to projects implemented in 100% disadvantaged areas, so **no match is required for this grant.** Countywide (RM)

3. CONSENT AGENDA APPROVAL

DD. OFFICE OF RESILIENCE (cont'd.)

2. **Staff recommends motion to approve:** an amendment to an Interlocal Agreement with Broward, Miami-Dade, and Monroe Counties for the cost-share support of services for the Southeast Florida Regional Climate Change Compact. **SUMMARY:** This item amends an existing Interlocal Agreement (ILA) with Broward, Miami-Dade, and Monroe Counties that provides a single fiscal agent overseeing a contract with the non-profit Institute for Sustainable Communities (ISC) for the continuation of staffing coordination, project management, and facilitation services for the Southeast Florida Regional Climate Change Compact (Compact). The amendments to the ILA will extend the contract term, which originally began on January 1, 2021, and ends on January 1, 2024, by adding a renewal term to extend the agreement until January 1, 2027. With this contract extension, Palm Beach County (PBC) commits to contributing up to, and not to exceed, three hundred thousand dollars (\$300,000), over the course of the 3-year renewal term. The Compact coordinates regional climate workshops and summits, develops federal and state policy platforms, and acquires grant funding, among other activities. Approval of this item advances and reaffirms PBC's commitment to climate resilience planning and regional coordination. Countywide (RM)

3. CONSENT AGENDA APPROVAL

EE. WATER RESOURCES

1. Staff recommends motion to:

- A) **approve** Florida Department of Environmental Protection (FDEP) Standard Grant Agreement for the C-51 Reservoir Phase II Cell 12 (Agreement Number APC01) through the Department of Treasury with an award amount of \$48,000,000 for the period beginning on the execution date through December 31, 2026;
- B) **approve** Budget Amendment of \$48,000,000 in the C-51 Reservoir Phase II Cell 12 Grant Fund to recognize the grant award;
- C) **approve** Sub-Grant Agreement for Water Storage Capacity Allocations in C-51 Reservoir Phase II Cell 12; and
- D) **authorize** the County Administrator, or designee, to execute grant agreements, to sign all future time extensions, task assignments, certifications, and other forms associated with the agreement, or any necessary minor amendments that do not substantially change the scope of work or terms or conditions of the agreement if the grant is approved.

SUMMARY: The Florida Legislature fully funded the design and construction of the C-51 Reservoir Phase II Cell 12 in Fiscal Year 2021-2022 and the C-51 Reservoir Phase II Cell 13 in Fiscal Year 2022-2023 and Fiscal Year 2023-2024. These grants are funded by different sources which will require separate grant agreements, sub-grant agreements, accounts, funds, separate reports, and separate payments. Palm Beach County was selected by the State to administrate the C-51 Reservoir Phase II Cell 12 Grant. The Cell 12 Grant of \$48,000,000 will cover the entire cost of Cell 12. **No county matching funds are required for this grant.** The cost per acre-feet of storage capacity is considerably less than for Cell 13 as the cost for Cell 12 was fixed several years before Cell 13's cost. The inflow and outflow structure and conveyance required to connect Cell 12 and Cell 13 to the L-8 Canal will be funded by other appropriations. This grant agreement and Sub-Grant agreement provide accommodations to minimize the impact to PBC staff time and cash flow. District 6 (MJ)

3. CONSENT AGENDA APPROVAL

EE. WATER RESOURCES (cont'd.)

2. Staff recommends motion to:

- A) **approve** Florida Department of Environmental Protection (FDEP) Standard Grant Agreement for the C-51 Reservoir Phase II Cell 13 (Agreement Number OWP05) for the period beginning on the execution date through December 31, 2026;
- B) **approve** Budget amendment of \$65,000,000 in the C-51 Reservoir Phase II Cell 13 Grant Fund;
- C) **approve** Sub-Grant Agreement for Water Storage Capacity Allocations in C-51 Reservoir Phase II Cell 13; and
- D) **authorize** the County Administrator, or designee, to execute grant agreements, to sign all future time extensions, task assignments, certifications, and other forms associated with the agreement, or any necessary minor amendments that do not substantially change the scope of work or terms or conditions of the agreement if the grant is approved.

SUMMARY: The C-51 Reservoir Phase 2 grants are funded by different sources requiring separate grant agreements, sub-grant agreements, accounts, funds, separate reports, and separate payments. Palm Beach County was selected by the State to administrate the C-51 Reservoir Phase II Cell 13 Grant. **No County matching funds are required for this grant.** The Cell 13 Grant of \$65,000,000 will cover 48 percent of the total cost of \$135,000,000. The remaining \$70,000,000 is in State Fiscal Year 2024 budget. District 6 (MJ)

3. CONSENT AGENDA APPROVAL

EE. WATER RESOURCES (cont'd.)

~~3. Staff recommends motion to:~~

- ~~A) approve Florida Department of Environmental Protection (FDEP) Standard Grant Agreement for the Corbett WMA Levee Upgrade (FDEP Agreement Number 22FRP133) in the amount of \$7,705,000 for the period beginning on the execution date through December 31, 2026;~~
- ~~B) approve Budget Amendment of \$7,705,000 in the Corbett WMA Fund to recognize the grant award;~~
- ~~C) approve Interlocal Agreement (ILA) between Palm Beach County (PBC) and the South Florida Water Management District (SFWMD) Sub Grant Agreement for the Corbett Levee upgrade;~~
- ~~D) approve FDEP delegation of between PBC and SFWMD;~~
- ~~E) approve ILA between PBC and Indian Trail Improvement District (ITID); and authorize the County Administrator, or designee, to execute grant agreements, to sign all future time extensions, task assignments, certifications, and other forms associated with the agreement, or any necessary minor amendments that do not substantially change the scope of work or terms and conditions of the agreement if the grant is approved.~~

~~**SUMMARY:** At the request of the SFWMD, PBC submitted a Resilient Florida grant application for co-funding of the Corbett Levee Upgrade Project and was awarded the Grant. The grant is for the construction of approximately 3 miles of levy along the north side of ITID's M-0 Canal and approximately 0.6 miles of north-south levee along the west side of Seminole Pratt and Whitney Road in ITID. The Grant provides \$7,705,000 of State funding which is matched by \$7,705,856 of local cost share. **The County is providing a maximum of \$2,000,000 of ARPA Response Replacement funds which do not require a local match.** The remaining \$5,705,856 cost share will be provided by SFWMD, ITID, FWC and the State. District 6 (MJ).~~

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JULY 11, 2023

4. SPECIAL PRESENTATIONS – 9:30 A.M.

- A)** Proclamation declaring July 2023 as Fibroid Awareness Month. (District 7)
- B)** Certificate of Congratulations – Mounts Botanical Garden of Palm Beach County, Discover the Palm Beaches, and the Cultural Council for Palm Beach County. (District 2)
- C)** Proclamation declaring July 12, 2023 as Boca Helping Hands Day. (District 4)
- D)** Proclamation declaring July 2023 as Park and Recreation Month. (District 2)
- E)** Proclamation declaring July 11, 2023 as Healing Kids’ Hearts Day. (District 5)

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5. 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 adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, making certain findings and designating the real property located at 8760 Atlantic Avenue, within unincorporated Palm Beach County, Florida 33446, further identified by property control numbers 00-42-46-20-01-000-0130 as a brownfield area pursuant to section §376.80(2)(c), Florida Statutes, which shall hereafter be known as former southern crop services green reuse area, for the purpose of rehabilitation, job creation and promoting economic development; providing 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 June 13, 2023, the BCC approved a motion to approve on first reading and to advertise for adoption on July 11, 2023. On February 2, 2023, the owners of the property, PEBB Atlantic II, LLC and Socro, LLC, submitted a revised 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 Applicants indicated 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 plan to develop the Subject Property as a commercial development. The rezoning of the 9.89 acre site was approved by the Board of County Commissioners 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, LLC and Socro, LLC are seeking a "Brownfield Area" designation under Florida's Brownfields Redevelopment Act. The Applicants indicated 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)

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

B. OFFICE OF FINANCIAL MANAGEMENT AND BUDGET

1. Staff recommends motion to adopt: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE PALM BEACH COUNTY UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 2003-067, AS AMENDED, BY AMENDING ARTICLE 2, CHAPTER G, SECTION 3 CONCERNING BOARD MEMBERSHIP QUALIFICATIONS AND TERM LIMITS FOR MEMBERS OF THE IMPACT FEE REVIEW COMMITTEE; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; PROVIDING FOR AN EFFECTIVE DATE. **SUMMARY:** The Board of County Commissioners (the “Board”) conducted the first reading of the ordinance June 6, 2023 and granted permission to advertise the Public Hearing. During staff’s presentation of the last Impact Fee Rate Update Study and Report (Report) at the Board of County Commissioner’s second public hearing on September 13, 2022, the Board voted to add a designated seat on the Impact Fee Review Committee (IFRC) for a representative from the Associated General Contractors of America Florida East Coast Chapter (AGC) and indicated their desire to eliminate term limits for IFRC members. This additional Committee member will bring the total number of Committee members to eight members. To maintain the odd number of voting members, staff recommends adding another at-large Committee member. At the June 6th preliminary reading and request for permission to advertise, the Board designated the additional at-large Committee member seat for a resident of Unincorporated Palm Beach County. Upon approval of this item, the IFRC will have nine voting and three alternate members with no term limits. The membership will include three representatives from municipalities within Palm Beach County, four representatives from the business community of which one seat is designated for AGC, and two members selected at-large of which one is designated for a resident of Unincorporated Palm Beach County. Countywide (RM)

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

B. OFFICE OF FINANCIAL MANAGEMENT AND BUDGET (cont'd.)

2. Staff recommends motion to:

- A) **approve** the use of the Uniform Method of collecting non-ad valorem special assessments provided for in Chapter 197, Florida Statutes pursuant to the Notice of Intent adopted by Resolution 97-2152 and Resolution 2011-1833;
- B) **adopt** the non-ad valorem special assessment roll and specify the unit of measurement and amount of the assessment for the Chapel Road Water Main Extension project;
- C) **adopt** the non-ad valorem special assessment roll and specify the unit of measurement and amount of the assessment for the abatement of nuisance conditions; and
- D) **authorize** the Mayor, or designee to certify the non-ad valorem assessment roll on electronic media to the Tax Collector pursuant to Chapter 197, Florida Statutes.

SUMMARY: The Board of County Commissioners approved Resolution 97-2152 on December 16, 1997 and Resolution 2011-1833 on November 15, 2011, expressing the intent of Palm Beach County to use the Uniform Method of collecting non-ad valorem special assessments. The Uniform Method in Resolution 97-2152 provides for inclusion of water and street improvement project special assessments on the tax bill. The Uniform Method in Resolution 2011-1833 provides for the abatement of nuisance conditions. The unit of measurement to be applied against each parcel for the Chapel Road Water Main Extension is \$30,040.73 per parcel based on two residential properties. The total revenue that the County will collect for the assessment is \$60,081.46, excluding any interest or other costs. The unit of measurement and total revenue amount of the assessments for the nuisance abatement projects are set forth as an attachment hereto. Placing these accounts on the tax bill reduces administrative (including collections) costs and provides for a more efficient collection of amounts due to the County. A public hearing is required to implement this collection method for new special assessment projects to be included on the 2023 tax bill. Countywide (RS)

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

C. PALM TRAN

1. Staff recommends motion to:

- A) **approve** the Program of Projects (POP) for the FY2022 Section 5307 (CFDA 20.507) and Section 5339 (CFDA 20.526) Grant allocations, with the Federal Transit Administration (FTA). The Super-Grant is allocated to Palm Beach County Board of County Commissioners (BCC) in the amount of \$24,909,565, of which \$22,973,285 is in Section 5307 funds and \$1,936,280 in Section 5339 funds; This is a cost reimbursable agreement that will become effective upon FTA Award and with an anticipated end date of May 31, 2029;
- B) **approve** the filing of Standard Form LLL - Disclosure of Lobbying Activities;
- C) **approve** an upward Budget Amendment of \$5,017,800, in Palm Tran's Grant Fund 1341, to recognize the actual grant award from application 1098g2023-1; and
- D) **approve** the Authorization for the County Administrator or designee to execute on behalf of the BCC, and to transmit electronically the BCC's approval of the Grant Application, award and the resulting grant agreement; that do not substantially change the scope of work, terms or conditions of the agreement.

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

C. PALM TRAN (cont'd.)

1. **SUMMARY:** The FTA distributes Section 5307 and 5339 grant funds to provide capital and operating assistance for public transportation projects. The FY2022 allocation will fund items necessary for the continued operations of the Palm Tran system. FTA encourages the submittal of Super-Grant applications to consolidate allocations for Fixed Route capital projects. This allocation includes the following: \$7,410,614 to replace fixedroute buses that have reached their useful life; \$1,890,328 for Bus-Stop improvements; \$1,420,000 for facility improvements in the Glades region; \$1,125,000 for Bus Radio upgrades; \$1,000,000 for General Planning Consulting contracts; \$1,000,000 for Fleet Software upgrades; \$800,000 for Non-Revenue electric vehicles; \$500,000 for tires; \$198,918 for Safety and Security projects; \$103,000 for additional facility improvements to South County Maintenance locker room; \$75,000 for two (2) Electric Forklifts for Parts Room, and \$9,386,705 for Preventive maintenance. The FY2022 allocations have a **match requirement of \$6,227,391 or 20%** of the total project cost. The source of the matching funds comes from Toll Revenue Credits provided by the Florida Department of Transportation (FDOT). The grant application also requires execution of the Disclosure of Lobbying Activities, Form LLL. No County funds are required. Countywide (MM)

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6. REGULAR AGENDA

A. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to authorize:

A) Staff to submit proposed not-to-exceed millage rates for the FY 2024 budget to the Property Appraiser as follows:

| | FY 2023 Adopted | | FY 2024 Rollback | | FY 2024 Proposed | | Over/(Under) | |
|--------------------------------|-----------------|-----------------|------------------|-----------------|------------------|-----------------|---------------|--------|
| | Millage | Taxes | Millage | Taxes | Millage | Taxes | Rollback | |
| Countywide Non-Voted | 4.7150 | \$1,203,884,310 | 4.2080 | \$1,221,507,008 | 4.7150 | \$1,368,680,025 | \$147,173,017 | 12.05% |
| Library | 0.5491 | 73,805,405 | 0.4900 | 75,130,339 | 0.5491 | 84,191,978 | 9,061,639 | 12.06% |
| Fire-Rescue MSTU | 3.4581 | 357,798,230 | 3.0868 | 364,264,879 | 3.4581 | 408,080,983 | 43,816,104 | 12.03% |
| Jupiter Fire-Rescue MSTU | 1.8713 | 26,418,473 | 1.6675 | 26,467,241 | 1.7879 | 28,378,279 | 1,911,038 | 7.22% |
| Aggregate-Excluding Voted Debt | 6.5088 | \$1,661,906,418 | 5.8887 | \$1,709,384,107 | 6.5086 | \$1,889,331,265 | | 10.53% |
| Countywide Voted-Debt | 0.0289 | \$7,384,943 | | | 0.0188 | \$5,461,247 | | |
| Countywide-Library Voted-Debt | 0.0290 | 3,897,936 | | | 0.0108 | 1,655,934 | | |

B) Staff to submit to the Property Appraiser public hearing dates of Thursday, September 7 at 5:05 p.m. and Tuesday, September 26 at 5:05 p.m. in the Commission Chambers, 6th floor of the Robert Weisman Governmental Center for the FY 2024 budget;

C) Administrative adjustments to establish funding in the FY 2024 budget for capital projects approved and established in the current fiscal year. These projects were approved in the current fiscal year (FY 2023) after the preparation of the proposed budget and are therefore not currently included in the FY 2024 budget. These adjustments will have no impact on proposed Ad Valorem taxes and will be incorporated into the tentative budget to be presented at the first public hearing; and

D) Administrative adjustments to establish funding in the FY 2024 budget for designated fund balances for contingency and other projects and carryover for encumbrances. These balances and encumbrances were approved in the current fiscal year (FY 2023) after the preparation of the proposed budget and are therefore not currently included in the FY 2024 budget. These adjustments will have no impact on proposed Ad Valorem taxes and will be incorporated into the tentative budget to be presented at the first public hearing.

SUMMARY: The proposed millage rates for Countywide, Library, and Fire Rescue MSTU are at the current year millage rate and above the rolled-back rate. The millage rate for the Jupiter Fire MSTU is below the current year millage rate and above the rolled-back rate. These millage rates are not-to-exceed rates, and may be lowered but not raised at the September public hearings, without additional Truth in Millage (TRIM) notices being sent out. If the rates are raised at the first September public hearing, new notices to the property owners must be prepared by the Property Appraiser and mailed between 10 to 15 days prior to the second September public hearing at the County’s expense. This expense is estimated to be approximately \$500,000. The rates cannot be raised at the second September public hearing. Countywide (DB)

6. REGULAR AGENDA

B. AIRPORTS

1. Staff recommends motion to approve:

- A) Amendment No. 1 to the Professional Services Agreement with HDR Engineering, Inc. (HDR) in the amount of \$2,255,641.56 for the continued performance of professional services related to construction - phase services for the Central Airfield Improvements (CAI) project at Palm Beach International Airport (PBI); and
- B) A Budget Transfer of \$2,255,642 in the Airport's Improvement and Development Fund.

SUMMARY: The Professional Services Agreement with HDR for professional airfield design and engineering services was approved by the Board on April 4, 2017 (R2017-0409) in the amount of \$1,229,026.38. Consultant Services Authorizations (CSA) 1 through 4 in the amount of \$204,939.97 were approved under the delegated authority detailed in PPM CW-F-050. Approval of Amendment No. 1 in the amount of \$2,255,641.56 will provide funds necessary for the construction-phase services associated with the CAI project and will bring the total cumulative contract value to \$3,689,607.91. HDR is headquartered in Omaha, Nebraska; however, the work will be lead from their West Palm Beach office, in conjunction with several Palm Beach County subconsultants and firms. This project includes reconstruction/rehabilitation of Taxiway B, reconstruction/rehabilitation of Runway 14-32 shoulder pavement north of Taxiway C; electrical and pavement marking south of Taxiway C, and grading within the Runway 14-32 safety area and removal of non-standard markings on Taxiway L to comply with current Federal Aviation Administration (FAA) standards. The professional design services of this project was partially funded with a state grant. As such, the proposed fee for construction services has been verified by use of an Independent Fee Analysis conducted by a neutral third party firm (AVCON). A Disadvantaged Business Enterprise (DBE) goal of 16% was set for this contract. HDR has committed to 26%. DBE participation for this Amendment is 48%. The participation to date including this Amendment is 35%. Pursuant to changes to Chapter 332, Florida Statutes, effective July 1, 2023, a governing body of a medium hub commercial service airport may not approve purchases of contractual services in excess of \$1,000,000 on a consent agenda. This Amendment exceeds the threshold amount and must be approved on the regular agenda. Countywide (AH)

6. REGULAR AGENDA

B. AIRPORTS (cont'd.)

2. Staff recommends motion to approve: Amendment No. 10 to the Construction Manager (CM) at Risk Contract (Contract) with The Morganti Group, Inc. (MGI) for CM at Risk Services for Airport Improvements for Palm Beach County Department of Airports (Department) in the amount of \$2,277,200 and 270 Calendar Days for Work Order MC 19: Landside Security Improvements at Palm Beach International Airport (PBI). **SUMMARY:** The Contract with MGI for CM at Risk Services for Airport Improvements for the Department was approved by the Board on January 15, 2019 (R2019-0042). 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. The MGI is a Danbury, Connecticut based firm; however, the work will be directly managed by their southeast regional office in Palm Beach County. The Contract value to date is \$23,805,793.99. Approval of Amendment No. 10 in the amount of \$2,277,200 and 270 Calendar Days will enable MGI to complete Work Order MC 19: Landside Security Improvements at PBI to implement security improvements at various locations throughout the airport campus. A Disadvantaged Business Enterprise (DBE) goal of 12% was established for this Contract. DBE participation for this Work Order is 12%. DBE participation for this Contract to date is 22%. Pursuant to changes to Chapter 332, Florida Statutes, effective July 1, 2023, a governing body of a medium hub commercial service airport may not approve purchases of contractual services in excess of \$1,000,000 on a consent agenda. This Amendment exceeds the threshold amount and must be approved on the regular agenda. Countywide (AH)

JULY 11, 2023

6. REGULAR AGENDA

B. AIRPORTS (cont'd.)

3. Staff recommends motion to approve:

- A) Amendment No. 12 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) in the amount of \$1,113,000 and 182 Calendar Days for Work Order SMC 18: Domestic Water Valve Replacement Phase 2 at Palm Beach International Airport (PBI); and
- B) A Budget Transfer of \$1,113,000 in the Airport's Improvement and Development Fund.

6. REGULAR AGENDA

B. AIRPORTS (cont'd.)

3. **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). The County exercised the third and final one (1) year renewal option on June 13, 2023. Approval of Amendment No. 12 in the amount of \$1,113,000 and 182 Calendar Days will enable MGI to complete SMC 18: Domestic Water Valve Replacement Phase 2 at PBI. This project includes replacement of 70 water valves throughout the terminal including removal and replacement of ceilings to access the work areas. The project is phased and was first presented to the Goal Setting Committee on July 1, 2020. An Affirmative Procurement Initiatives (API's) of 20% SBE participation was applied. The subcontractor SBE participation on this project is 26.95%. In addition, MGI's S/MBE teaming partner, Cooper, will provide 15% of the Construction Management Fees. Current cumulative subcontractor S/M/WBE participation for all work orders to-date under this contract including this amendment is 41%. Pursuant to changes to Chapter 332, Florida Statutes, effective July 1, 2023, a governing body of a medium hub commercial service airport may not approve purchases of contractual services in excess of \$1,000,000 on a consent agenda. This amendment exceeds the threshold amount and must be approved on the regular agenda. Countywide (AH)

6. REGULAR AGENDA

B. AIRPORTS (cont'd.)

4. Staff recommends motion to approve:

- A) The General Consultant Agreement with AECOM Technical Services, Inc. (AECOM) for a term of two (2) years with three (3) one (1) year renewal options for the performance of General Engineering Consultant Services in the amount of \$2,126,629.78 for tasks related to the approved Palm Beach County Airports' Capital Improvement Program; and
- B) A Budget Transfer in the amount of \$790,916 in the Airport's Improvement and Development Fund.

SUMMARY: In order to carry out the approved Capital Improvement Program for the County, the Department of Airports requires general engineering consultant services. In accordance with Florida Statutes 287.055 and PPM CW-O-048, AECOM was competitively selected to provide these services. The initial agreement of a potential multi-year contract in the amount of \$2,126,629.78 will provide the Department of Airports with the necessary continuing professional services to implement the following: Task I Services- Palm Beach International Airport (PBI) Taxiway R Rehabilitation; PBI Cargo Ramp Expansion; PBI Roof Replacement Resident Inspection Services; PBI Garage Repairs Threshold Inspection Services; PBI Wind Cone Relocation and Replacement Construction Phase Services; PBI Repackage/Bid Garage Repairs; PBI Landside Terminal Paging System Expansion; Palm Beach County Park Airport (LNA) Southside Redevelopment Phases 3 and 4; and Department of Airports (DOA) Miscellaneous Planning and Engineering Services 2023. AECOM is a Los Angeles, California based firm; however, the majority of the work to be completed in this agreement will be completed and/or managed through their West Palm Beach and Tampa, Florida offices in conjunction with several Palm Beach County based sub-consultants and firms. A Disadvantaged Business Enterprise (DBE) goal of 20.9% was set for this contract. The initial tasks to be awarded under the agreement contain 23.1% DBE participation. AECOM has committed to 22% DBE participation for this agreement. Pursuant to changes to Chapter 332, Florida Statutes, effective July 1, 2023, a governing body of a medium hub commercial service airport may not approve purchases of contractual services in excess of \$1,000,000 on a consent agenda. This agreement exceeds the threshold amount and must be approved on the regular agenda. Countywide (AH)

6. REGULAR AGENDA

B. AIRPORTS (cont'd.)

5. Staff recommends motion to: **approve** Airport Parking Facilities Management Agreement (Agreement) with SP Plus Corporation, a Delaware corporation (SP+), for the operation and management of the airport parking facilities and shuttle services at the Palm Beach International Airport (PBI), commencing on October 1, 2023 and expiring on September 30, 2028, with one two-year option to renew, for payment of an annual management fee to SP+ in the initial amount of \$261,000 for the first contract year, and increasing by 3% annually thereafter. **SUMMARY:** The Agreement provides for the operation and management of the airport parking facilities and the economy parking lot shuttle services at PBI. The initial term of the Agreement is five years, with one two-year renewal at the County's option. The initial annual management fee to be paid to SP+ is \$261,000 and increases 3% annually thereafter. In addition to the annual management fee, the Department of Airports (DOA) will review and approve an annual operating budget for reimbursement of SP+'s expenses, including employee salaries and benefits and the cost of the economy parking lot shuttle services. The annual operating budget for operation of the airport parking facilities at PBI for the year ending September 30, 2023, under the current operator, is \$2,275,522. The Airport Concession Disadvantage Business Enterprise (ACDBE) contract goal was 9%. SP+ has committed to 13.4% ACDBE participation. A budget transfer will be processed at the 1st Public Hearing to realign DOA's FY2024 budget submission based on anticipated cost increases and updated information, including the management fee to be paid to SP+. Pursuant to changes to Chapter 332, Florida Statutes, effective July 1, 2023, a governing body of a commercial service airport may not approve purchases of contractual services in excess of \$1,000,000 on a consent agenda. This agreement exceeds the threshold amount and must be approved on the regular agenda. Countywide (AH)

6. REGULAR AGENDA

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve on preliminary reading and advertise for public hearing on Tuesday, August 22, 2023 at 9:30 a.m.: an Ordinance amending Chapter 23, Article 1, Section 23-1 (Five Year Road Program); amending Chapter 23, Article 1, Section 23-2 (Review of Implementation, Etc.: Suspension of Article VI); Providing for severability; Providing for Repeal of Laws and Ordinances in Conflict; Providing for Inclusion in the Code of Laws and Ordinances; Providing for a Savings Clause; Providing for Captions; and Providing for an Effective Date. **SUMMARY:** Currently, the Five Year Road Program (Program) is separate from the budget process. This amendment will include the Program with the Palm Beach County (County) Capital Improvement Program (CIP) in the County's budget, and eliminate the need for the mid-year adjustment. In order to comply, County Code Chapter 23, Article 1, Sections 23-1 through 23-2 (Ordinance) must be amended to reflect these changes. The proposed amendments to the Ordinance provide that beginning with fiscal year 2024, the County Administrator or designee are to include the Program in the CIP and in the budget presentation to the Board of County Commissioners (BCC). BCC approval of the CIP, as part of the adopted County budget for a given fiscal year shall constitute approval of the Program for that fiscal year (Approved Program FY). Further, the proposed amendments will allow the BCC to direct the Department to utilize the most restrictive and allowable revenue source first and then the next restrictive and allowable revenue source until a project is funded. This funding process will promote efficient completion of projects on the Program. Section 23-1 (f) of the amended Ordinance provides that the BCC, by Resolution, may make certain changes to the Approved Program FY to promote a more efficient construction of the road projects. As the Program will now be presented to the BCC, which will be reviewing and approving projects for the upcoming fiscal year, as part of BCC approval of the County fiscal year budget, a separate Oversight and Advisory Committee is not needed and the requirement for that will be removed from the Ordinance. The Ordinance will continue to provide for a method of prioritizing roadway improvements based on engineering consideration. Countywide (YBH)

6. REGULAR AGENDA

D. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to approve:

- A) Amendment 002 to Interlocal Cooperation Agreements to participate in the Urban County Program related to U.S. Department of Housing and Urban Development (HUD) funding with the following 28 municipalities: City of Atlantis (R2014-1144), City of Belle Glade (R2014-1145), Town of Briny Breezes (R2014-1146), Town of Cloud Lake (R2014-1147), Village of Golf (R2014-1148), City of Greenacres (R2014-1149), Town of Glen Ridge (R2014-1150), Town of Gulfstream (R2014-1151), Town of Haverhill (R2014-1152), Town of Hypoluxo (R2014-1153), Town of Juno Beach (R2014-1154), Town of Jupiter Inlet Colony (R2014-1155), Town of Lake Clarke Shores (R2014-1156), Town of Lake Park (R2014-1157), City of Lake Worth Beach (R2014-1158), Town of Lantana (R2014-1159), Town of Loxahatchee Groves (R2014-1160), Town of Manalapan (R2014-1161), Town of Mangonia Park (R2014-1162), Village of North Palm Beach (R2014-1163), Town of Palm Beach (R2014-1165), Town of Palm Beach Shores (R2014-1166), Village of Palm Springs (R2014-1167), City of Riviera Beach (R2014-1168), Village of Royal Palm Beach (R2014-1169), City of South Bay (R2014-1170), Town of South Palm Beach (R2014-1171), and the Village of Tequesta (R2014-1172);
- B) Amendment 001 to two (2) Interlocal Cooperation Agreements with the Town of Highland Beach (R2020-1226) and City of Westlake (R2020-1519); and
- C) An Interlocal Cooperation Agreement with the Town of Ocean Ridge.

6. REGULAR AGENDA

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

1. **SUMMARY:** To receive funding under the Federal Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), and Emergency Solutions Grant (ESG) Programs from HUD, Palm Beach County must requalify every three (3) years for HUD's designation as an Urban County Program. The County's current designation will expire September 30, 2024, and a new application for requalification for Program Years 2024-2026 is now due to HUD. HUD requires that the County invite all 32 eligible local municipalities to participate in the Program via Interlocal Cooperation Agreements. The Agreements automatically renew every three (3) years unless a party opts out. For the 32 eligible local municipalities, 30 have agreed to renewal of their existing Agreements and have executed Amendments to incorporate new HUD required language. The City of Pahokee has elected to opt out of the County program beginning October 2024 in favor of pursuing CDBG funds from the State. The Town of Ocean Ridge has agreed to participate for the first time and has executed an Interlocal Cooperation Agreement to do so. The other seven (7) municipalities receive funding directly from HUD and do not participate in the Urban County Program. (City of Boca Raton, City of Boynton Beach, City of Delray Beach, Town of Jupiter, City of Palm Beach Gardens, Village of Wellington and City of West Palm Beach). **CDBG funds require no local match. HOME funds require a local match which is provided by program income from the State Housing Initiatives Partnership Program. ESG funds require a local match which is provided by funded agencies, the Division of Human Services, and the Department of Housing and Economic Development. Countywide (HJF)**

6. REGULAR AGENDA

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

2. Staff recommends motion to approve:

A) The proposed Fiscal Year 2023-2024 State Housing Initiatives Partnership (SHIP) Program, in the amount of \$12,463,331 for affordable housing strategies as follows:

- Purchase Assistance with/without Rehabilitation \$1,600,000
- Foreclosure Prevention \$ 593,832
- Owner Occupied Housing Rehabilitation \$3,000,000
- Emergency Repairs \$3,000,000
- Replacement Housing \$ 400,000
- Single Family New Construction \$1,000,000
- Developer Rental Assistance Program \$1,000,000
- Project Delivery \$ 623,166
- Administrative Costs \$1,246,333; and

B) A Budget Amendment of \$12,463,331 in the Affordable Housing Trust Fund to recognize a grant funding allocation for the Fiscal Year 2023-2024 State Housing Initiative Partnership (SHIP) Program.

SUMMARY: Palm Beach County receives an annual allocation from the State of Florida Housing Finance Corporation (FHFC) through the SHIP Program to implement various affordable housing programs and other related activities. On April 12, 2022, the Board of County Commissioners (BCC) approved the SHIP Local Housing Assistance Plan (LHAP) for fiscal years 2022-2023, 2023-2024 and 2024-2025 (R2022-0374). For Fiscal Year 2023-2024, Palm Beach County will receive \$12,463,331. Recommendations were based on the identified needs over the past year. At the May 11, 2023 public meeting of the Commission on Affordable Housing (CAH), staff's proposed budget recommendations received unanimous support. SHIP regulations require that a minimum of 65% of a local jurisdiction's SHIP funding be allocated to homeownership activities, and 20% of the fiscal year's funding allocation be expended on special needs households. Special needs households will be assisted through the purchase assistance, foreclosure prevention, owner occupied housing rehabilitation, emergency repair, replacement housing, single family new construction, and the Developer Rental Assistance Program strategies. In accordance with SHIP regulations, the funds need to be encumbered within two (2) years and expended within three (3) years of allocation. These are State SHIP funds which require no local match. Countywide (HJF)

6. REGULAR AGENDA

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

3. **Staff recommends motion to adopt:** a Resolution of the Board of County Commissioners of Palm Beach County, Florida, approving the Palm Beach County Action Plan for Fiscal Year 2023-2024; authorizing the County Administrator or designee to execute Standard Forms 424 and Certifications for the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), and Emergency Solutions Grant (ESG) Programs, and funding agreements, amendments thereto, and other documents necessary for implementation of CDBG, HOME, and ESG activities that do not substantially change the standard forms, certifications, and the funding agreements or amendments terms or conditions. **SUMMARY:** The Department of Housing and Economic Development (DHED) requests that the Board of County Commissioners (BCC) adopt the resolution approving the FY 2023-2024 Action Plan (AP) and authorizing the County Administrator, or designee to sign Standard Forms 424 and Certifications, funding agreements, amendments, and other documents needed to implement the CDBG, HOME and ESG Programs. On February 27, 2023, Palm Beach County received notification of the following FY 2023-2024 entitlement grants from the U.S. Department of Housing and Urban Development (HUD): CDBG - \$6,471,405 (-0.32% from previous year), plus program income of \$20,000; HOME - \$2,673,040 (-1.14%); and ESG - \$570,614 (-1.23%). The AP funding recommendations reflect BCC directions on funding strategies for the CDBG, HOME, and ESG Programs provided at the April 25, 2023 Workshop. The AP also incorporates ESG funding recommendations made by the Homeless and Housing Alliance Non-Conflict Grant Review Committee, which met on May 15, 2023 and recommended ESG funding for six (6) activities. Any revisions directed by the BCC today will be incorporated into the AP before submittal to HUD by the August 16, 2023 deadline. **The ESG required local match (\$570,614) will be provided by the ESG-funded agencies, the Department of Community Services, and DHED. The HOME required local match (\$568,021) will be provided from the State Housing Initiatives Partnership Program. CDBG funds require no local match.** This Agenda Item will approve a total of \$9,715,059 in federal funding. Countywide (HJF)

6. REGULAR AGENDA

E. FACILITIES DEVELOPMENT AND OPERATIONS

1. Staff recommends motion to approve: a First Amendment to the Lease Agreement with Florida Department of Education, Division of Blind Services to (i) provide for rent abatement from July 17, 2020 through April 30, 2021; (ii) adjust the rental rate to 50% for May 2021 through December 2021 and to 60% for January 2022 through October 2022 based on the percentage of annual visitors to the Judicial Center as compared to 2019; (iii) adjust rental payments to 3.5% of monthly gross sales in lieu of a guaranteed Annual Rent effective June 1, 2023; and (iv) provide one parking space at the Judicial Center. **SUMMARY:** The Florida Department of Education, Division of Blind Services (Blind Services) has operated a café in the Palm Beach County Judicial Center (Judicial Center) located at 205 North Dixie Highway in West Palm Beach since 2004; the current Lease Agreement (R2014-1751) was approved on November 18, 2014. On May 19, 2020, the Board of County Commissioners (Board) approved rent abatement due to the economic impacts of the Covid19 pandemic for several tenants including Blind Services, whose rent was abated from March 9, 2020 through May 31, 2020. Blind Services continued to experience hardships due to extended Covid19-related restrictions at the Judicial Center which affected sales and prompted Blind Services to request additional rent relief. This First Amendment waives rent from July 17, 2020 through April 30, 2021; changes the rental rate for May 2021 through December 2021 to 50% of the rent due, and for January 2022 through October 2022 to 60% of the rent due, based on the number of annual visitors to the Judicial Center compared to pre-pandemic levels. Thereafter, the rental obligation is adjusted to collect percentage rent based on gross sales instead of guaranteed annual rent effective July 1, 2023. Blind Services also requested a dedicated parking space at the Judicial Center which would assist them in loading and unloading of food and supplies. All other obligations under the current lease remain unchanged. The Lease Agreement will continue to be administered by Facilities Development and Operations, Property and Real Estate Management Division. (Property & Real Estate Management) District 7 (HJF)

6. REGULAR AGENDA

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

2. Staff recommends motion to approve:

- A) Addition of four (4) security officer positions to the personnel complement of Facilities Development and Operations (FDO)/Electronic Services and Security (ESS) Division with an estimated fiscal impact of \$43,488 in FY23; and
- B) Budget Transfer of \$148,488 in the General Fund from Contingency Reserves to fund temporary contract security positions (with an estimated fiscal impact of \$55,000), an equipment/building renovation (with an estimated fiscal impact of \$50,000), and the additional security officer positions in the current fiscal year.

SUMMARY: Recent changes to Florida law (under HB 543) authorizing persons to carry concealed weapons or concealed firearms, if they are licensed to do so or meet specified requirements, have triggered the need to modify existing security measures at the Governmental Center (GC) to ensure statutory compliance while aiming to provide for a secure office environment. Staff is requesting the addition of four (4) security officer positions to the personnel complement of FDO/ESS and \$55,000 for additional contract security services to support operations in FY23 while recruitment for the added four (4) security officer positions is underway. Staff is also requesting \$50,000 from the General Fund Contingency Reserves to cover one-time equipment/building renovation costs necessary to implement the modified security measures. If approved, the additional four (4) security officer positions will have an estimated fiscal impact of \$43,488 in FY23 (assuming a hiring date of July 31, 2023) and an annual fiscal impact of \$247,300. FDO will coordinate with the Office of Financial Management and Budget (OFMB) to revise the FY24 proposed budget accordingly. (FDO Admin) Countywide (MM)

6. REGULAR AGENDA

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

3. Staff recommends motion to approve:

- A) an Antenna Site Agreement with SBA Towers VI, LLC for tower antenna space and 16 square feet of ground space for the placement of base station equipment located at 2431 2nd Avenue in Lake Worth Beach for an initial term of three (3) years commencing on July 11, 2023 thru July 10, 2026 at a monthly rate of \$750;
- B) an Antenna Site Agreement with SBA Properties, LLC for tower antenna space and 16 square feet of ground space for the placement of base station equipment located at 3047 Forest Hill Boulevard in Palm Springs for an initial term of three (3) years commencing on July 11, 2023 thru July 10, 2026 at a monthly rate of \$750; and
- C) an Antenna Site Agreement with SBA Steel II, LLC for tower antenna space and 16 square feet of ground space for the placement of base station equipment located at 4469 Congress Avenue in Lake Worth Beach for an initial term of three (3) years commencing on July 11, 2023 thru July 10, 2026 at a monthly rate of \$750.

SUMMARY: The County's Department of Information Systems Services (ISS) has collaborated with the Palm Beach County School Board (School Board) to implement a Countywide Student Broadband Project that will provide free Wi-Fi access to students. The existing towers located on School Board properties do not meet the height requirements for adequate coverage. Three locations, owned by SBA Communications Corporation (SBA), were identified as available in the coverage area needed to support the proposed joint use by the School Board and the County. This collaboration allows ISS to bring network services to the street level and disseminate Wi-Fi service to the areas identified in the Student Broadband project. The proposed Antenna Site Agreements (Agreement) for each location have an initial term of three (3) years plus four (4) three (3) year extension options. The rent for each location is \$750 a month and will increase three percent (3%) annually. After the initial term, the County has the right to terminate the Agreements for any reason upon ninety (90) days prior written notice to SBA. This Wi-Fi Student Broadband service is restricted to only students unless the Board of County Commissioners approves free Wi-Fi access to other public users. Property & Real Estate Management will have administrative responsibility for the Agreements. (Property & Real Estate Management) District 3 (HJF)

6. REGULAR AGENDA

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

4. Staff recommends motion to approve:

- A) an Agreement for Purchase and Sale of a 1.10 acre parcel of vacant land located north of Indiantown Road and east of Bee Line Highway from Lisa L. Browne f/k/a Lisa L. Brandt for \$17,050 plus closing, title insurance and recording costs estimated to be \$545; and
- B) a Memorandum of Agreement with Lisa L. Browne f/k/a Lisa L. Brandt 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 Lisa L. Browne (Browne 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 Browne 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)

6. REGULAR AGENDA

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

5. Staff recommends motion to approve:

- A) A Construction Manager (CM) at Risk Services contract with Verdex Construction LLC for the Vista Center Expansion (Building Division) project located at 2300 N. Jog Road, West Palm Beach, Florida 33411; and
- B) Task Order No. 1 with Verdex Construction LLC for preconstruction services in the amount of \$135,000.

SUMMARY: The Vista Office Building is an existing 251,025 gross square foot, four story, multi-tenant building situated on approximately 12 acres of County-owned property located at 2300 North Jog Road in the Vista Center Planned Industrial Park Development (PIPD), West Palm Beach. The existing site additionally supports a four story parking structure containing 756 parking spaces, mechanical support areas and 509 surface parking spaces. The Building Division is currently located on the 1st floor of the Vista Office Building. As a result of the Building Division's increased workforce and its need for an emergency control center, an expansion was deemed necessary in order to properly support the Building Division's operations. The new approximately 20,000 square feet expansion, which is in the early programming phase, will include support offices and workstations for the Building Division's personnel, additional meeting/conference/training rooms, and support facilities including restrooms and mechanical spaces. The expansion shall include features such as natural lighting, reduced sound/noise transmission, localized temperature controls and other features that enhance the work environment. The project will additionally include required renovations to the existing building, including but not limited to, the areas vacated by staff relocated to the new space. Task Order No. 1 authorizes preconstruction services for the Vista Center Expansion (Building Division) project. Preconstruction services include, but are not limited to, design reviews, value analysis, scheduling services and cost estimates, prequalification of trade contractors, competitive public bidding of trade contracts and the development of the Guaranteed Maximum Price (GMP). Once the construction documents are completed, the CM will publicly bid the construction subcontracts to establish a GMP. The construction of the facility will be authorized through a GMP amendment to the contract, which will be presented to the appropriate approval authority. The preliminary construction cost is estimated to be in the range of \$13,000,000 to \$18,000,000, dependent upon the final size and configuration of the building (including the parking and site modifications required), which are to be determined in the site planning and programming phases of the project. The solicitation for selection of the CM was advertised on November 6, 2022 according to the Equal Business Opportunity (EBO) Ordinance, with final selection taking place on January 31, 2023.

6. REGULAR AGENDA

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

5. **SUMMARY (cont'd.)** The County's Final Selection Committee recommended award to Verdex Construction LLC. In its proposal, Verdex Construction LLC disclosed a conflict of interest and its receipt of an ethics opinion from the County's Committee on Ethics (COE). Verdex Construction LLC in its proposal disclosed that its President, Rex Kirby, is a member of both the County's Construction Board of Adjustments and Appeals (CBAA) and the Infrastructure Surtax Independent Citizen Oversight Committee (ISICOC) and that Verdex Construction LLC had obtained an ethics opinion from the County's COE. The COE found that both boards were purely advisory with 1) the CBAA being purely advisory and having no contract oversight for this contract, requiring the conflict to be disclosed to the Board; and 2) the ISICOC being advisory but having contract oversight; therefore, requiring the conflict to be disclosed to, and waived by, the Board. PPM CW-O-092 requires Facilities Development & Operations Department (FDO) to disclose to the Board any conflict that a proposer may include in its response to an RFP and to request that the Board consider/waive the conflict, ratify the Final Selection Committee's recommendation and authorize FDO to prepare a contract with the recommended respondent. On April 4, 2023 the Board considered/waived the conflict, ratified the Final Selection Committee's recommendation and authorized FDO to prepare a contract with the recommended respondent. On October 19, 2022, the Goal Setting Committee established Affirmative Procurement Initiatives (APIs) of a Small Business Enterprise (SBE) evaluation preference of up to 10 points for SBE participation plan and 5 points for CM/SBE partnering. Verdex Construction LLC partnered with Hatcher Construction & Development, Inc., an S/MBE firm for services in an amount not less than 15% of its preconstruction; and Total Solution Contractors, Inc., an S/MBE firm for services in an amount not less than 15% of its construction phase fees. SBE participation on this Task Order No. 1 is 15%. The CM is on notice that all GMP Amendments for construction services issued pursuant to this contract will be subject to the requirements of the Equal Business Ordinance, including requesting that an API be set prior to bidding the subcontracts. Verdex Construction LLC is not a certified SBE but is a local business. Funding for this project is from the Building Capital Projects Fund. (Capital Improvements Division) District 7 (MWJ)

6. REGULAR AGENDA

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

6. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 2 to the contract (R2022-0744) with Netta Architects, LLC (Consultant) in the amount of \$239,619 for the Building Condition Assessment (BCA), life cycle cost analysis and programming for the Governmental Center Renewal/Replacement (R/R) project. **SUMMARY:** On July 12, 2022, the Board of County Commissioners (Board) approved the contract (R2022-0744) with the Consultant in the amount of \$91,055 for the Governmental Center R/R project which included the initial phase of the project: a structural condition assessment which was conducted in two phases, an investigatory phase and condition assessment phase. The structural analysis and structural condition assessment report concluded that overall, the building is in good condition, has served its intended purpose adequately in the time that it has been in service, and can be assumed as able to continue to do so for the same use and occupancy. It further noted that, the planned renovation may necessitate retrofits to existing structural elements to accommodate loading or geometry changes. This item will authorize professional services for CSA No. 2. Under CSA No. 2, the Consultant will provide the professional services necessary for a BCA, life cycle cost analysis and programming for the Governmental Center R/R project. The BCA will evaluate the condition of the current building systems such as plumbing, electrical Heating, Ventilation and Air Conditioning (HVAC), low voltage, data infrastructure and life safety. The life cycle cost analysis will evaluate the current condition of the building systems and determine its remaining service life and compare that service life against the cost to replace and upgrade the systems. Energy conservation savings will be part of the evaluation. The programming services will evaluate Palm Beach County's space needs in the current building over the next 20 years. The approved project budget for the Governmental Center R/R project is \$69.5M. At Staff's request, the Consultant provided a rough order of magnitude (ROM) estimate for the construction of a new 310,000 sf building; the same amounted to \$178.7M. The contract for the Governmental Center R/R was presented to the Goal Setting Committee on July 7, 2021 and the Committee established Affirmative Procurement Initiatives (APIs) of a Minority/Women Business Enterprise (M/WBE) participation evaluation preference of up to 15 points based on the level of participation from African American firms for the selection of the Consultant and a minimum mandatory contract goal of 20% Small Business Enterprise (SBE) participation. The Consultant has committed to 33% SBE participation, of which 21% is from African American owned businesses for this contract. There is no SBE participation on this CSA. SBE participation on the contract is 13.12% to date. There is no SBE participation from African American owned businesses on this contract to date. The Consultant is not a certified SBE but is a local firm. Funding for this project is from the **Infrastructure Sales Tax Fund**. (Capital Improvements Division) District 7 (MWJ)

6. REGULAR AGENDA

F. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to receive and file: a presentation on the Connect PBC application. **SUMMARY:** This item provides an overview of the Connect PBC Mobile Application, its functionalities, and the benefits it offers to the citizens of Palm Beach County. At the June 2, 2020 Board of County Commissioners (Board) Meeting, the Board provided direction to move forward with the acquisition, implementation, and subsequent dissemination of the PBC CombatCovid Mobile Application. The Connect PBC Mobile Application is an expansion of this technology that the County has already implemented. The application covers a wide range of categories, is accessible from any mobile device, and offers a dedicated menu item for submitting service requests. Overall, the Connect PBC application serves as a tool for public engagement, precise reporting, efficient tip management, and community information sharing. The application can foster a sense of community well-being by empowering the public to actively contribute to community engagement through non-emergency tips and updates. Countywide (DB)

6. REGULAR AGENDA

G. PALM TRAN

1. Staff recommends motion to:

A) adopt a Resolution of the Board of County Commissioners of Palm Beach County, Florida (BCC), authorizing the execution and submittal of a grant application and grant agreement with the Florida Commission for the Transportation Disadvantaged (CTD), for a grant amount of \$3,136,928, which requires a local match of \$348,547; resulting in a total agreement of \$3,485,475; for the Trip & Equipment Grant Program (CSFA 55.001) to provide Palm Tran Connection Service (Connection) trips and discounted daily and monthly fixed route bus passes. This is a unit cost agreement and has an anticipated start date of July 1, 2023 and an anticipated end date of June 30, 2024;

B) approve an upward Budget Amendment of \$4,523,264 in Palm Tran's Operating Fund 1340 to recognize the actual grant award amount; and

C) approve a budget transfer in General Fund 0001 of \$2,231,502 to increase the transfer to Palm Tran's Operations Fund 1340 from Contingency Reserves for the required match and necessary overmatch.

SUMMARY: The County has been awarded a grant in the amount of \$3,136,928, which requires **a local match of 10% or \$348,547**, for a total project of \$3,485,475. The total anticipated cost to provide transportation disadvantaged service is \$5,536,639, which requires the County to overmatch \$2,051,164 in order to maintain the program at its current level. 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)

6. REGULAR AGENDA

H. ENVIRONMENTAL RESOURCES MANAGEMENT

1. [Staff recommends motion to approve](#) an updated Management Plan (Plan) for Juno Dunes Natural Area. **SUMMARY:** The initial Plan was approved by the Board of County Commissioners (BCC) in December, 1999. A ten-year update to the plan was approved by the BCC in December 2011. The Plan identifies natural resources present on the natural area and provides for the preservation, restoration, management and passive recreational use of those resources. The Natural Areas Management Advisory Committee unanimously recommended the Plan for approval at its November 18, 2022 meeting. The Florida Department of Environmental Protection's Acquisition and Restoration Council approved the Plan at its April 14, 2023 meeting. Initial invasive/nonnative vegetation removal, fence and regulatory sign installation, and public use facilities have been completed since the original Plan in 1999. Annual management and operating costs, including prescribed burns/mechanical vegetation reduction, ongoing invasive/nonnative animal and plant control, repair and replacement of facilities, and biological monitoring and reporting are estimated to be \$306,786. This cost is for the current fiscal year and is expected to increase as described in the Summary of Fiscal Impact. Funds for capital improvements, and annual management and operation of the site are expected to come from the Natural Areas Fund, Natural Areas Stewardship Endowment Fund, Ag Reserve Land Management Fund, and/or ad valorem funding sources. District 1 (SF)

I. CLERK & COMPTROLLER

1. [Staff recommends motion to approve:](#) a budget transfer of \$150,000 from General Fund Contingency Reserves to supplement the 2023 Value Adjustment Board Budget. **SUMMARY:** The 2022 Value Adjustment Board Season has been influenced by an increase in filings and hearings resulting in a budgetary impact. The Palm Beach County Value Adjustment Board (VAB) requires \$150,000 to supplement its current budget to meet operating cost projections for the remainder of the fiscal year. Countywide (DB)

6. REGULAR AGENDA

J. CAREERSOURCE

1. Staff recommends motion to: Adopt a Resolution of the Board of County Commissioners of Palm Beach County, Florida approving the CareerSource Palm Beach County (CSPBC) Fiscal Year 2022-2023 Budget in the amount of \$14,329,014 for its programs under Public Law 113-128, enacted by Congress effective July 1, 2015 which Act is known as the Workforce Innovation and Opportunity Act (WIOA) of 2014. **SUMMARY:** On December 16, 2014, the Board of County Commissioners (BCC) approved a contract to administer grant funds (R2014-1894) with CareerSource Palm Beach County (CSPBC) which services include the design, coordination, and implementation of the local workforce development system for Palm Beach County. CSPBC receives Federal funding through the State Department of Commerce, formerly the Department of Economic Opportunity. Funds are received by the Department of Commerce from the US Department of Labor, US Department of Health & Human Services, and the US Department of Agriculture. These are formula funds which are based on the Federal budget and the local population statistics. The Fiscal Year 2023-2024 Budget, in the amount of \$14,329,014, includes the following revenue sources: \$11,394,666 from the US Department of Labor; \$2,484,348 from the US Department of Health and Human Services for Temporary Assistance for Needy Families; and \$450,000 from the US Department of Agriculture for the Supplemental Nutrition Assistance Program. Countywide (HH)

6. REGULAR AGENDA

K. OFFICE OF RESILIENCE

1. Staff recommends motion to authorize the County Administrator or designee to contract with ~~a consultant~~ an approved consultant, in an amount not to exceed \$50,000, to prepare flood modeling and technical assessment reports for five (5) capital construction projects and pursue grant funding from the Resilient Florida Capital Grant Program, which will be open for applications July 1, 2023, to Sept 1, 2023. **SUMMARY:** The Office of Resilience is working with County Departments to coordinate a vulnerability assessment of unincorporated Palm Beach County (PBC) and the Glades Region, with an expected completion date of the final vulnerability assessment of March 2024. Staff requires flood modeling, analysis, and accompanying technical assessment reports (Flood Reports) for five (5) sites within the County completed earlier than the full vulnerability assessment so that PBC will be eligible and competitive for grant funding from the Florida Department of Environmental Protection Resilient Florida Grant Program. The Engineering & Public Works Department is applying for (4) grant projects: Prosperity Farms Road Bridge (District 1); Country Club Acres Subdivision Road (District 5); Englewood Estates/Manor Subdivision (District 3); and Australian Avenue (District 7). The Parks and Recreation Department is applying for one (1) grant project: Ocean Inlet Park Resiliency Improvements (District 4). These projects will help PBC mitigate current flooding, future flooding, and/or coastal erosion challenges. Staff chose these projects due to current and future flood risks at the sites and because these projects could demonstrate 1:1 matching funds. Staff seeks approval to pursue these five grant applications and complete the necessary flood modeling technical assessment reports. Districts 1, 3, 4, 5, 7 (RM)

6. REGULAR AGENDA

L. LIBRARY

1. Staff recommends motion to:

A) **approve** the material terms and conditions for the establishment and operation of a new branch of the Palm Beach County Library System in the Town of Hypoluxo (Town) to support the ongoing coverage and operations of library services within the Library Taxing District; and

B) **authorize** Staff to negotiate the acquisition from the Town of an approximately 0.36-acre parcel of land (improved with a one-story 3,510sq. ft. building) located at 7200 S Federal Highway (“Property”), for the establishment of the new library branch.

SUMMARY: In November 2022, the Town of Hypoluxo completed the purchase of an approximately 3,510 sq. ft. building for the purpose of renovating the same into a library. At the time, appraisals initiated by the Town established a market value for the Property of \$1,625,000. County staff has engaged in exploratory talks with the Town of Hypoluxo to transform this location into a new branch of the County Library System. A facility in this location would fill a service gap in the Library District as the nearest existing County library branch is over five miles away. The new Hypoluxo branch would operate as a satellite location of the existing Lantana Road branch. The material terms and conditions recommended for this initiative are included as Attachment 1 to this agenda item. Under the proposed approach, the County would acquire the Property at a purchase price of \$1,625,000 and bear all costs for capital improvements (estimated at \$3,000,000). The cost of equipping the new branch is estimated at \$440,000 and the estimated annual operating cost, which includes additional FTE positions, is \$435,000. In the current budget, the Library District has the necessary Ad Valorem funds “for acquisition and Improvements” for this project available in its capital funds. If negotiations prove successful, staff will bring back at a later time for Board’s approval an agreement providing for the purchase and sale of the property and all related terms and conditions for the operation of the new Hypoluxo branch library. Countywide/District 4 (AH)

6. REGULAR AGENDA

M. COUNTY ATTORNEY

1. Staff recommends a motion to: a) approve payment of a Final Judgment resulting from a jury verdict rendered, in the total amount of \$604,959.47, which includes statutory interest, but excludes attorney’s fees, expert fees, and costs, in the Inverse Condemnation action styled Golden City Highland Beach, LLC, v Palm Beach County, Case No.: 502018CA004089XXXMB AK; and b) to approve a budget transfer of \$604,960 in the General Fund from Contingency Reserves to allocate funds for payment of a Final Judgment. ~~Staff recommends a motion to approve: payment of a Final Judgment resulting from a jury verdict rendered~~, in the total amount of \$604,959.47, which includes statutory interest, but excludes attorney’s fees, expert fees, and costs, in the Inverse Condemnation action styled ~~Golden City Highland Beach, LLC, v Palm Beach County, Case No.: 502018CA004089XXXMB AK.~~ **SUMMARY:** In 2015, as part of the Living Shoreline Projects, the County placed Rip Rap Breakwaters (“rocks”) on the submerged lands owned by Golden City Highland Beach LLC without the owner’s consent. The owner subsequently filed an Inverse Condemnation lawsuit claiming entitlement to full compensation for the County’s unlawful physical taking of its property from August 3, 2015 through June 2, 2022 when the County removed the rocks. After a two-week trial in which the owner claimed \$3.2 million in damages to its property for the County’s placement and removal of the rocks, on June 8th 2023, the Jury awarded the owner \$425,700 in damages. The Court entered a final judgment in favor of the owner on June 13, 2023 for a total of \$604,959.47, including \$179,259.47 as statutory interest from the date of the taking August 3, 2015 the date of the Final Judgment. District 4 (DO).

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JULY 11, 2023

7. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

JULY 11, 2023

8. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

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

B. COUNTY ATTORNEY

JULY 11, 2023

9. COMMISSIONER COMMENTS

District 1 – COMMISSIONER MARIA G. MARINO

District 2 – COMMISSIONER GREGG K. WEISS

Requesting off-site approval for Proclamation declaring July 19, 2023 as the 12th Annual KidsFit Jamathon.

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

JULY 11, 2023

10. MATTERS BY THE PUBLIC – 2:00 P.M.

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JULY 11, 2023

11. ADJOURNMENT

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