

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

**ADDITIONS, DELETIONS, & SUBSTITUTIONS**

**OCTOBER 17, 2023**

**PAGE      ITEM**

**24            3E5            \*DELETED – for further staff review.**

**37            3J2            \*REVISED MOTION / TITLE / SUMMARY / Staff recommends a motion to approve: The appointment of two (2) new members to the Construction Industry Licensing Board (Board).**

<u>Appointment</u>	<u>Seat #</u>	<u>Requirement</u>	<u>Term</u>	<u>Recommended by</u>
Allen Alan Gast	5	General Contractor	10/17/2023-09/30/2026	Commissioner Barnett Commissioner Marino
Jeffrey Remas	7	Building Official	10/17/2023-09/30/2026	Commissioner Barnett Commissioner Marino

**SUMMARY:** The Board establishes the qualifications and competency of contractors that work within the County. The Board also provides for the testing and licensing of these contractors and is empowered to discipline licenses and hear citation appeals. The Board was established by Special Act, Laws of Florida, Chapter 67-1876, as amended. The Special Act and, subsequently, Section 489.131, Florida Statutes (F.S.) sets forth the membership of the Board, which consists of 15 members. This Board shall be comprised of fifteen (15) members as follows: two (2) general contractors, one (1) building contractor, one (1) residential contractor; one (1) electrical contractor; one (1) plumbing contractor; one (1) HARV contractor; one (1) roofing contractor; one (1) swimming pool contractor; one (1) architect; one (1) engineer and one (1) full-time building official employed by a local government within Palm Beach County, who meets the requirements of the Building Officials Association of FL; and three (3) consumer representatives. The Board establishes the qualifications and competency of contractors that work within the County. The Board also provides for the testing and licensing of these contractors and is empowered to discipline licenses and hear citation appeals. A memorandum was sent to the Board of County Commissioners (BCC) on August 25, 2023, requesting support for two (2) new board members, no other nominations were received. As required by Section 2-443 of the Code of Ethics, this Agenda Item Summary will serve as disclosure for Allen Alan Gast. Allen Alan Gast is the owner of Gast Construction Group, Inc., which contracts with Palm Beach County to provide construction services for the County through sealed bids. The Board provides no regulation, oversight, management, or policy-setting recommendations regarding contracts with the county. The Board currently has 12 seats filled. Four (4) of the current members will term out by the end of September, bringing the membership down to 8 members. The agenda herein requesting approval to fill two (2) new members will bring the membership up to 10 members. With the approval of the two (2) new members the diversity count will be eight (8) Caucasians (80%); and two (2) Hispanic Americans (20%). The gender ratio for the Board (female: male) will be 2:8. Staff is addressing the need to increase diversity within our boards and will continue to encourage this to expand this Board's diversity. Countywide (SF)

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

**ADDITIONS, DELETIONS, & SUBSTITUTIONS**

**OCTOBER 17, 2023**

<u>PAGE</u>	<u>ITEM</u>	
64	5D1	<p><b>*ADD-ON / Staff recommends motion to approve:</b> a Resolution expressing solidarity with the State of Israel, condemning the October 7, 2023 attacks by Hamas, and expressing deep condolences to the families of those who have lost their lives or been profoundly affected by this devastating assault. <b>SUMMARY:</b> On Saturday, October 7, 2023 at 6:30am, Hamas, the known terror group controlling Gaza, initiated an unprovoked and surprise attack on Israel. This attack utilized rockets, paragliders, boats, motorcycles, and other vehicles to infiltrate Israel with the purpose to harm, kill, and take Israeli citizens hostage. Tragically, many Israeli men, women, and children lost their lives during this horrific invasion. Americans are included amongst the many other nationalities of those declared dead and kidnapped at the hands of Hamas. Palm Beach County is home to a large portion of the Jewish population in the United States and is taking this step to show support for Israel. With this Resolution, the Board of County Commissioners of Palm Beach County will stand in solidarity with the State of Israel, vehemently condemn the unwarranted attacks by Hamas, and express deep condolences to the families of those who have lost their lives or been profoundly affected by this devastating assault. <u>Countywide</u> (AH)</p>

**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**

**OCTOBER 17, 2023**

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

**COMMISSION  
CHAMBERS**

- 1. CALL TO ORDER**
  - A. Roll Call
  - B. Invocation
  - C. Pledge of Allegiance
- 2. AGENDA APPROVAL**
  - A. Additions, Deletions, Substitutions
  - B. Adoption
- 3. CONSENT AGENDA (Pages 9 - 51)**
- 4. PUBLIC HEARINGS - 9:30 A.M. (Pages 52 - 54)**
- 5. REGULAR AGENDA (Pages 55 - 64)**
- 6. BOARD APPOINTMENTS (Page 65)**
- 7. STAFF COMMENTS (Page 66)**
- 8. BCC COMMENTS (Page 67)**
- 9. ADJOURNMENT (Page 68)**

\* \* \* \* \*

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- 3B-1 Warrant list
- 3B-2 Minutes
- 3B-3 Contracts and claims settlements list
- 3B-4 Change orders, work task orders, minor contracts, final payments, etc.

**C. ENGINEERING & PUBLIC WORKS**

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- 3C-1 Resolutions declaring the acquisition of fee simple right-of-way for designated parcels.

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- 3C-2 Resolutions declaring the acquisition of temporary construction easements on designated parcels.
- 3C-3 Contract with Hardesty & Hanovers, LLC for professional engineering services for the George Bush Boulevard Bridge Replacement project.

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- 3C-4 Multiple contracts with various agencies to appraise and assist in the acquisition of lands, rights-of-way and easements necessary for projects to be adopted into the Five Year Road Program.

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- 3C-5 Resolution approving 2022 Safe Streets and Roads for All Grant Program Agreement, Resolution for delegating authority to County Administrator and/or designee, and approve a Budget Amendment.

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- 3C-6 Adopt-A-Road Agreement for litter removal on Yamato Road.

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- 3C-7 Interlocal Agreement with the Village of Wellington to provide for traffic control functions and duties.

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- 3C-8 Agreement with Valencia Bay Homeowners Association, Inc. for enforcement of the traffic laws to be performed by Palm Beach County Sheriff's Office.
- 3C-9 Interlocal Agreement with Seacoast Utility Authority for the design and construction of utility adjustments for the Congress Avenue Extension.

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3C-10 Resolution approving the Locally Funded Agreement and Three Party Escrow Agreement with FDOT, and adopt a Resolution delegating the County Administrator and/or designee.

#### E. COMMUNITY SERVICES

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3E-1 Amendment No. 3 to the Standard Agreement for the Older Americans Act with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc.; Amendment No. 4 for Emergency Home Energy Assistance for the Elderly Program Intake Center Referral Agreement with AAA to revise, amend and replace portions of the standard contracts.

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3E-2 Appointment of one new member to the Homeless Advisory Board.

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3E-3 Appointment of six new members to the Veteran Services Advisory Board.

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3E-4 Contract for Provision of Services with Adopt-A-Family of the Palm Beaches, Inc. for the operation of the Homeless Resource Center.

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~~3E-5 Ratify the Mayor's signature on the HUD FY2022 Community Project Funding/Congressional Directed Spending Grant Application, approve a Budget Amendment and a Budget Transfer.~~

#### F. AIRPORTS

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3F-1 FAA Grant Agreement to conduct a Stormwater Master Plan at Palm Beach County Park Airport, and approve a Budget Amendment.

3F-2 FAA Grant Agreement to conduct a Stormwater Master Plan at North Palm Beach County General Aviation Airport, and approve a Budget Amendment.

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3F-3 FAA Grant Agreement to conduct a Stormwater Master Plan at Palm Beach County Glades Airport, and approve a Budget Amendment.

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3F-4 Amendment No. 9 to the General Consulting Agreement with RS&H, Inc. for consulting/professional services for the Concourse B Phasing Services at PBI.

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- 3G-2 The Briger Community Development District Fiscal Year 2024 Notice of Meetings.

**H. FACILITIES DEVELOPMENT & OPERATIONS**

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- 3H-1 Work Order to the annual low voltage contract with Protect Video for the North County Government Center Card Access Replacement project.

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- 3H-2 Standard License Agreement for Use of County-Owned Property with: West Palm Beach Community Redevelopment Agency for parking, and Fitness 4 Older Adults, LLC.

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- 3H-3 Amended and Restated Interlocal Agreement with the School Board of Palm Beach County to allow for direct access to the County's Public Safety Radio System.

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- 3H-4 Interlocal Agreement with the Drug Enforcement Administration – Miami Field Division allowing for interoperable communications through the countywide common talk groups of the County's Public Safety Radio System.

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- 3H-5 Annual contract with Door Systems of South Florida, Inc. for overhead door replacement services.

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- 3H-6 Change Order No. 4 to Amendment No. 1 with Kast Construction Company LLC for the Supervisor of Elections Production Facility project.

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- 3H-7 Second Amendment to Concessionaire Lease Agreement with Loggerhead Marineline Center, Inc. to exercise renewal option and completion of the replacement of pier-decking boards.

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3J-2 Appointment of two new members to the Construction Industry Licensing Board.

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3J-3 Resolution authorizing County Administrator or designee to execute escrow agreements for developers using the Exchange Building Option of the Workforce Housing Program for the implementation of the Workforce Housing Program.

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3J-4 Reappointment of two members to the Building Code Advisory Board.

**X. PUBLIC SAFETY**

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3X-1 Amendment No. 1 to the Grant Agreement with the State of Florida E911 Board for the purchase and installation of 911 Call Handling Equipment.

3X-2 State-Funded Grant Agreement for Hazardous Materials Planning and Prevention Program with the State of Florida, and a Budget Amendment.

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3X-3 Appointment of several members to the Emergency Medical Services Advisory Council.

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3X-4 Interagency Agreement with Florida Department of Children and Families for zoning regulations for community residences for people with disabilities, a Budget Amendment and authorize County Administrator or designee.

**CC. SHERIFF**

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3CC-1 Agreement for the FY23-24 Multi-County Forensic Genealogy Testing Grant Program, and approve a Budget Amendment.

3CC-2 Bureau of Justice Assistance State Criminal Alien Assistance Program FY2022 Grant, and a Budget Amendment.

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3DD-1 Category G Grant Agreement with the Ski Club of the Palm Beaches – Inc. for the promotion of the GOODE Water Ski National Championship for FY2023.

**EE. COMMISSION ON ETHICS**

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3EE-1 Amended Memorandum of Understanding with the Delray Beach Community Redevelopment Agency to engage the services of the Palm Beach County Commission on Ethics through 2026.

**FF. OFFICE OF EQUAL OPPORTUNITY**

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3FF-1 Three cooperative agreements with HUD to receive revenue, approve Budget Amendments, and ratify Mayor's signature.

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3FF-2 Contracts for the Handicap Accessibility and Awareness Grant Program with non-profit agencies.

**GG. COMMUNITY OF REVITALIZATION**

Page 50

3GG-1 Expenditure for the installation of twenty years of maintenance of streetlights along Sunrise Drive, a Budget Amendment and a Budget Transfer.

**HH. WATER RESOURCES**

Page 51

3HH-1 FDEP Standard Grant Agreement for the C-51 Reservoir Phase II Cell 13, a Budget Amendment and authorize County Administrator and/or designee.

**PUBLIC HEARINGS – 9:30 A.M.**

**A. HOUSING AND ECONOMIC DEVELOPMENT**

Page 52

4A-1 Resolution making certain findings and designating three parcels as a Brownfield Area.



**B. CRIMINAL JUSTICE COMMISSION**

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4B-1 Preliminary reading to amend Ordinance of PBC Criminal Justice Commission.

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5A-1 Concessionaire Lease Agreement with Dune Dog Acquisitions, Inc. for space at Carlin Park in Jupiter for the operation of a food/beverage concession for three years.

**B. OFFICE OF RESILIENCE**

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5B-1 National Oceanic and Atmospheric Administration Climate Resilience Regional Challenge Letter of Intent to apply for a grant.

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5B-2 Ratify the signature of the Resilience Director on a Resilient Florida Program planning grant application, and delegate County Administrator and/or designee.

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5B-3 Resilient Florida Program grant application to the Florida Department of Environmental Protection for funding for the Australian Avenue drainage improvement project.

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5B-4 Resilient Florida Program grant application to the Florida Department of Environmental Protection to construct drainage conveyances within Country Club Acres.

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5B-5 Resilient Florida Program grant application to the Florida Department of Environmental Protection to construct drainage conveyances within Englewood Estates/Manor Subdivision.

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5B-6 Resilient Florida Program grant application to the Florida Department of Environmental Protection to reconstruct the Prosperity Farms Road Bridge.

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5B-7 Resilient Florida Program grant application to the Florida Department of Environmental Protection to raise the elevation of Ocean Inlet Park.

**C. COMMUNITY SERVICES**

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5C-1 HUD FY2022 Continuum of Care Planning Project Grant Agreement for the coordination and evaluation of planning activities related to ending homelessness, a Budget Amendment and a Budget Transfer.

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5D-1 Resolution expressing solidarity with the State of Israel, condemning the October 7, 2023 attacks by Hamas

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**COMMISSIONER COMMENTS** (Page 67)

**ADJOURNMENT** (Page 68)

3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER

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

<u>Meeting Date</u>	<u>Meeting Type</u>
September 12, 2023	Regular
September 19, 2023	Child Care Facility Board
September 19, 2023	Regular
September 26, 2023	Workshop

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

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to adopt:** two Resolutions declaring the acquisition of fee simple right-of-way designated as Parcels 101 and 102 and temporary construction easements designated as Parcels 301 and 302 necessary for the construction of roadway improvements on 45<sup>th</sup> Street from east of Haverhill Road to east of Military Trail (Project). **SUMMARY:** Adoption of these Resolutions will initiate eminent domain proceedings pursuant to Chapters 73, 74, 127, and Section 337.27(1), Florida Statutes, as amended, against four parcels having a total appraised value of \$245,600. The parcels are necessary for construction of a third westbound through lane and a westbound right turn lane. The Project includes additional drainage, sidewalks and traffic signal improvements. The property owners have not accepted the offers to purchase made by Palm Beach County and attempts to negotiate the purchases have been unsuccessful. Eminent domain proceedings are necessary to acquire the parcels at this time in order to expedite construction of the Project. **This Project is included in the Five-Year Road Program.** District 7 (DO)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to adopt: two Resolutions declaring the acquisition of temporary construction easements designated as Parcels 303 and 307 necessary for the construction of roadway improvements on Florida Mango Road from 10<sup>th</sup> Avenue North to Edgewater Drive (Project). **SUMMARY:** Adoption of these Resolutions will initiate eminent domain proceedings pursuant to Chapters 73, 74, 127, and Section 337.27, Florida Statutes, as amended, against two parcels having a total appraised value of \$13,141. The parcels are necessary for access to construct driveways, slope, tie in, grade and harmonize construction with adjacent properties for the Project. The Project will construct new bridges over the Lake Worth Drainage District's L-9 and L-10 canals, widen the existing roadway to three-lanes with paved shoulders, a closed drainage system with curb and gutters, and sidewalks along both sides of the roadway. The property owners have not accepted the offers to purchase made by Palm Beach County and attempts to negotiate the purchases have been unsuccessful. Eminent domain proceedings are necessary to acquire the parcels at this time in order to expedite construction of the Project. **This Project is included in the Five-Year Road Program and the infrastructure sales tax.** District 3 (DO)
  
3. Staff recommends motion to approve: a contract with Hardesty & Hanover, LLC (HHL) in the amount of \$907,256.01 for professional engineering services for the George Bush Boulevard Bridge Replacement over the Intracoastal Waterway (ICWW) (Project). **SUMMARY:** Approval of this contract will provide the professional services necessary for the study phase of replacing the George Bush Boulevard bridge. On July 6, 2022, the Goal Setting Committee applied Affirmative Procurement Initiatives of a 10% minimum mandatory Small Business Enterprise (SBE) participation and a Minority Business Enterprise (MBE) evaluation preference for African American owned firms. HHL agreed to 13.55% SBE participation for the Contract. On October 24, 2022, the Consultant's Competitive Negotiations Act Selection Committee selected HHL and, in accordance with PPM No. CW-O-048, the Board of County Commissioners was notified of the selection on October 24, 2022. **This Project is included in the Five-Year Road Program.** Districts 4 & 7 (YBH)

OCTOBER 17, 2023

3. CONSENT AGENDA APPROVAL

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

4. Staff recommends motion to approve:

- A) the Contract for Annual Professional Appraisal Services with Adrian Gonzalez & Associates, PA (AGA);
- B) the Contract for Annual Professional Appraisal Services with Anderson & Carr, Inc. (ACI);
- C) the Contract for Annual Professional Appraisal Services with Appraisal & Acquisition Consultants, Inc. (AAC);
- D) the Contract for Annual Professional Appraisal Services with Callaway & Price, Inc. (CPI);
- E) the Contract for Annual Professional Appraisal Services with CBRE, Inc. (CBRE);
- F) the Contract for Annual Professional Appraisal Services with M.R. Ford & Associates, Inc. (MRF);
- G) the Contract for Annual Professional Appraisal Services with Parrish and Edwards, Inc. (PEI);
- H) the Contract for Annual Professional Appraisal Services with Real Estate Analysts, LLC. (REA);
- I) the Contract for Annual Professional Appraisal Services with S.F. Holden, Inc. (SFH); and
- J) the Contract for Annual Professional Appraisal Services with The Spivey Group, Inc. (SPI).

OCTOBER 17, 2023

3. **CONSENT AGENDA APPROVAL**

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

4. **SUMMARY:** On December 20, 2022, the Board of County Commissioners (BCC) approved the hiring of professionals to appraise and assist in the acquisition of lands, rights-of-way and easements necessary to undertake the projects in the adopted Five Year Road Program (ORD2022-035). Approval of these contracts will allow the Engineering and Public Works (EPW) Department to procure professional appraisal services to provide appraised property values needed for road right-of-way and easement acquisitions. EPW is contracting with ten appraisal firms to ensure timely availability of appraisal services as needed. The contract period for these contracts is 36 months from the date of approval by the BCC. The contracts were presented to the Goal Setting Committee (GSC) on February 1, 2023. The GSC applied an Affirmative Procurement Initiative of a Small Business Enterprise (SBE) evaluation preference for SBE prime bidders with contracts valued at less than \$500,000. On June 15, 2023, the Appraiser Selection Committee selected AGA, ACI, AAC, CPI, CBRE, MRF, PEI, REA, SFH and SPI in accordance with EPW PPM EWO-006. AGA, ACI, AAC, CPI, CBRE, MRF, PEI, REA, SFH and SPI have offices located in Palm Beach County, and ACI, CPI, PEI, and SFH are certified SBE companies. Countywide (YBH)

OCTOBER 17, 2023

3. CONSENT AGENDA APPROVAL

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

5. Staff recommends motion to:

- A) **adopt** a Resolution approving the 2022 Safe Streets and Roads for All (SS4A) Grant Program agreement (Agreement) with the United States Department of Transportation (USDOT) Federal Highway Administration (FHWA) for funding the development of the Palm Beach County (County) Safety Action Plan (Plan) and committing to fund the local share of project delivery;
- B) **approve** the Agreement with the USDOT FHWA in which the FHWA will reimburse the County in the amount of \$639,200 to develop and complete the Plan within 24 months of the Agreement's effective date;
- C) **adopt** a Resolution delegating signatory authority to the County Administrator or designee on additional forms, certifications, contracts/agreements, amendments and any other necessary documents related to the Agreement, which documents do not substantially change the scope of work, terms, or conditions of the Agreement; and
- D) **approve** a Budget Amendment of \$639,200 in the Transportation Improvement Fund to recognize the grant funding from USDOT FHWA and appropriate it to the Plan.

**SUMMARY:** Approval of this Agreement, delegation of authority, and Budget Amendment will allow the County to receive a federally funded grant in the amount of \$639,200 for the Plan which will enhance the safety of the transportation network. The Plan will identify strategies and improvement projects in the County that would be eligible for additional SS4A grant funds in the future for the Plan's implementation. The County estimated \$799,200 to develop and complete the Plan and **agrees to finance the non-Federal share of \$160,000**. This amount was anticipated and included in the current budget. The FHWA will reimburse the County \$639,200 for completing the Plan. Countywide (YBH)

OCTOBER 17, 2023

3. CONSENT AGENDA APPROVAL

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

6. Staff recommends motion to receive and file: a fully executed Adopt-A-Road Agreement with Melinda Avila (Group) for litter removal on Yamato Road from Coral Ridge Drive to Cain Boulevard. **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. This agreement was executed by the County Engineer on July 17, 2023, per Resolution R2021-0852. The Adopt-A-Road Program allows the Group to perform litter removal along Palm Beach County (County) maintained road rights-of-way. The Group is expected to conduct litter removal activities at least four times a year. The County provides recognition signs for the Group at the beginning and end of its adopted road segment and picks up the litter bags. The Group must pay a fee to offset the County's costs to install the signs and remove the collected litter bags. The fee is waived for non-profit Groups. District 5 (YBH)



OCTOBER 17, 2023

3. CONSENT AGENDA APPROVAL

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

7. Staff recommends motion to approve: an interlocal agreement (Agreement) with the Village of Wellington (Village), repealing and replacing interlocal agreement R96-2032D, signed December 17, 1996, as amended on October 2, 2007 (R2007-1670), and the Quercus Signal Maintenance Agreement (R2008-2253) signed December 2, 2008, providing for traffic control functions and duties within the Village by Palm Beach County (County) and the terms pertaining to the requirements associated with the installation and maintenance of traffic cameras, including license plate readers on traffic signal poles maintained by the County (collectively Cameras), golf cart related traffic control devices at signalized intersections (Golf Cart Devices), and decorative art wraps (Wraps) on County maintained signal cabinets. **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 December 17, 1996, the County and the Village entered into interlocal agreement R96-2032D, wherein the Village transferred certain traffic control functions and duties to the County over certain signalized intersections. The interlocal agreement was amended on October 2, 2007 (R2007-1670) to provide the County Authority over a portion of Lyons Road. A separate agreement was executed on December 2, 2008 (R2008-2253) and provided certain responsibilities to the County for the traffic signal at Quercus Lane and Forest Hill Boulevard. The Village now agrees to repeal and replace all interlocal agreements (R96-2032D, R2007-1670 and R2008-2253) 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, to transfer certain maintenance and operations responsibilities to the County over certain traffic signals within the Village municipal boundaries, and to outline the Village's responsibilities for Cameras, Golf Cart Devices, and Wraps. The placement of Wraps on signal cabinets integrates civic art with public infrastructure. District 6 (YBH)

OCTOBER 17, 2023

3. CONSENT AGENDA APPROVAL

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

8. **Staff recommends motion to approve:** an agreement with Valencia Bay Homeowners Association, Inc. (Community) for enforcement of the traffic laws of the state to be performed by the Palm Beach County Sheriff's Office (PBSO). **SUMMARY:** Approval of this agreement will authorize PBSO to provide enforcement of the traffic laws of the state upon the private roadways during normal patrol hours within the Community. Once the Community certifies that all traffic control devices installed on the Community's streets are compliant with the Manual on Uniform Traffic Control Devices (MUTCD), the Traffic Division will be able to perform field inspections to verify compliance with the MUTCD during the term of the agreement. Should the Community desire PBSO to be situated in its development at times outside normal hours, the Community understands that a separate contract must be executed with PBSO for additional services and that the Community will be invoiced by PBSO for such additional services. District 5 (YBH)
  
9. **Staff recommends motion to approve:** an Interlocal Agreement (Agreement) with the Seacoast Utility Authority (Authority) in the amount of \$458,718.80 for the design and construction of utility adjustments for the Congress Avenue Extension from Northlake Boulevard to Alternate A1A, Phase A (Project). **SUMMARY:** The County has designed and intends to bid the first phase (Phase A) of the Project to construct a new 3-lane roadway from Northlake Boulevard to Avocado Lane, and has requested that the Authority design and construct the relocation of its water mains, force mains, gravity sewers and associated adjustments to its facilities in advance of construction of the Project. Approval of this Agreement will allow the County to reimburse the Authority \$458,718.80 to complete its relocations and adjustments in advance of the Project. The Authority's facilities are located within right-of-way that is being dedicated to the County by a developer, and the County is responsible for costs associated to remove or relocate the Authority's facilities. Completion of the Authority's utility work prior to construction of the Project will eliminate utility conflicts and reduce construction time of the Project. District 1 (YBH)

OCTOBER 17, 2023

3. CONSENT AGENDA APPROVAL

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

10. Staff recommends motion to:

- A) **adopt** a Resolution approving the Locally Funded Agreement (LFA) and Three Party Escrow Agreement (TPEA) with the State of Florida Department of Transportation (FDOT) and the State of Florida Department of Financial Services (FDOFS) Division of Treasury for the construction and construction engineering inspection (CEI) of intersection improvements at Half Mile Road and Atlantic Avenue (County Project);
- B) **approve** the LFA with the FDOT to provide construction funding in the amount of \$347,719 to the FDOT for the construction and CEI of the County Project;
- C) **approve** the TPEA with the FDOT and the FDOFS as a requirement of the LFA to establish an escrow account for the County Project; and
- D) **adopt** a Resolution delegating the County Administrator, or designee, the signatory authority to sign on additional forms, certifications, contracts/agreements and amendments thereto, and any other necessary documents related to the LFA and the TPEA that do not substantially change the scope of work, terms or conditions of the LFA and the TPEA.

**SUMMARY:** FDOT has a project to reconstruct Atlantic Avenue from west of SR 7 to east of Lyons Road (FDOT Project). Palm Beach County (County) has designed the realignment of Half Mile Road from Brook Isles Avenue to north of Atlantic Avenue. The County has requested that the County Project be combined with the FDOT Project for construction. Approval of the LFA and TPEA will allow County to provide construction funding for the County Project. The FDOT Project and the County Project

have a combined estimated construction cost of \$19,264,006. **The local match is \$347,719 which is 2% of the estimated combined construction cost.** The County will be responsible for any increased costs resulting from necessary modifications for the work requested. **This County Project is included in the Five-Year Road Program. District 5 (YBH)**

OCTOBER 17, 2023

3. **CONSENT AGENDA APPROVAL**

E. **COMMUNITY SERVICES**

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

- A)** Amendment 003 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 revise, amend, and replace portions of the standard agreement and to increase the overall total funding by \$1,302,444.21 for a new total agreement amount not-to-exceed \$4,726,627.37, to provide in-home and community- based services to seniors;
- B)** Amendment 004 for Emergency Home Energy Assistance for the Elderly Program (EHEAEP) Intake Center Referral Agreement No. IP021-9500 (R2021-0785) with AAA, to revise, amend, and replace portions of the standard agreement, decrease the overall total funding by \$10,533.20 for new total agreement amount not-to-exceed \$64,614 and extend the end date from September 30, 2023 to June 30, 2024, to promote the development of a coordinated service delivery system to meet the energy needs of seniors; and
- C)** an upward Budget Amendment of \$1,291,911 in the Division of Senior and Veteran Services (DSVS) Administration Fund to align the budget to the actual grant award.

OCTOBER 17, 2023

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

1. **SUMMARY:** OAA Amendment 003 (Catalog of Federal Domestic Assistance (CFDA) #93.044, #93.045, #93.052 & #93.053) allows DSVS to continue providing services to eligible seniors age 60 and older and their caregivers. OAA provides funding for critical services that help older adults maintain their independence. Services include caregiver and in-home support services and meals. The congregate meal program provides meals and nutrition education in churches, community and senior centers and other public and private facilities strategically located throughout Palm Beach County. 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. EHEAEP Amendment 004 (CFDA #93.568) provides for retroactive payments, and therefore funds may be used to reimburse the intake center for any goods or services provided on or after April 1, 2021. EHEAEP allows eligible seniors to receive help with their utility bills. EHEAEP program services are funded with approximately \$238,134 in federal funds. Seniors can access the program by going to the DSVS intake center near their place of residency. These services improve the overall well-being of seniors allowing them to live in their homes independently. **There is a required County match under 3B CFDA #93.044 in the amount of \$33,333, C1 CFDA #93.045 in the amount of \$63,049, C2 CFDA #93.045 in the amount of \$30,000 and 3E CFDA #93.052 in the amount of \$18,333, totaling \$144,715, which is already included in the budget. No additional County match is required.** The number of seniors served is based on the grant, the need of the clients and funding availability. 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 Rd. The areas of service include

all of the districts, excluding District 2, 4, 5 and 7 south of Hypoluxo Rd. Mae Volen Center, Inc. is responsible for providing services in the areas south of Hypoluxo Rd. (DSVS) Countywide except for portions of Districts 2, 4, 5, and 7 south of Hypoluxo Rd. (HH)

OCTOBER 17, 2023

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

2. [Staff recommends motion to approve:](#) the appointment of one (1) new member to the Homeless Advisory Board (HAB), effective October 17, 2023:

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Recommended By</u>	<u>Term Expires</u>
11	Joseph A. Nieves	Formerly Homeless Individual or Family Representative	Homeless and Housing Alliance	09/30/2024

**SUMMARY:** The Homeless Advisory Board assists the County in reaching its ten (10) year plan to end homelessness goals. The U.S. Department of Housing and Urban Development (HUD) recommends that recipients of Continuum of Care (CoC) funds comply with the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act), and with 24 CFR Part 578. The CoC provides funds for the operation and maintenance of Safe Havens, transitional housing, and permanent supportive housing. On May 1, 2007, the Board of County Commissioners (BCC) established the HAB. Per Resolution No. R2016-0038, the total membership for the HAB shall be no more than 14 at-large members, comprised of members representing government, business providers, law enforcement, advocates, education, faith-based and the formerly homeless. Mr. Nieves is employed by The Lord's Place, Inc., which contracts with the County for services; however, the HAB provides no regulation, oversight, management, or policy setting recommendations regarding the subject contracts or transactions. Mr. Nieves will complete the term of Joshua Butler, who

resigned from the HAB. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Section 2-443 of the Palm Beach County Code of Ethics. The diversity count for the 10 seats that are currently filled is African-American: 4 (40%), Caucasian: 4 (40%), Native-American: 1 (10%) and Hispanic-American: 1 (10%). The gender ratio (female: male) is 7:3. Mr. Nieves is Hispanic-American. Staff conducts targeted outreach in an effort to proffer candidates for appointments that maintain a diverse composition of the board. (Human Services and Community Action Program) Countywide (HH)

**OCTOBER 17, 2023**

**3. CONSENT AGENDA APPROVAL**

**E. COMMUNITY SERVICES (cont'd.)**

3. [Staff recommends motion to approve:](#) the appointments of seven (7) new members to the Veteran Services Advisory Board (VSAB), effective October 17, 2023:

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Term Expires</u>	<u>Nominated By</u>
1	Steven Farnsworth	Mental Health/Substance Use Disorder/Suicide Prevention Representative	09/30/2026	
2	Michael Durkee	Financial/Emergency Financial Assistance Services Representative	09/30/2026	
3	Justin Callahan	A Component of Housing Representative	09/30/2026	Comm. Marino
4	Melva Harris-Rozier	Support Services to Veterans Representative	09/30/2026	
5	Richard Bryan	West Palm Beach Veteran Affairs Medical Center Representative	09/30/2026	
6	Evan Fried	Mobility Assistance Representative	09/30/2026	
7	Julia Dattolo	Employment Services Representative	09/30/2026	

**OCTOBER 17, 2023**

**3. CONSENT AGENDA APPROVAL**

**E. COMMUNITY SERVICES (cont'd.)**

3. **SUMMARY:** The VSAB shall advise the BCC on needs of local Veterans while increasing the coordination and interactions between organizations, agencies, and institutions whose mission it is to assist Veterans and their families in Palm Beach County. On August 22, 2023, the Board of County Commissioners (BCC) established



the VSAB. Per Resolution No. R2023-1162, the total membership for the VSAB shall be no more than 11 at-large members, comprised of public sector and private sector members. Membership shall be representative of the racial, ethnic and geographic diversity of Palm Beach County (PBC). Members must have knowledge of at least one (1) component of the support services available to assist Veterans and their dependents. The BCC was requested to provide nominations by memo on August 29, 2023. The nominees meet all applicable guidelines and requirements outlined in the resolution. Ms. Harris-Rozier is an employee of Legal Aid Society of Palm Beach County, Inc. (Legal Aid). Legal Aid contracts with the County for services; however, the VSAB provides no regulation, oversight, management, or policy setting recommendations regarding the subject contracts or transactions. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Section 2-443 of the Palm Beach County Code of Ethics. Mr. Durkee, Mr. Callahan, Mr. Bryan and Ms. Dattalo are Caucasian. Ms. Harris-Rozier is African-American. Staff is addressing the need to increase diversity within our boards and will continue to encourage this to expand this Board's diversity. (Division of Senior and Veteran Services) Countywide (HH)

**OCTOBER 17, 2023**

**3. CONSENT AGENDA APPROVAL**

**E. COMMUNITY SERVICES (cont'd.)**

4. **Staff recommends motion to approve:** Contract for Provision of Services with Adopt-A-Family of the Palm Beaches, Inc. (AAF), for the five (5) year period October 1, 2023 through September 30, 2028, for the operation of the Homeless Resource Center (HRC) – Families Operations Program - Responding to Emergencies, Altering the

Crisis of Homelessness (Program REACH), to provide emergency shelter for families in Palm Beach County who are experiencing homelessness, in an amount not-to-exceed \$2,069,755, of which \$413,951 is budgeted in Fiscal Year (FY) 2024, with an anticipated annual allocation of \$413,951 in each subsequent fiscal year, contingent upon a budgetary appropriation by the Board of County Commissioners, for the term of this contract. **SUMMARY:** Program REACH is administered by AAF and serves homeless families consisting of adults with minor dependent children. Program REACH provides interim/emergency shelter and wraparound services to families to foster family recovery and stable housing solutions. AAF will assist families by creating action plans designed to help end their episode of homelessness by securing housing and assisting them in reaching their goals. Various life skills workshops and job resources, including nutrition, credit counselling, financial literacy, budgeting and employment counseling classes will be available. Program REACH works in coordination with the Senator Philip Lewis HRC to meet the goals of the County's "Leading the Way Home", a plan to end homelessness. AAF served 103 families in FY 2022 and up to date, 122 families in FY 2023; and will serve a minimum of 80 families in FY 2024. (Human Services and Community Action Program) Countywide (HH)

OCTOBER 17, 2023

3. **CONSENT AGENDA APPROVAL**

E. ~~COMMUNITY SERVICES (cont'd.)~~

5. [Staff recommends motion to:](#)

~~A) ratify the signature of the Mayor on the U.S. Department of Housing and Urban Development (HUD) FY 2022 Community Project Funding/Congressional Directed Spending (CPF/CDS) Grant Application for Federal Assistance SF-424, in the amount of \$1,000,000, as granted by Congresswoman Lois Frankel, for medical respite services for homeless residents who are in need of further medical care;~~

~~B) ratify the signature of the Mayor on the HUD FY 2022 CPF/CDS Grant Agreement No. B-22-CP-FL-0253 (Catalog of Federal Domestic Assistance (CFDA) #14.251), for the period October 17, 2023 through August 31, 2030, in the amount of \$1,000,000, as granted by Congresswoman Lois Frankel, for medical respite services for homeless residents who are in need of further medical care;~~

~~D C) approve a Budget Transfer in the amount of \$451,828 from the Emergency Rental Assistance Fund to the Capital Outlay Fund. ; and~~

~~C D) approve a Budget Amendment in the amount of \$1,000,000 1,451,828 in the Capital Outlay Fund to recognize the grant award, the transfer from the Emergency Rental Assistance Fund, and appropriate it to the project; and.~~

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~~**SUMMARY:** The Consolidated Appropriations Act, 2022, (P.L. 117-103) made available grants for purposes of CPF/CDS. The CPF/CDS awards are administered by HUD. On March 14, 2023, the Board of County Commissioners approved the HUD FY 2022 CPF/CDS Application. On July 31, 2023, the Community Services Department (CSD) was notified of the award letter and request for signatures. The HUD award of \$1,000,000 will be used for the rehabilitation and reconfiguration of the Lewis Center Health Clinic (Lewis Center). The total cost of the project is \$1,451,828. The remaining \$451,828 will be funded from interest earned from the Emergency Rental Assistance Program. Medical respite care is acute and post-acute medical care for people experiencing homelessness or HIV/AIDS, who are too ill, or frail to recover from a physical illness, or injury on the streets, but not ill enough to be in a hospital. The program closes the gap between hospitals and homeless shelters/housing facilities that do not have the capacity to provide medical support services to the frail or recovering. The Division of Human Services and Community Action Program will receive the funds as the Lead Entity for the Palm Beach County Homeless Continuum of Care pursuant to 420.624 (6), F.S. Catalog of Federal Domestic Assistance (CFDA) #14.251. **No County match required.** (Human Services and Community Action Program) Countywide (HH)~~

OCTOBER 17, 2023

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. Staff recommends motion to:

**A) receive and file** Federal Aviation Administration (FAA) Grant Agreement Number 3-12-0086-022-2023 in the amount of \$147,015 to Conduct a Stormwater Master Plan at Palm Beach County Park Airport (LNA). Delegation of authority for execution of this grant was approved by the BCC on August 25, 2020 (R2020-1017). This grant is effective as of September 11, 2023 with an expiration date of September 10, 2027; and

**B) approve** a Budget Amendment of \$147,015 in the Airport's Improvement and Development Fund to recognize the receipt of grant funding from the FAA; including a transfer to Reserves in the amount of \$147,015.

**SUMMARY:** The FAA has issued a Grant Offer (Assistance Listings Number 20.106) reflecting their commitment of funding in the amount of \$147,015 to develop a Stormwater Master Plan at LNA. This grant began on September 11, 2023 and expires on September 10, 2027. This grant requires a **local match in the amount of \$16,335. Countywide (AH)**

2. [Staff recommends motion to:](#)

**A) receive and file** Federal Aviation Administration (FAA) Grant Agreement Number 3-12-0113-023-2023 in the amount of \$198,738 to Conduct a Stormwater Master Plan at North Palm Beach County General Aviation Airport (F45). Delegation of authority for execution of this grant was approved by the BCC on August 25, 2020 (R2020-1017). This grant is effective as of September 12, 2023 with an expiration date of September 11, 2027; and

**B) approve** a Budget Amendment of \$198,738 in the Airport's Improvement and Development Fund to recognize the receipt of grant funding from the FAA; including a transfer to Reserves in the amount of \$137,918.

**SUMMARY:** The FAA has issued a Grant Offer (Assistance Listings Number 20.106) reflecting their commitment of funding in the amount of \$198,738 to develop a Stormwater Master Plan at F45. This grant began on September 12, 2023 and expires on September 11, 2027. This grant requires a **local match in the amount of \$22,082. Countywide (AH)**

**OCTOBER 17, 2023**

3. **CONSENT AGENDA APPROVAL**

F. [AIRPORTS \(cont'd.\)](#)

3. **Staff recommends motion to:**

**A) receive and file** Federal Aviation Administration (FAA) Grant Agreement Number 3-12-0060-012-2023 in the amount of \$104,247 to Conduct a Stormwater Master Plan at Palm Beach County Glades Airport (PHK). Delegation of authority for execution of this grant was approved by the BCC on August 25, 2020 (R2020-1017). This grant is effective as of September 12, 2023 with an expiration date of September 11, 2027; and

**B) approve** a Budget Amendment of \$104,247 in the Airport's Improvement and Development Fund to recognize the receipt of grant funding from the FAA; including a transfer from Reserves in the amount of \$11,583.

**SUMMARY:** The FAA has issued a Grant Offer (Assistance Listings Number 20.106) reflecting their commitment of funding in the amount of \$104,247 to develop a Stormwater Master Plan at PHK. This grant began on September 12, 2023 and expires on September 11, 2027. This grant requires a **local match in the amount of \$11,583.** Countywide (AH)

**OCTOBER 17, 2023**

3. **CONSENT AGENDA APPROVAL**

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

4. **Staff recommends motion to approve:** Amendment No. 9 to the General Consulting Agreement with RS&H, Inc. for Consulting/Professional Services in the amount of \$313,808.36 for the Concourse B Phasing Services at Palm Beach International Airport (PBI). **SUMMARY:** The Consulting Agreement with RS&H, Inc. for general airport planning and design was approved by the Board on May 7, 2019 (R2019-0612) in the amount of \$2,004,570.58 in order to carry out the approved Capital Improvement Programs for the County's Airports. Amendment No. 1 was approved by the Board on May 5, 2020 (R2020-0414) increasing the amount of the contract by \$2,304,608.30. Amendment No. 2 was approved by the Board on October 20, 2020 (R2020-1607) increasing the amount of the contract by \$3,196,990.03. Amendment No. 3 was approved by the Board on May 4, 2021 (R2021-0576) exercising the first one (1) year renewal option for the continuation of services provided under this agreement. Amendment No. 4 was approved by the Board on June 15, 2021 (R2021-0844) increasing the amount of the contract by \$2,644,110.87. Amendment No. 5 was approved by the Board on March 22, 2022 (R2022-0263) increasing the amount of the contract by \$1,325,943.87 and exercising the second and final one year renewal option. Amendment No. 6 was approved by the Board on January 24, 2023 (R2023-0103) increasing the amount of the contract by \$1,175,706.57. Amendment No. 7 was approved by the Board on April 4, 2023 (R2023-0447) increasing the contract amount by an additional \$1,109,482.80. Amendment No. 8 was approved by the Board on April 18, 2023 (R2023-0532) increasing the amount of the contract by \$1,106,284.38. Approval of Amendment No. 9 will provide an additional \$313,808.36 to provide phasing services for the Concourse B Project at PBI. Approval of this item will allow remainder of the project to be completed in two phases. Phase 1 (Package 2A) will provide for relocation of utilities and completion of interior renovations to the existing concourse to match the finishes to be included in expansion area. Phase 2 (Package 2B) is for the remaining full build-out of the Concourse. Package 2A is currently anticipated to commence in the summer of 2024. Package 2B for the full build-out of the Concourse will commence at a future date when additional funding is received. RS&H, Inc. is a Jacksonville, Florida based firm; however, the majority of the work to be completed in this agreement will be managed through their Fort Lauderdale, Florida offices in conjunction with several Palm Beach County-based and South Florida-based sub-consultants and firms. A Disadvantaged Business Enterprise (DBE) goal of 18% was set for this contract. RS&H, Inc. committed to 23% DBE participation for this agreement. The DBE participation for this Amendment is 7.56%. The total contract to date DBE participation including this amendment is 31.83%. Countywide (AH)

OCTOBER 17, 2023

3. **CONSENT AGENDA APPROVAL**

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

1. **Staff recommends motion to receive and file:** The Annual Report and Financial Statements for the Fiscal Year ending September 30, 2022 from the Town of Lake Park Community Redevelopment Agency (TLP CRA). **SUMMARY:** The TLP CRA has submitted its Annual Report and Financial Statements for the Fiscal Year ending September 30, 2022 as per section numbers 163.356(3)(d) and 163.387(8), Florida Statutes. Countywide (DB).
  
2. **Staff recommends motion to receive and file:** The Briger Community Development District (BCDD) Fiscal Year 2024 Notice of Meetings. **SUMMARY:** The BCDD has submitted their Fiscal Year 2024 Notice of Meetings as per Chapter 189, Florida Statutes. Countywide (DB).

**OCTOBER 17, 2023**

**3. CONSENT AGENDA APPROVAL**

## H. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:** Work Order No. 23-007 to the annual low voltage contract (R2021-1068) with Protect Video, Inc. (Contractor) in the amount of \$685,760 for the North County Government Center-Card Access Replacement (Rebid) project for a period of 320 calendar days from notice to proceed. **SUMMARY:** The work consists of furnishing all labor, equipment, devices, tools, machinery, transportation, professional services, supervision, shop drawings, permitting and all miscellaneous requirements necessary to remove and replace the existing card access system at the North County Government Center Facility. The existing equipment has outlived its useful life, but more importantly, it is not the standard security access control system used by the County for its Criminal Justice Facilities. The County currently utilizes Lenel OnGuard (Lenel) as the standard platform for all Criminal Justice Facilities countywide. The existing card access system at the North County Government Center Facility will be removed and replaced with a new Lenel card access system. The new card access system will be more secure, efficient and provide years of dependable service. This project was competitively advertised and new contractors were invited to bid on the project by submitting prequalification documents prior to the submission of the bid response. The Contractor will have 320 calendar days from notice to proceed to substantially complete the project. Liquidated damages for failure to achieve certification of substantial completion within the contract time or approved time extension thereof are \$120 per day. This work order was solicited pursuant to the annual low voltage contract and the requirements of the Equal Business Opportunity (EBO) Ordinance. The annual low voltage contract was presented to the Goal Setting Committee on March 17, 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. Since this project is over \$100,000, the SBE price preference API was applied. The Contractor is a local and certified SBE firm. The SBE participation on this work order is 100%. To date, the overall SBE participation on the annual low voltage contract is 78.86%. Funding for this project is from the Public Building Improvement Fund. **(Capital Improvements Division) District 1** (MWJ)

OCTOBER 17, 2023



### 3. CONSENT AGENDA APPROVAL

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

##### 2. Staff recommends motion to receive and file:

- A) Standard License Agreement for Use of County-Owned Property (Judicial Center Surface Parking Garage) for July 1, 2023, with West Palm Beach Community Redevelopment Agency for parking, without a license fee, but includes an operational fee for staffing and custodial charges of \$337.50; and
- B) Standard License Agreement for Use of County-Owned Property (North County Senior Center) for the period of July 21, 2023 through July 20, 2024, with Fitness 4 Older Adults, LLC, for fitness classes without a license or operational fee.

**SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts, agreements, and grants must be submitted by the initiating Department as a receive and file agenda item. The attached standard agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator or designee, who in this case was the Director of the Facilities Development and Operations Department. The Standard License Agreements were approved in accordance with R2010-0333, as amended and approved by the Board on October 1, 2013. The Agreement with West Palm Beach Community Redevelopment Agency did not have a license fee, but had an operational fee for staffing and custodial charges of \$337.50. The Agreement with Fitness 4 Older Adults, LLC did not have a license fee, and it did not have an operational fee, as no staff or custodial fees were incurred. The executed documents are now being submitted to the Board to receive and file. **(FDO Admin) Countywide** (YBH)

OCTOBER 17, 2023

### 3. CONSENT AGENDA APPROVAL

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

3. Staff recommends motion to approve: an Amended and Restated Interlocal Agreement (“Agreement”) with the School Board of Palm Beach County (“Participant”) to allow for direct access to the County’s Public Safety Radio System (“System”) from October 17, 2023 through October 16, 2028, with revenue fees totaling \$2,435,885. **SUMMARY:** This Agreement provides the terms and conditions under which the Participant can directly access the System. The terms of this Agreement are standard and have been offered to all municipalities and local branches of state and federal agencies where connection through an established municipal hub is not technically feasible. The Participant has been interoperable with the County’s System through the countywide common talk groups since 2004. This Agreement terminates and replaces the Interlocal Agreement (R2022-1195) between County and Participant, as Participant no longer operates under the Municipal Public Service Communications Consortium’s (MPSCC) radio system. The Agreement requires Participant to pay a one-time, non-reimbursable \$3,000/unit access charge as well as annual fees of \$300/unit towards the renewal and replacement fund and \$163.53/unit towards maintenance and operation of the System infrastructure. The annual fees are consistent with those being charged to County Departments. In addition, the Participant is required to pay all costs associated with Participant’s subscriber units and to comply with the established operating procedures for the System. This Agreement currently includes 475 radio units, but additional units might be added in the future. This Agreement provides for an initial term of five (5) years with two (2) renewal options, each for a period of five (5) years. This Agreement may be terminated by either party, with or without cause, on October 1<sup>st</sup> of any year, with a minimum of six months’ notice. **(ESS) Countywide** (MWJ)

3. CONSENT AGENDA APPROVAL

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

4. Staff recommends motion to approve: an Interlocal Agreement (“Agreement”) with the Drug Enforcement Administration – Miami Field Division (“Participant”) allowing for interoperable communications through the countywide common talk groups of the County’s Public Safety Radio System (“System”) from November 5, 2023 through November 4, 2028. **SUMMARY:** This Agreement provides the terms and conditions under which the Participant can program into its radios and utilize the countywide common talk groups for certain types of inter-agency communications. The County’s System will not be utilized for routine operational communications by the Participant. The terms of the Agreement are standard and have been offered to all municipalities and local branches of state and federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with this Agreement. The Participant is required to pay all costs associated with Participant’s subscriber units and to comply with the established operating procedures for the County’s System. The Agreement provides for an initial term of five (5) years with two (2) renewal options, each for a period of five (5) years. This Agreement may be terminated by either party, with or without cause, upon ten (10) days prior notice to the other party. There is no fiscal impact associated with this Agreement. **(ESS) Countywide** (MWJ)

3. CONSENT AGENDA APPROVAL

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

- 5. Staff recommends motion to approve: an annual contract with the following contractor for overhead door replacement services on an as-needed basis through October 16, 2028.

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
Door Systems of South Florida, Inc.	Non-Local	Non-SBE

**SUMMARY:** The purpose of this annual contract is to pre-qualify contractors to provide overhead door replacement services on an as-needed basis. The specific requirements of the work shall be determined by individual work orders issued against this annual overhead door replacement services contract. These contracts are five (5) year indefinite-quantity contracts with a maximum cumulative value of \$5,000,000 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 overhead door replacement services contract before the term ends. Projects less than \$100,000 are bid among the pool of certified Small Business Enterprise (SBE) contractors, when three (3) or more small businesses are qualified under the contract. Projects \$100,000 or greater are advertised on the vendor self-service (VSS) website and are bid among the pool of pre-qualified contractors while projects \$200,000 or greater are advertised on the VSS website and additionally advertised in the newspaper. The bidding pool is further expanded, for projects \$100,000 or greater, to include additional bidders responding to the specific project advertisement that submit a qualification application at least ten (10) calendar days before the bid due date. The annual overhead door replacement services contract was presented to the Goal Setting Committee on April 5, 2023 and the Committee established Affirmative Procurement Initiatives (APIs) of sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or an SBE contractor will be given a price preference 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)

OCTOBER 17, 2023

3. CONSENT AGENDA APPROVAL

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

6. **Staff recommends motion to approve:** Change Order No. 14 to Amendment No. 1 (R2021-1793) for the Construction Manager (CM) at Risk Services contract (R2019-1751) with Kast Construction Company LLC in the amount of \$684,001.02 for the Supervisor of Elections (SOE) Production Facility project. **Summary:** On November 19, 2019, the Board of County Commissioners (Board) approved the contract with Kast Construction Company LLC for construction management services for the SOE Production Facility project. On December 7, 2021, the Board approved Amendment No. 1 (R2021-1793) for the construction of approximately 156,000 square feet of office and warehouse space which will house the SOE administrative office and production facility operations; a multi-story parking garage of approximately 146,000 square feet and additional surface parking for both public and staff use; including all the associated site infrastructure improvements required to support both buildings. Change Order No. 14 to Amendment No. 1 (Change Order No. 14) authorizes the construction management services necessary for additional steel connection fabrication and materials due to revised design, inclusion of redundant fan coil units with associated ductwork, additional piping and electrical work, installation of ballistic drywall panels and doors and modifications to cable tray sizes and quantities for the SOE Production Facility project. The solicitation for a CM was advertised on July 21, 2019 according to the requirements of the Equal Business Opportunity (EBO) ordinance. On July 21, 2021, the Goal Setting Committee established an Affirmative Procurement Initiative (API) of 20% Small Business Enterprise (SBE) participation for the construction phase of the project, of which 8% must be African American or Hispanic American firms. The SBE Participation for this Change Order is 8.54%. There is no African American or Hispanic American participation on this Change Order. The cumulative SBE participation for this contract is 23.38% SBE participation, of which 9.32% is African American or Hispanic American participation. Kast Construction Company LLC is a Palm Beach County Business. This project is funded by the 51.05M NAV Pub Imp Rev Bonds, 21A, CP, SOE Bldg. Fund. **(Capital Improvements Division) District 7 (MWJ)**

OCTOBER 17, 2023

3. CONSENT AGENDA APPROVAL

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

7. **Staff recommends a motion to approve:** a Second Amendment to Concessionaire Lease Agreement with Loggerhead Marinelife Center, Inc., a Florida not-for-profit corporation (i) exercising the first renewal option to extend the term from April 1, 2024 to March 31, 2029; and (ii) abatement of the annual rent in the amount of \$32,907 commencing upon the first month following completion of the replacement of the pier-decking boards. **SUMMARY:** Loggerhead Marinelife Center, Inc. (Loggerhead) manages and operates the Juno Beach Fishing Pier (Pier) and concession building pursuant to a Concessionaire Lease Agreement (R2019-0376) approved by the Board of County Commissioners (Board) on March 12, 2019, as amended on October 19, 2021 (R2021-1501) (collectively, the Agreement). The initial term of the Agreement is five (5) years and expires on March 31, 2024. The Agreement provides for two renewal options of five (5) years each. Loggerhead desires to exercise its first renewal option and has submitted timely written notification of same. In addition, pursuant to the terms of the agreement, Loggerhead is responsible for maintaining the Pier. Staff and Loggerhead have identified five hundred sixty (560) pier-decking boards are beyond repair and must be replaced. Loggerhead has agreed to replace these damaged pier-decking boards in lieu of paying rental payments in the equivalent amount. Loggerhead provided the County with three estimates for the work, with the lowest estimate being \$31,107, plus an additional \$1,800 in labor costs, for a total of \$32,907. Therefore, staff is recommending rental abatement in the amount of \$32,907, commencing the first full month following the completion of the board replacements, provided the task is achieved within 90 days from the signing of this Second Amendment. This Second Amendment approves the rental abatement in the amount of \$32,907 and extends the term of the Agreement from April 1, 2024 to March 31, 2029. Except for the modifications articulated in this Second Amendment, all other terms and conditions remain unchanged. Parks and Recreation Department (Parks) will continue to have administrative responsibility for this Agreement. **(Property & Real Estate Management) District 1** (HJF)

OCTOBER 17, 2023

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to:

**A) receive and file** a Hazard Mitigation Grant extension with the Florida Department of Emergency Management (FDEM) for a 90-day extension. The initial agreement was from December 1, 2022 to September 30, 2023; the 90-day extension was granted and will end on December 31, 2023; and

**B) receive and file** a Master Research Agreement No. C-23-229 between Palm Beach County and Florida Atlantic University (FAU) for a 90-day extension, which was granted. This will be to complete the Hazard Mitigation Grant project and will extend the agreement to December 31, 2023.

**SUMMARY:** On April 7, 2022, the FDEM announced a grant opportunity for Community Rating System (CRS) communities to aid them in the development of a Watershed Master Plan (WMP) to help improve their CRS ratings. On May 17, 2022, the Board of County Commissioners granted delegated authority to submit the grant application and enter into the agreement with FDEM. FDEM executed the agreement on December 1, 2022 for the Hazard Mitigation Grant reflecting their commitment of funding to the above reference project for \$210,000. With the collaboration with Florida Atlantic University (FAU), the funding will provide for the development of a WMP as a prerequisite for all communities to achieve a Class 4 or higher Community Rating System (CRS) rating. The CRS program allows participating communities to achieve significant discounts for National Flood Insurance Program (NFIP) policyholders on flood insurance premiums for their properties. CRS ratings rank from 1 (highest rating/discount) to 10 (lowest rating/discount). A Class 5 rating allows policyholders in the County to receive discounts of up to 25% from the standard NFIP premiums. A Class 4 rating (or higher) would achieve discounts of 30% (or more). Working in coordination with the County Emergency Management Division CRS Coordinator, as well as other County Agencies, County staff work continuously to maintain and improve the County's CRS rating and achieve greater discounts for County property owners. Unincorporated (RM)

OCTOBER 17, 2023

3. CONSENT AGENDA APPROVAL

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

2. **Staff recommends a motion to approve:** The appointment of two (2) new members to the Construction Industry Licensing Board (Board).

<u>Appointment</u>	<u>Seat #</u>	<u>Requirement</u>	<u>Term</u>	<u>Recommended by</u>
Allen Gast	5	General Contractor	10/17/2023-09/30/2026	Commissioner Barnett Commissioner Marino
Jeffrey Remas	7	Building Official	10/17/2023-09/30/2026	Commissioner Barnett Commissioner Marino

**SUMMARY:** The Board establishes the qualifications and competency of contractors that work within the County. The Board also provides for the testing and licensing of these contractors and is empowered to discipline licenses and hear citation appeals. The Board was established by Special Act, Laws of Florida, Chapter 67-1876, as amended. The Special Act and, subsequently, Section 489.131, Florida Statutes (F.S.) sets forth the membership of the Board, which consists of 15 members. This Board shall be comprised of fifteen (15) members as follows: two (2) general contractors, one (1) building contractor, one (1) residential contractor; one (1) electrical contractor; one (1) plumbing contractor; one (1) HARV contractor; one (1) roofing contractor; one (1) swimming pool contractor; one (1) architect; one (1) engineer and one (1) full-time building official employed by a local government within Palm Beach County, who meets the requirements of the Building Officials Association of FL; and three (3) consumer representatives. The Board establishes the qualifications and competency of contractors that work within the County. The Board also provides for the testing and licensing of these contractors and is empowered to discipline licenses and hear citation appeals. A memorandum was sent to the Board of County Commissioners (BCC) on August 25, 2023, requesting support for two (2) new board members, no other nominations were received. As required by Section 2-443 of the Code of Ethics, this Agenda Item Summary will serve as disclosure for Allen Gast. Allen Gast is the owner of Gast Construction Group, Inc., which contracts with Palm Beach County to provide construction services for the County through sealed bids. The Board provides no regulation, oversight, management, or policy-setting recommendations regarding contracts with



the county. The Board currently has 12 seats filled. Four (4) of the current members will be termed out by the end of September, bringing the membership down to 8 members. The agenda herein requesting approval to fill two (2) new members will bring the membership up to 10 members. With the approval of the two (2) new members the diversity count will be eight (8) Caucasians (80%); and two (2) Hispanic Americans (20%). The gender ratio for the Board (female: male) will be 2:8. Staff is addressing the need to increase diversity within our boards and will continue to encourage this to expand this Board's diversity. Countywide (SF)

**OCTOBER 17, 2023**

**3. CONSENT AGENDA APPROVAL**

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

3. **Staff recommends motion to adopt:** A Resolution of the Board of County Commissioners, Florida, authorizing the County Administrator, or designee, to execute escrow agreements for developers using the Exchange Builder Option of the Workforce Housing Program, amendments thereto, and other documents necessary for implementation of the Workforce Housing Program. **SUMMARY:** The Workforce Housing Program, Article 5.G.3 of the Unified Land Development Code, establishes several options for the disposition of the workforce housing obligation. These include an Exchange Builder Option wherein a developer subject to the Workforce Housing Program can transfer the development's workforce housing obligation to another project constructed by a different developer in exchange for a specified payment. The Exchange Builder Option includes a requirement that a guarantee acceptable to the County be provided, to be collected if the Exchange Builder does not ultimately deliver the required workforce units. The guarantee can take several forms, including a letter of credit, surety, or escrow account. In the case of an escrow account, an escrow agreement must be executed by the Exchange Builder, bank, and the County. The proposed resolution will facilitate exchanges that propose to use an escrow account, by authorizing the County Administrator, or designee, to execute the escrow agreement on behalf of the County. Countywide (DL)

OCTOBER 17, 2023

3. CONSENT AGENDA APPROVAL

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

4. [Staff recommends motion to approve:](#) reappointment of two (2) members to the Building Code Advisory Board (BCAB).

<u>Reappointment</u>	<u>Seat</u>	<u>Requirement</u>	<u>Recommended By</u>	<u>Term</u>
Joseph R. Byrne	9	Roofing Contractor	PBC Roofing & Sheet Metal Contractors	10/17/23 – 10/16/26
Donald G. Sharkey	13	Electrical Contractor	International Association Of Electrical Contractors	10/17/23 – 10/16/26

**SUMMARY:** The Board reviews and make recommendations to the BCC and local governments on building related codes and standards. The mission of the Board is to promote uniformity in the area of building regulations and inspection techniques that authorizes the BCC to adopt the recommendations of the Advisory Board for all of Palm Beach County. The term of office for board members is three years with no limit to the number of terms a member may serve. The Board is comprised of 16 members; one registered architect appointed from nominees submitted by the Palm Beach Chapter of the American Institute of Architects (AIA); one professional engineer appointed from nominees submitted by the Palm Beach Chapter of the Florida Engineering Society (FES); seven members appointed from nominees submitted by any recognized regional industry trade association; and seven Building Officials, one from each commission district, appointed from nominees submitted by the Building Officials Association of Palm Beach County (BOAPBC). This Advisory Board has 16 seats, 13 currently filled and 3 vacancies, and a diversity count of Caucasian: 11 (84%), Asian-American: 1 (8%) and African-American: 1 (8%). The gender ratio (male: female) is 12:1. The nominees are both Caucasian males. Staff is addressing the need to increase diversity within our boards and will continue to encourage this to expand this Board's diversity. Countywide (RM)

OCTOBER 17, 2023

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to receive and file: Amendment No. 1 to Grant Agreement No. S18-21-05-12 (R2021-0930) with the State of Florida E911 Board and Division of Management Services for the purchase and installation of 911 Call Handling Equipment (CHE) at the Florida Highway Patrol Regional Communications Center (LWRCC) (R2021-1440) extending the award period from May 24, 2023 through November 24, 2023. **SUMMARY:** Palm Beach County Public Safety Department, Division of 911 Program Services was awarded a grant (S18-21-05-12 CSFA# 72.002) from the State of Florida E911 Board in the amount of \$583,675 for a two (2) year funding cycle, from May 24, 2021 through May 24, 2023, to purchase and install 911 CHE at the Florida Highway Patrol LWRCC. The equipment is installed and operational. However, due to a delay in implementation caused by a third party vendor, an extension of six months was needed to finalize acceptance, invoicing and payment before requesting reimbursement from the E911 Board. R2021-0930 authorized the County Administrator or designee to execute the grant award and any associated amendments utilizing funds from the State E911 Board grant award. Countywide (SB)
  
2. Staff recommends a motion to:
  - A) **receive and file** a State-Funded Grant Agreement for Hazardous Materials Planning and Prevention Program (T0311) with the State of Florida, Division of Emergency Management (FDEM) for the period of July 1, 2023 through June 30, 2024 in the amount of \$10,112.55; and
  
  - B) **approve** a Budget Amendment of \$10,113 in the Emergency Management Grant Fund to recognize the grant award.

**SUMMARY:** This is an annual grant (CSFA # 31.067) from FDEM to conduct on-site visits and hazardous materials analyses at facilities within Palm Beach County known to have extremely hazardous substances designated by the U.S. Environmental

Protection Agency. These assessments are required for compliance with the Emergency Planning and Community Right-To-Know Act (EPCRA), also known as the Superfund Amendments and Reauthorization Act (SARA). R2012-1731 authorized the County Administrator or designee to execute this agreement on behalf of the Board of County Commissioners that do not substantially change the scope of work, terms or conditions of the agreement. **No matching funds are required.** Countywide (DB)

**OCTOBER 17, 2023**

**3. CONSENT AGENDA APPROVAL**

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

**3. Staff recommends motion to approve:**

**A)** One (1) “At Large” reappointment to the Emergency Medical Services Advisory Council (EMS Council) for the term October 17, 2023 through September 30, 2026, including a **waiver** of the prohibition against a conflicting employment or contractual relationship pursuant to Sections 112.313(7)(a) and (12), Florida Statutes. **An affirmative vote of 5 is required.**

<u>Nominee</u>	<u>Seat</u>	<u>Designation</u>	<u>Nominated by</u>
Dr. Belma Andric	4	Health Care District of Palm Beach County – Trauma District	Health Care District of PBC

**B)** One (1) “At Large” reappointment to the EMS Council for the term October 17, 2023 through September 30, 2026, including a **waiver** of the prohibition against a conflicting employment or contractual relationship pursuant to Sections 112.313(7)(a) and (12), Florida Statutes. **An affirmative vote of 5 is required; and**

<u>Nominee</u>	<u>Seat</u>	<u>Designation</u>	<u>Nominated by</u>
Cory Bessette	5	PBC EMS Providers	PBC EMS Providers Association

**C)** Three (3) “At Large” appointments to the EMS Council for the term October 17, 2023 through September 30, 2026.

<u>Nominee</u>	<u>Seat</u>	<u>Designation</u>	<u>Nominated by</u>
Dr. Cory Harow	7	Emergency Room Physician	PBC Emergency Medical Forum
Jason Kimbrell	19	Hospital Chief Executive Officer (CEO) (Hospital Corporation of America (HCA))	HCA Hospital Administrators
Daniel Listi	20	Hospital CEO (TENET Hospital)	TENET Hospital Administrators

**OCTOBER 17, 2023**

**3. CONSENT AGENDA APPROVAL**

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

3. **SUMMARY:** The EMS Council advises the Board of County Commissioners (BCC) on matters relating to Emergency Medical Services; in addition to proposing and discuss ideas and projects which might improve the quality of EMS in Palm Beach County. Per Resolution R2014-0100, the BCC approved a representative make-up of the EMS Council to include twenty (20) members. Thirteen (13) members are representatives of the various components of the EMS system with specific requirements and seven (7) members are Commission District Consumer appointments. On September 30, 2023, the five (5) seat terms, in Section A, Section B, and Section C expire. Letters were sent to each affiliation requesting a new nominee or reappointment of the current member. Dr. Belma Andric is an employee of the Health Care District of Palm Beach County and Cory Bessette is an employee of Palm Beach Gardens Fire Rescue. These relationships necessitate waivers approved by an affirmative two-thirds vote of the BCC (5 votes), pursuant to Sections 112.313(7)(a) and (12), Florida Statutes, because each of these entities are EMS providers subject to the regulatory authority of the EMS Council. With these appointments, the EMS Council will have 18 seats filled, with a diversity count as follows: Caucasian 17 (94%) and African American: 1 (6%). The gender ratio (male: female) is 16:2. Staff is addressing the need to increase diversity within our boards and will continue to encourage this to expand this Board's diversity. Countywide (SB)

OCTOBER 17, 2023

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (cont'd.)

4. Staff recommends motion to:

- A) **approve and ratify** interagency agreement with the Florida Department of Children and Families (DCF) for \$110,000 for the period of August 1, 2023 through June 30, 2024 to fund a statewide study on zoning regulations for community residences for people with disabilities and recovery communities for people in recovery from substance use disorder;
- B) **approve** Budget Amendment of \$110,000 in the General Fund to recognize the grant award in the budget;
- C) **authorize** County Administrator or designee to execute contracts, amendments and administrative documents utilizing funding from the above contract, on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations; that do not substantially change the scope of work, terms, or conditions of the contract.

OCTOBER 17, 2023

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (cont'd.)

4. **SUMMARY:** A legislative appropriation was approved from the State of Florida FY23-FY24 General Appropriations Act providing \$110,000 in non-recurring general revenue funds to the Palm Beach County Board of County Commissioners (BCC) for a statewide study on zoning regulations for community residences for people with disabilities and recovery communities for people in recovery from substance use disorder. This was part of a legislative funding request from Palm Beach County through the Office of the State Attorney, 15<sup>th</sup> Judicial Circuit Court, State Addiction Recovery Task Force (SAART). Under this interagency agreement, DCF will provide the appropriated funds to PBC to contract with Florida State University's (FSU) Institute of Government to provide directly or by sub agreement a zoning study. The study is necessary to begin the process of creating a system whereby local governments can use to create local zoning ordinances to protect disabled residents living in community residences from exploitation, while protecting communities from human warehouses or flophouses masquerading as community residences for those with disabilities. The study will create a more statewide standard approach to zoning that recognizes the benefit of these homes, while creating a uniform process that protects individuals and communities. The study will also include guidance in drafting appropriate statewide zoning regulations for sober living homes and recovery communities. The emergency signature process was used for the Mayor to execute the contract with DCF so staff can begin working with FSU on the contract terms and conditions for the study. Since funding ceases June 30, 2024, staff is requesting authority be given to the County Administrator to execute the contract with FSU to begin the study immediately and will return to the BCC to receive and file the contract. **No County matching funds are required for this grant.** Countywide (RS)

OCTOBER 17, 2023

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

1. Staff recommends motion to:

**A) accept** on behalf of the Palm Beach County Sheriff's Office a Financial Assistance Agreement for the FY2023-24 Multi-County Forensic Genealogy Testing Grant Program between the Florida Department of Law Enforcement and the Palm Beach County Sheriff's Office for the period of July 1, 2023 through June 30, 2024; and

**B) approve** a Budget Amendment of \$100,000 in the Sheriff's Grant Fund.

**SUMMARY:** During the 2023 Legislative Session, the Florida Legislature authorized funding in the amount of \$100,000 to the Palm Beach County Sheriff's Office (PBSO) through the Florida Department of Law Enforcement (FDLE) for the Multi-County Forensic Genealogy Testing Project. Grant funding will be used to contract with a specialized lab which provides genealogy testing services utilizing advanced DNA analysis. The grant period is from July 1, 2023 through June 30, 2024. **There is no match requirement associated with this award.** The Catalog of State Financial Assistance (CSFA) number is 71.104 and the agreement number is L8029. Countywide (RS)

2. Staff recommends motion to:

**(A) accept** on behalf of the Palm Beach County Sheriff's Office, a Bureau of Justice Assistance (BJA) State Criminal Alien Assistance Program FY 2022 Grant in the amount of \$8,157 for the period of August 30, 2023 through the date all funds have



been spent; and

**(B) approve** a Budget Amendment of \$8,157 increasing the Sheriff's Grants Fund.

**SUMMARY:** The Bureau of Justice Assistance (BJA) has made funds available to be used for correctional purposes. These funds will be used in accordance with the Department of Justice Reauthorization Act of 2005. **There is no match requirement associated with this award.** The Catalog of Federal Domestic Assistance (CFDA) number is 16.606 and the contract number is 15PBJA-22-RR-05333-SCAA. Countywide (RS)

**OCTOBER 17, 2023**

**3. CONSENT AGENDA APPROVAL**

**DD. TOURIST DEVELOPMENT COUNCIL**

1. **Staff recommends motion to receive and file:** a fully executed Palm Beach County FY2023, Category "G" Grant Agreement with the Ski Club of the Palm Beaches - Inc., A Non-Profit Corporation for the promotion of the GOODE Water Ski National Championship held from August 9 – 12, 2023. The term of this agreement is March 9, 2023 – November 12, 2023. This grantee was approved by the Tourist Development Council (TDC) on February 9, 2023, in the amount of \$15,000. **SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File agenda item. On June 7, 1994, the Board of County Commissioners adopted Resolution R94-702, as amended, authorizing the County Administrator and/or the Executive Director of the TDC to enter into grant agreements with Category G (Sports) grantees after they have been approved by the TDC. Room nights generated for the Ski Club of the Palm Beaches - Inc., A Non-Profit Corporation/ GOODE Water Ski National Championship were 1,570. District 2 (YBH)

**EE. COMMISSION ON ETHICS**

1. **Staff recommends motion to approve:** an Amended Memorandum of Understanding (MOU) with the Delray Beach Community Redevelopment Agency and Palm Beach County to engage the services of the Palm Beach County Commission on Ethics retroactive and in effect from October 1, 2022 through September 30, 2026. **SUMMARY:** The Delray Beach Community Redevelopment Agency (Delray Beach

CRA) agreed to subject itself to the jurisdiction and authority of the Commission on Ethics and its Executive Director. This MOU was amended to also bring any advisory board or committee of the Delray Beach CRA under the jurisdiction and authority of the Commission on Ethics. The MOU identifies the roles and responsibilities of the Commission on Ethics and the Delray Beach CRA in implementing the Palm Beach County Code of Ethics, and establishes a schedule of fees to be paid by the Agency to the County in exchange for services. As required by the Commission on Ethics Ordinance, all fees paid under this agreement must be used to fund the Commission on Ethics' operations. The MOU is subject to final approval of the Board of County Commissioners. Districts 4 and 7 (DB)

**OCTOBER 17, 2023**

**3. CONSENT AGENDA APPROVAL**

**FF. OFFICE OF EQUAL OPPORTUNITY**

**1. Staff recommends motion to:**

**A) ratify** the Mayor's signature on three cooperative agreements with the U.S. Department of Housing and Urban Development (HUD) totaling \$296,200 allowing the Office of Equal Opportunity (OEO) to receive revenue applying to FY 2023 for:

1. Case processing (Cooperative Agreement No FF204K234043 in the amount of \$216,600) for the period of July 1, 2022 through June 30, 2023;
2. Administrative cost (Cooperative Agreement No. FF204K234044 in the amount of \$60,000) for the period of October 1, 2022 through September 30, 2023;
3. Training funds (Cooperative Agreement No. FF204K234045 in the amount of \$19,600) for the period of October 1, 2022 through September 30, 2023;

**B) approve** an upward Budget Amendment for FY 2023 in the General Fund (Fund 0001) in the amount of \$62,600 to recognize the actual award amount;

**C) ratify** the Mayor's signature on one cooperative agreement with the U.S. Department of Housing and Urban Development (HUD) in the amount of \$36,000 allowing the Office of Equal Opportunity (OEO) to receive revenue applying to FY 2024 for Special Enforcement Effort (SEE) funds (Cooperative Agreement No.

FF204K234081 in the amount of \$36,000) for the period of October 1, 2023 through June 30, 2024; and

- C) **approve** an upward Budget Amendment for FY 2024 in the General Fund (Fund 0001) in the amount of \$36,000 to recognize the actual award amount.

**OCTOBER 17, 2023**

**3. CONSENT AGENDA APPROVAL**

**FF. OFFICE OF EQUAL OPPORTUNITY (cont'd.)**

- 1. **SUMMARY:** In order for OEO to receive revenue from HUD for processing and resolving housing discrimination complaints, execution of Cooperative Agreements No. FF204K234043, FF204K234044, FF204K234045 and FF204K234081 were required prior to September 25, 2023 because there was insufficient time to meet the application deadline under the regular agenda process. The current individual awards total \$332,200 and include \$216,600 for cases processed for the period July 1, 2022 through June 30, 2023; \$19,600 for training funds for the period of October 1, 2022 through September 30, 2023; \$60,000 for administrative costs for the period October 1, 2022 through September 30; and \$36,000 for SEE funds for the period of October 1, 2023 through June 30, 2024. Board ratification of the Mayor's signature will ensure the receipt of revenue under these Agreements. Countywide (DO)

OCTOBER 17, 2023

3. CONSENT AGENDA APPROVAL

FF. OFFICE OF EQUAL OPPORTUNITY (cont'd.)

2. [Staff recommends motion to approve:](#) Contracts for the Handicap Accessibility and Awareness Grant Program with the non-profit agencies listed below, as of the date of approval of the contract by the Palm Beach County Board of County Commissioners (BCC) through September 30, 2024, in the amount not to exceed \$30,000:
  - A) A Contract with Florida Outreach Center for the Blind, Inc. to provide blind and visually impaired people in Palm Beach County with essential education and information about available community resources coupled with guided experience in navigating existing accessible services and facilities, in an amount not to exceed \$5,250;
  - B) A Contract with NAMI Palm Beach County, Inc., to provide funding for unique, one time access to services or resources for individuals living in Palm Beach County. Working with other community mental health providers, the funds fill one-time needs and gaps that reduce access to behavioral health services for individuals who do not have the financial means to access those services or resources, in an amount not to exceed \$6,500;
  - C) A Contract with Lighthouse for the Blind of the Palm Beaches, to provide funding to present sensitivity and public awareness programs to increase the public

awareness as to the rights and abilities of persons with disabilities, in an amount not to exceed \$6,500.

**SUMMARY:** On July 2, 2019, the BCC adopted Ordinance 2019-027 which included a provision for the Fair Housing Board to review proposals and make recommendations on the award of the programs budgeted grant funds. Through a competitive application process, the Fair Housing Board reviewed responsive proposals submitted by non-profit agencies in conformance with the ordinance and established program guidelines to support the recommendation to fund the agencies listed above. Funding for the program was approved in the FY 2024 budget. Countywide (JW)

**OCTOBER 17, 2023**

**3. CONSENT AGENDA APPROVAL**

**GG. OFFICE COMMUNITY REVITALIZATION**

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

- A)** an expenditure of \$150,000 for the installation and twenty (20) years of maintenance of ten (10) Light Emitting Diode (LED) streetlights along Sunrise Drive within the Elmwood Estates-Roan Lane Countywide Community Revitalization Team (CCRT) area;
- B)** a Budget Transfer of \$150,000 in the Capital Outlay Fund, to establish a transfer of \$100,000 to the Sunrise Drive Street Lighting Project to fund the installation and a transfer of \$50,000 to the Office of Community Revitalization (OCR) Special Projects and Initiatives Fund for project maintenance; and
- C)** a Budget Amendment of \$50,000 in the OCR Special Projects and Initiatives Fund to recognize the transfer and allocate it to the Sunrise Drive Street Lighting project maintenance.

**SUMMARY:** In October of 2022, community members of the Elmwood Estates-Roan Lane CCRT area requested streetlights along Sunrise Drive to enhance safety and reduce crime, leading to the initiation of the Sunrise Drive Street Lighting Project.

This project involves installing and maintaining ten (10) LED streetlights for twenty (20) years. The required \$150,000 transfer is necessary to cover the installation and maintenance costs of the ten (10) LED streetlights. Funding is available in the CCRT Recouped Funding account within the Capital Outlay Fund. District 1 (RS)

OCTOBER 17, 2023

3. **CONSENT AGENDA APPROVAL**

HH. **WATER RESOURCES**

1. **Staff recommends motion to:**

- A) approve** a modified Florida Department of Environmental Protection (FDEP) Standard Grant Agreement for the C-51 Reservoir Phase II Cell 13 (Agreement Number OWP05) that was approved in the July 11, 2023 Board of County Commissioners meeting;
- B) approve** a Budget Amendment of \$70,000,000 in the C-51 Reservoir Phase II Cell 13 Grant Fund to recognize the increased grant award; and
- C) authorize** the County Administrator, or designee, to execute changes to this grant, 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:** Palm Beach County (PBC) 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.** PBC could be responsible for operation and maintenance costs if the

South Florida Water Management District does not accept the project. FDEP increased the Cell 13 Grant from \$65,000,000 to \$135,000,000 to include \$70,000,000 funding in the State's Fiscal Year 2024 budget. District 6 (MJ)

\* \* \* \* \*

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

A. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to approve on first reading and advertise for adoption hearing on November 21, 2023: A Resolution of the Board of County Commissioners (BCC) of Palm Beach County, Florida, making certain findings and designating the three parcels located at 9845 and 9905 Clint Moore Road, within unincorporated Palm Beach County, Florida, further identified by Parcel Control Numbers 00-42-43-27-05-070-1130, 1160 and 1170, (the “Subject Site”), as a Brownfield Area pursuant to Section §376.80(2)(c), *Florida Statutes*, which shall be hereafter known as Verde Commons Green Reuse Area, for the purpose of rehabilitation, creation of recreation area, and promoting economic development; providing for an effective date; and, for other purposes. **SUMMARY:** On August 22, 2023, the BCC approved two (2) motions to allow for a Brownfield Area designation of the Subject Site: 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, October 17, 2023 at 9:30 a.m., and Tuesday, November 21, 2023 at 9:30 a.m. On July 17, 2023, Toll Brothers, Inc. (“Toll Bros.”) as contract purchaser, and the owners, Westside Farms, Inc. and 7 T’s Enterprises, Inc., submitted an application to the Department of Housing and Economic Development to designate the Subject Site 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 Subject Site supports a 163,093 square foot produce packing plant and cold storage facility, agricultural equipment and commercial vehicle storage, row crops, and related uses, which Toll Bros. indicates is impacted by arsenic and dieldrin in the soil and groundwater. The rezoning of the 37.4 acre site was approved by the Board of County Commissioners at the November 28, 2022 BCC Zoning Hearing (Resolution R2022-1414), with a concurrent future land use amendment (Ord. 2022-031), which would allow for the development of up to 75 residential dwelling units. Toll Bros. is seeking a “Brownfield Area” designation under Florida’s Brownfields Redevelopment Act, prior to redevelopment of the Subject Site with 70 single family dwelling units and a 0.66-acre recreation area. **No County funds for implementation are required.** District 5 (DB)



OCTOBER 17, 2023

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

B. CRIMINAL JUSTICE COMMISSION

1. [Staff recommends motion to approve](#) on preliminary reading and permission to advertise for public hearing on November 21, 2023 at 9:30 AM: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 2, ARTICLE V, DIVISION 5 OF THE PALM BEACH COUNTY CODE (ORDINANCE 88-16, AS AMENDED BY ORDINANCES 89-3, 90-38, 92-14, 92-25, 93-1, 93-35 95-6, 2014-003, AND 2016-017) PERTAINING TO THE PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION, AMENDING SECTION 2-216 (CREATED), AMENDING SECTION 2-217 (OBJECTIVES), AMENDING SECTION 2-218 (AUTHORITY), AMENDING SECTION 2-219 (OPERATION), AMENDING SECTION 2-220 (STAFF COOPERATION AND SUPPORT), AND AMENDING SECTION 2-221 (ADMINISTRATION); PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR CAPTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

B. CRIMINAL JUSTICE COMMISSION (cont'd.)

1. **SUMMARY:** The CJC seeks to amend Chapter 2, Article V, Division 5 of the Palm Beach County Code of Ordinances to include an expanded private sector membership reflective of the County and diversity in community voice. Therefore, the CJC is making the following recommended amendments to the CJC Ordinance: **1)** Modify the membership of the CJC by reducing the public sector members from 21 to 18 by removing a) Supervisory Special Agent, Federal Bureau of Investigation, West Palm Beach, b) Senior Agent, Drug Enforcement Administration, West Palm Beach, and c) Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms (ATF), West Palm Beach Field Office, U.S. Treasury Department; **2)** Modify the membership of the CJC by increasing the private sector members from 11 to 17 by maintaining the ten (10) members who will be nominated by the Palm Beach County Economic Council, of which consideration should be given to one (1) representative from CareerSource and one (1) representative from the Health Care District of Palm Beach County; and by increasing the one (1) member at large to six (6) members at large, which will include one (1) local clergy, one (1) returning citizen, one (1) crime survivor, one (1) student between the age of seventeen (17) and twenty-two (22) years-of-age, one (1) person who will be nominated by, and will represent, the Black Chamber of Commerce, and one (1) person who will be nominated by, and will represent, the Hispanic Chamber of Commerce. These six (6) at large members will be nominated by the Criminal Justice Commission and approved by the Board of County Commissioners; and **3)** Additional amendments clarify the nomination process and update the CJC Ordinance in keeping with uniform policies and procedures for the Palm Beach County Commissioners. On September 26, 2023 these recommended amendments were presented to the CJC and supported unanimously. The recommended amendments were also presented to the Palm Beach County Economic Council and there was no opposition. Currently, the CJC is the largest advisory board to the Board of County Commission (BCC) and among the longest standing boards. Countywide (HH)

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5. REGULAR AGENDA

A. FACILITIES AND DEVELOPMENT

1. Staff recommends motion to approve: a Concessionaire Lease Agreement (Agreement) with Dune Dog Acquisitions, Inc., a Florida corporation, for approximately 1,300 SF of space at Carlin Park in Jupiter for the operation of a food and beverage concession for a term of three (3) years, commencing no later than 60 days after approval by the Board of County Commissioners (Board) plus two (2) successive three (3) year renewals, at an initial rental rate of \$110,000/year (\$9,167/month). **SUMMARY:** The Parks and Recreation Department (Parks) desires to continue to provide food and beverage services at Carlin Park through a concessionaire agreement. In January 2022, at the request of Parks, Facilities Development & Operations (FDO), Property and Real Estate Management Division (PREM) advertised Request for Proposals No. 2021-102-DML for the operation of this concession. While the Selection Committee recommended award of the concession to Hawkhaven, LLC, d/b/a Lazy Loggerhead, negotiations of an agreement were unsuccessful. In November 2022, a second Request for Proposals No. 2023-101-LMD (RFP) was advertised. Submittals were received from Dune Dog Acquisitions, Inc. (Dune Dog), SW Hospitality Group, LLC and Belvedere Hospitality, LLC; Belvedere Hospitality, LLC was deemed non-responsive. On April 6, 2023, the Selection Committee reviewed the responsive submittals, ranked Dune Dog as the highest and recommended it for award of the concession agreement. On April 12, 2023 Belvedere Hospitality, LLC filed a protest to the determination of non-responsiveness. On June 6, 2023, after reviewing all relevant documents, the FDO Director denied the protest. In performing the review leading to the denial of the protest, a procedural deficiency was identified. As a result, the FDO Director decided to hold the selection process in abeyance until the protest period had concluded and a decision was issued, after which the Selection Committee was to reconvene to evaluate the proposals again. On July 20, 2023, the Selection Committee met again and ranked the proposal from Dune Dog as the highest one. The term of the Agreement is for three (3) years, with two 3-year options to extend under the same terms and conditions. The term shall commence 30 days after issuance of a Certificate of Occupancy or 60 days after Board approval of the Agreement, whichever is earlier. The guaranteed annual rent is \$110,000 (\$9,167/month), with annual 2% increases, plus a percentage rent of 8.5% on monthly gross revenue when the monthly gross revenues exceeds the guaranteed rent. Dune Dog posted the required \$2,500 security deposit. Parks will manage and administer the Agreement. **(Property and Real Estate Management) District 1** (HJF)

OCTOBER 17, 2023

5. REGULAR AGENDA

B. OFFICE OF RESILIENCE

1. Staff recommends motion to receive and file: the National Oceanic and Atmospheric Administration (NOAA) Climate Resilience Regional Challenge (CRRC) Letter of Intent (LOI) to apply for a \$2,000,000 grant, estimated to begin on the date of contract execution in July 2024 and ending after four (4) years in June 2028. **SUMMARY:** The Palm Beach County (PBC) Office of Resilience (OOR) submitted an LOI to apply to the NOAA CRRC grant program to collaborate with coastal PBC municipalities, Florida Atlantic University, and Community Partners of South Florida on a planning project to determine the shoreline protection needs of the coastal communities in Palm Beach County (PBC) and to create a model shoreline protection ordinance to unite sea level rise and flood adaptation goals and implementation efforts across the County's coastal jurisdictions. The proposed project will streamline the planning process and create a unified approach to shoreline protection implementation in PBC. **No match is required for this grant.** Districts 1, 2, 4, 5, 6, 7 (RM)

OCTOBER 17, 2023

5. REGULAR AGENDA

B. OFFICE OF RESILIENCE (cont'd.)

2. Staff recommends motion to:

- A) **ratify** the signature of the Resilience Director on a Resilient Florida Program planning grant application submitted to the Florida Department of Environmental Protection (FDEP) on August 31, 2023, requesting \$1,267,000 to conduct flooding and sea level rise vulnerability assessments for seven (7) Palm Beach County municipalities and end after three (3) years; and
- B) **delegate to** the County Administrator, or designee, the signatory authority on additional forms, certifications, contracts/agreements and amendments thereto, and any other necessary documents related to the FDEP Resilient Florida Program grant that do not substantially change the scope of work, terms or conditions of the application.

**SUMMARY:** The Office of Resilience (OOR) submitted a planning grant application to the FDEP Resilient Florida Program for funding to conduct flooding and sea level rise vulnerability assessments for seven (7) small Palm Beach County municipalities with limited staff capacity. These municipalities include City of Atlantis, Town of Cloud Lake, Town of Glen Ridge, Village of Golf, Town of Haverhill, Town of Hypoluxo, and Village of Palm Springs. This project will result in Section 380.093 F.S. compliant vulnerability assessments for each municipality and make them eligible for implementation funding from the Resilient Florida Program. The emergency signature process was utilized to meet the grant application deadline 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 act as the project's designee and liaison. **No match is required for this grant.** Districts 2, 3, 4, 7 (RM)

OCTOBER 17, 2023

5. REGULAR AGENDA

B. OFFICE OF RESILIENCE (cont'd.)

3. Staff recommends motion to receive and file: a Resilient Florida Program grant application submitted to the Florida Department of Environmental Protection on August 31, 2023, requesting \$4,800,000 in additional funding for the Australian Avenue drainage improvement project, which would begin upon grant contract execution and end after five (5) years. **SUMMARY:** On July 22, 2023, the Board of County Commissioners adopted a Resolution to approve the grant application for the Australian Avenue drainage improvements project and delegate authority to the County Administrator or designee to sign and submit the application with the Florida Department of Environmental Protection for the Resilience Florida Capital Grants, and to execute any agreements associated with the disbursement of Resilience Florida Capital funds for the Australian Avenue drainage improvement project. Before application submittal, the County Administrator delegated signing authority to the Office of Resilience (OOR) Director. OOR submitted the grant application for the Australian Avenue project on August 31, 2023. In accordance with PPM CW-O-051, all delegated contracts/ agreements/ grants must be submitted by the initiating Department as a receive and file agenda item. This grant application was a collaborative effort between OOR and Engineering and Public Works (EPW). OOR provided administrative support and flood modeling needed to apply for funding for this EPW project. If awarded, this grant will provide additional funding to EPW that is needed to install a necessary new drainage system for the Australian Avenue corridor from Banyan Boulevard to 45th Street and increase drainage capacity to mitigate and alleviate flooding. This project previously received \$13 million from the Resilience Florida program. Project plans are currently 65% complete, but due to increasing costs, more funding is necessary to address the funding shortfall. **This grant has a 50% match requirement totaling \$4,800,000. District 7 (RM).**

OCTOBER 17, 2023

5. REGULAR AGENDA

B. OFFICE OF RESILIENCE (cont'd.)

4. **Staff recommends motion to receive and file:** a Resilient Florida Program grant application submitted to the Florida Department of Environmental Protection on August 31, 2023, requesting \$1,250,000 to construct drainage conveyances within Country Club Acres, which would begin upon grant contract execution and end after five (5) years. **SUMMARY:** On July 22, 2023, the Board of County Commissioners adopted a Resolution to approve the grant application for the Country Club Acres stormwater improvements project and delegate authority to the County Administrator or designee to sign and submit the application with the Florida Department of Environmental Protection for the Resilience Florida Capital Grants, and to execute any agreements associated with the disbursement of Resilience Florida Capital funds for the Country Club Acres stormwater improvement project. Before application submittal, the County Administrator delegated signing authority to the Office of Resilience (OOR) Director. OOR submitted the grant application for the Country Club Acres stormwater improvement project on August 31, 2023. In accordance with PPM CW-O-051, all delegated contracts/ agreements/ grants must be submitted by the initiating Department as a receive and file agenda item. This grant application was a collaborative effort between OOR and Engineering and Public Works (EPW). OOR provided administrative support and flood modeling needed to apply for funding for this EPW project. If awarded, this grant will provide implementation funding to EPW that is needed to improve drainage of internal roads for increasing variability in rainfall volumes to reduce localized flooding within Country Club Acres. **This grant has a 50% match requirement totaling \$1,250,000. District 5 (RM).**

OCTOBER 17, 2023

5. REGULAR AGENDA

B. OFFICE OF RESILIENCE (cont'd.)

5. Staff recommends motion to receive and file: a Resilient Florida Program grant application submitted to the Florida Department of Environmental Protection on August 31, 2023, requesting \$908,000 to construct drainage conveyances within Englewood Estates/Manor Subdivision, which would begin upon grant contract execution and end after five (5) years. **SUMMARY:** On July 22, 2023, the Board of County Commissioners adopted a Resolution to approve the grant application for the Englewood Estates/Manor Subdivision stormwater drainage improvements project and delegate authority to the County Administrator or designee to sign and submit the application with the Florida Department of Environmental Protection for the Resilience Florida Capital Grants, and to execute any agreements associated with the disbursement of Resilience Florida Capital funds for the Englewood Estates project. Before application submittal, the County Administrator delegated signing authority to the Office of Resilience (OOR) Director. OOR submitted the grant application for the Englewood Estates/Manor Subdivision project on August 31, 2023. In accordance with PPM CW-O-051, all delegated contracts/ agreements/ grants must be submitted by the initiating Department as a receive and file agenda item. This grant application was a collaborative effort between OOR and Engineering and Public Works (EPW). OOR provided administrative support and flood modeling needed to apply for funding for this EPW project. If awarded, this grant will provide implementation funding to EPW that is needed to improve stormwater drainage of internal roads for increasing variability in rainfall volumes to reduce localized flooding within Englewood Estates/Manor Subdivision. **This grant has a 50% match requirement totaling \$908,000. District 3 (RM).**



OCTOBER 17, 2023

5. REGULAR AGENDA

B. OFFICE OF RESILIENCE (cont'd.)

6. [Staff recommends motion to receive and file:](#) a Resilient Florida Program grant application submitted to the Florida Department of Environmental Protection on August 31, 2023, requesting \$4,000,000 to reconstruct the Prosperity Farms Road Bridge, which would begin upon grant contract execution and end after five (5) years. **SUMMARY:** On July 22, 2023, the Board of County Commissioners adopted a Resolution to approve the grant application for the Prosperity Farms Road Bridge reconstruction project and delegate authority to the County Administrator or designee to sign and submit the application with the Florida Department of Environmental Protection for the Resilience Florida Capital Grants, and to execute any agreements associated with the disbursement of Resilience Florida Capital funds for the Prosperity Farms Road Bridge project. Before application submittal, the County Administrator delegated signing authority to the Office of Resilience (OOR) Director. OOR submitted the grant application for the Prosperity Farms Road Bridge project on August 31, 2023. In accordance with PPM CW-O-051, all delegated contracts/ agreements/ grants must be submitted by the initiating Department as a receive and file agenda item. This grant application was a collaborative effort between OOR and Engineering and Public Works (EPW). OOR provided administrative support and flood modeling needed to apply for funding for this EPW project. If awarded, this grant will provide implementation funding to EPW that is needed to reconstruct the structurally obsolete Prosperity Farms Road Bridge over the C-17 canal, considering sea level rise and erosion control measures in the new bridge design. **This grant has a match requirement of at least 50%, totaling \$4,700,000.** District 1 (RM).

OCTOBER 17, 2023

5. REGULAR AGENDA

B. OFFICE OF RESILIENCE (cont'd.)

7. Staff recommends motion to receive and file: a Resilient Florida Program grant application submitted to the Florida Department of Environmental Protection on August 31, 2023, requesting \$3,540,000 to raise the elevation of Ocean Inlet Park, which would begin upon grant contract execution and end after five (5) years. **SUMMARY:** On July 22, 2023, the Board of County Commissioners adopted a Resolution to approve the grant application for the Ocean Inlet Park project and delegate authority to the County Administrator or designee to sign and submit the application with the Florida Department of Environmental Protection for the Resilience Florida Capital Grants, and to execute any agreements associated with the disbursement of Resilience Florida Capital funds for the Ocean Inlet Park project. Before application submittal, the County Administrator delegated signing authority to the Office of Resilience (OOR) Director. OOR submitted the grant application for the Ocean Inlet Park project on August 31, 2023. In accordance with PPM CW-O-051, all delegated contracts/ agreements/ grants must be submitted by the initiating Department as a receive and file agenda item. This grant application was a collaborative effort between OOR and the Parks and Recreation Department (PRD). OOR provided administrative support and flood modeling needed to apply for funding for this PRD project. If awarded, this grant will provide implementation funding to PRD that is needed to raise the elevation of Ocean Inlet Park by 2 feet in conjunction with the upcoming seawall replacement. This includes demolishing existing structures, elevating land, and rebuilding utilities and facilities. **This grant has a match requirement of at least 50%, totaling \$3,540,000.** District 4 (RM).

OCTOBER 17, 2023

5. REGULAR AGENDA

C. COMMUNITY SERVICES

1. Staff recommends motion to approve:

- A) the U.S. Department of Housing and Urban Development (HUD) FY 2022 Continuum of Care (CoC) Planning Project Grant Agreement No. FL0990L4D052200, for the period October 1, 2023 through September 30, 2024, in the amount of \$247,270, for the coordination and evaluation of planning activities related to ending homelessness;
- B) the HUD Homeless Management Information System (HMIS) Implementation Grant Agreement No. FL0823L4D052203, for the period November 1, 2023 through October 31, 2024, in the amount of \$281,530, to increase HMIS capacity, enhance training, improve data quality monitoring and analyze data to improve the CoC system service delivery;
- C) an upward Budget Amendment in the amount of \$13,032 in FY 2024 in the Housing and Urban Development fund to recognize the increase in the CoC Planning award; and
- D) a Budget Transfer in the amount of \$2,607 in FY 2024 in the General Fund to recognize the increase in the required match due to an increase in the grant award.

**SUMMARY:** On February 7, 2023, the Board of County Commissioners ratified the Mayor's signature on the 2022 HUD CoC Planning Project Grant Application (R2023-0126) and the HMIS Implementation Grant Application (R2023-0126). The CoC Planning Project Grant Agreement No. FL0990L4D052200 (Catalog of Federal Domestic Assistance (CFDA) #14.267) provides funding for the coordination and evaluation of activities related to ending homelessness. These activities involve

coordination of monthly CoC meetings and sub-committee meetings, administration of HMIS, annual preparation of HUD CoC grant application, and technical assistance and monitoring of local grant recipients. A 25% cash match of \$61,818 is required for the CoC Planning Grant and the County match is included in the FY 2024 budget. The HMIS Implementation Grant Agreement No. FL0823L4D052203 (CFDA #14.267) increases the capacity to integrate data management systems in order to improve and coordinate the delivery of housing services. A 25% cash match of \$70,383 is required and is included in existing budgeted staff salaries. (Human Services and Community Action Program) Countywide (HH)

OCTOBER 17, 2023

5. REGULAR AGENDA

D. ADMINISTRATION

1. Staff recommends motion to approve: a Resolution expressing solidarity with the State of Israel, condemning the October 7, 2023 attacks by Hamas, and expressing deep condolences to the families of those who have lost their lives or been profoundly affected by this devastating assault. **SUMMARY:** On Saturday, October 7, 2023 at 6:30am, Hamas, the known terror group controlling Gaza, initiated an unprovoked and surprise attack on Israel. This attack utilized rockets, paragliders, boats, motorcycles, and other vehicles to infiltrate Israel with the purpose to harm, kill, and take Israeli citizens hostage. Tragically, many Israeli men, women, and children lost their lives during this horrific invasion. Americans are included amongst the many other nationalities of those declared dead and kidnapped at the hands of Hamas. Palm Beach County is home to a large portion of the Jewish population in the United States and is taking this step to show support for Israel. With this Resolution, the Board of County Commissioners of Palm Beach County will stand in solidarity with the State of Israel, vehemently condemn the unwarranted attacks by Hamas, and express deep condolences to the families of those who have lost their lives or been profoundly affected by this devastating assault. Countywide (AH)

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OCTOBER 17, 2023

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

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**OCTOBER 17, 2023**

**7. STAFF COMMENTS**

**A. ADMINISTRATION COMMENTS**

**B. COUNTY ATTORNEY**

**OCTOBER 17, 2023**

**8. COMMISSIONER COMMENTS**

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

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

Requesting off-site approval for Proclamation declaring October 27, 2023 as Clinics Can Help Day.

**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**

**OCTOBER 17, 2023**

**9. ADJOURNMENT**

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