

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

DECEMBER 19, 2023

<u>PAGE</u>	<u>ITEM</u>	
10	3B2	*REVISED MOTION/TITLE/SUMMARY / Staff recommends motion to approve: the following final minutes of the Board of County Commissioners' meetings: <u>None</u> .
50	3CC2	*ADD-ON (PBSO) / Staff recommends motion to approve: a budget transfer of \$195,339 from the Federal Treasury Law Enforcement Trust Fund (LETf) to the Palm Beach County Sheriff's Office (PBSO). Summary: The 2018 Guide to Equitable Sharing for State, Local and Tribal Law Enforcement Agencies (GUIDE), provides that seizing law enforcement agencies shall use Justice and Treasury Forfeiture proceeds for law enforcement purposes only. Permissible uses include: law enforcement operations and investigations; law enforcement training and education; law enforcement, public safety, and detention facilities; law enforcement equipment; joint law enforcement/public safety operations; contracts for services; law enforcement travel and per diem; law enforcement awards and memorials; drug, gang and other prevention or awareness programs; matching grants; and support of community-based organizations. The transfer of Federal Treasury LETf requested above will allow for the purchase of a four vehicles for the Aggressive Driving/Highway Interdiction Unit. Use of Federal Treasury LETf requires approval by the Board, upon request of the Sheriff. The current Federal Treasury LETf balance is \$195,339. Approval of this request will reduce the Federal Treasury LETf balance to \$0. The PBSO certifies that the use of these funds is in accordance with the GUIDE. No new positions are needed and no additional County funds are required. <u>Countywide</u> (RS)
64	5H1	*ADD-ON (TDB) / Staff recommends motion to approve: an Agreement with the PGA TOUR, INC. (PGA), a company authorized to do business in the State of Florida, for the term December 19, 2023, through December 18, 2024, for the total budgeted amount of \$1,250,000. SUMMARY: Approval of this Agreement establishes the expenditure of \$1,250,000 in tourist development tax revenues for presenting sponsor rights, requiring "IN THE PALM BEACHES" to be included in the official tournament name, as follows: "[Title Sponsor Name] CLASSIC IN THE PALM BEACHES". PGA has produced an annual Professional Golf Association Tournament featuring professional golfers with which PGA has agreements for participation at PGA National Resort in Palm Beach Gardens, Florida since 1972. The 2024 tournament will be played February 26, 2024 – March 3, 2024, at PGA National Resort. The Agreement provides for an initial payment of \$625,000 to be paid on or before February 26, 2024, and the remainder being paid on or before April 17, 2024. PGA will be responsible for all activities and services regarding the planning, organization, production, and operation of the tournament and shall be responsible for the full cost of such activities and services. As a Presenting Sponsor the County has a list of deliverables it will receive inclusive of vip status, brand identification, media presence, and activations hosted by the Tourist Development Council, Palm Beach County Sports Commission, Inc., and Discover the Palm Beaches, Inc. <u>Countywide</u> (YBH)

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

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

DECEMBER 19, 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 - 53)**

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

- 5. REGULAR AGENDA (Pages 54 - 65)**

- 6. BOARD APPOINTMENTS (Page 66)**

- 7. STAFF COMMENTS (Page 67)**

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A. AIRPORTS

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BOARD APPOINTMENTS (Page 66)

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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to approve: Board of County Commissioners appointments to the Treasure Coast Regional Planning Council (TCRPC) for a one year term beginning January 1, 2024 to December 31, 2024. Proposed appointments are shown below:

<u>Regular Seats</u>	<u>Seat No.</u>	<u>Requirement</u>
Vice Mayor Maria G. Marino	1	Palm Beach County Official
Commissioner Marci Woodward	2	Palm Beach County Official
Commissioner Sara Baxter	3	Palm Beach County Official

Alternate Seats:

Commissioner Michael Barnett	1A	Palm Beach County Official
Mayor Maria Sachs	2A	Palm Beach County Official
Commissioner Mack Bernard	3A	Palm Beach County Official

SUMMARY: TCRPC discusses local government comprehensive plans, developments of regional impact and other regional planning activities. In accordance with the Treasure Coast Regional Planning Council (TCRPC) Rules of Order, the Board of County Commissioners (BCC) is requested to appoint their members and alternates for the coming year before the Council's next meeting. The BCC will also need to ratify the Palm Beach County League of Cities members under a separate board appointment item. Countywide (DL)

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: None.
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:** Annual financial reports, excess fees, and unexpended budget for Fiscal Year 2022-2023 for the Clerk & Comptroller, Tax Collector, and Property Appraiser. **SUMMARY:** The financial reports of these Constitutional Officers were submitted to the Office of the Clerk & Comptroller on or before October 31, 2023, in accordance with Section 218.36, Florida Statutes. The amounts shown for the Tax Collector and the Property Appraiser represent the total payment to the County. A portion of these revenues are budgeted in the Library, Fire Rescue, and various other special revenue funds. The amounts shown as additional/decrease in excess fees will be included in the adjustment for additional balances brought forward, which will be brought to the Board of County Commissioners in March 2024.

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve:

A) Amendment No. 1 to the Pathway and Minor Construction Continuing Services Contract R2023-0255 with Wynn and Sons Environmental Construction Company, Inc. (WSE), dated March 14, 2023 (Pathway Contract), to update the proposal form; and

B) Amendment No. 1 to the Annual Small Paving and Minor Construction Contract R2022-1490 with WSE, dated December 20, 2022 (Small Paving Contract), to update the proposal form.

SUMMARY: Approval of these amendments will modify the pay item for “Cast-In-Place and/or Surface Applied Tactile Surface” on the proposal form of each contract into two separate pay items. These amendments are needed because existing Americans with Disabilities Act (ADA) sidewalk ramp configurations vary throughout Palm Beach County (County) and require different approaches to upgrade the ramps, requiring the use of the two pay items. Both contracts currently allow WSE to decide on the type of ramp to be installed in each location. It has been determined that it is in the County’s best interest to have the County choose the type of ramp to be installed. To allow the County to direct WSE which of the two surfaces to install, a separate pay item with a new unit price for Cast-In-Place Tactile Surface, and a separate pay item with the existing unit price for Surface Applied Tactile Surface are required in both contracts. These two contracts were presented at two separate Goal Setting Committee (GSC) meetings and had their own Affirmative Procurement Initiatives (APIs) set. The Pathway Contract was presented to the on August 3, 2022. The GSC applied APIs of a 20% minimum mandatory Small Business Enterprise (SBE) of which 5% must be Minority Business Enterprise (MBE) participation for African-American and/or Hispanic owned firms. WSE agreed to 22.51% SBE and 20.24% MBE participation. To date, tasks in the amount of \$1,348,774.72 have been authorized for WSE for the Pathway Contract. The Small Paving Contract was presented to the on May 4, 2022. The GSC applied an API of a 20% minimum mandatory SBE participation. WSE agreed to 86.6% SBE participation. To date, tasks in the amount of \$432,209.39 have been authorized for WSE for the Small Paving Contract. WSE has an office located in the County. Countywide (YBH)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to approve: Consultant Service Authorization (CSA) No. 6 to the Annual Civil Engineering Services Contract (R2022-0463) dated May 17, 2022 (Contract) with Masse Consulting Services, LLC (MCS) in the amount of \$162,609 for Lyons Road from Atlantic Avenue to south of Flavor Pict Road (Project). **SUMMARY:** Approval of this CSA will provide the professional services necessary to review design plans, utility coordination submittals, right of way and permit documents for the widening of Lyons Road from two lanes to four lanes from Atlantic Avenue to south of Flavor Pict Road. On June 16, 2021 the Goal Setting Committee applied Affirmative Procurement Initiatives of a 20% minimum mandatory Small Business Enterprise (SBE) participation and a Minority Business Enterprise (MBE) evaluation preference for African American owned firms. MCS agreed to 87% SBE participation for the Contract of which 66% is for African American participation. They agreed to 100% SBE participation for this CSA. MCS has an office located in Palm Beach County and is a certified SBE company. **This Project is included in the Five-Year Road Program. District 5 (YBH)**

3. Staff recommends motion to approve: Change Order No. 5 in the amount of \$164,720.80 and a time extension of 20 days to the contract dated October 19, 2021 (R2021-1465) (Contract) with Ranger Construction Industries, Inc. (Ranger) for Seminole Pratt Whitney Road from Orange Boulevard to south of Northlake Boulevard, and Seminole Pratt Whitney Road and Northlake Boulevard Intersection Improvements (Project). **SUMMARY:** Per PPM CW-F-050, the total of this Change Order exceeds the threshold of \$100,000 and allowable time extensions relating to staff approvals of change orders to contracts and requires the Board of County Commissioners (BCC) approval. Approval of Change Order No. 5 will compensate Ranger for the relocation of an existing Palm Beach County Water Utilities Department (PBCWUD) water main on Northlake Boulevard in conflict with the proposed gravity wall for the Project, and provide a 20 day time extension. The original scope of this Project is to widen 2.5 miles of both Seminole Pratt Whitney Road and Northlake Boulevard to 4-lane divided roadways, including new stormwater drainage systems, shoulders/bike lanes, retention ponds and sidewalks, as well as the addition of new traffic signals at the intersection of Seminole Pratt Whitney Road and Northlake Boulevard. The Contract was approved on October 19, 2021, for the amount of \$17,999,999. Previous change orders totaling \$554,847.44 plus this Change Order bring the total change order amount to \$719,568.24 for the Contract. The total Contract amount, including this Change Order and previous change orders, is \$18,719,567.24. With the approval of this Change Order, the new revised completion date will be February 20, 2025. The Affirmative Procurement Initiative selected for this Contract on March 4, 2020 by the Goal Setting Committee is a 20% minimum mandatory Small Business Enterprise (SBE) participation. Ranger committed to 20.2% SBE participation for this Contract. The estimated SBE participation for this Change Order is 80%. The cumulative SBE participation for this Contract including this Change Order is 20.8%. District 6 (YBH)

3. CONSENT AGENDA APPROVAL

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

4. **Staff recommends motion to approve:** Consultant Service Authorization (CSA) No. 4 to the Civil Engineering Annual Services Contract (R2022-0461) dated May 17, 2022 (Contract) with Civil Design, Inc. (CDI) in the amount of \$267,266.07 for Country Club Acres Drainage Improvements (Project). **SUMMARY:** Approval of this CSA will provide the professional services necessary to design drainage improvements for the community's existing stormwater collection system. The Engineering and Public Works (EPW) Department's maintenance staff observed standing water on many of the roads within the community, which often occurred after various storm events. A study was undertaken by Palm Beach County (County) to evaluate the stormwater system and to provide recommendations for improving the drainage for the community. On June 16, 2021 the Goal Setting Committee applied Affirmative Procurement Initiatives of a 20% minimum mandatory Small Business Enterprise (SBE) participation and a Minority Business Enterprise evaluation preference for African American owned firms. CDI agreed to 75% SBE participation for the Contract of which 20% is for African American participation. They agreed to 100% SBE participation for this CSA. CDI has an office located in the County and is a certified SBE company. **This Project is included in the Five-Year Road Program. It is funded with County American Rescue Plan Act (ARPA) Response Replacement funds which do not require a local match.** District 5 (YBH)

5. **Staff recommends motion to approve:** a contract with Rosso Site Development, Inc. (RSD) in the amount of \$1,369,721.23 with a contract time of 120 calendar days for the construction of Beach Road Parking, North of Old A1A (Project). **SUMMARY:** Approval of this contract will authorize the construction services necessary to install parallel parking spaces for the Project. Currently, the dirt on the side of Beach Road is being used as parking for access to the beach and County park. This contract will install permeable pavers to create 159 parallel parking spaces improving safety and reducing maintenance needs. On August 17, 2022, the Goal Setting Committee applied an Affirmative Procurement Initiative of a 20% minimum mandatory Small Business Enterprise (SBE) participation of which 5% must be Minority Business Enterprise (MBE) for African American and/or Hispanic American owned firms. RSD agreed to 36.1% SBE participation for this contract. Bids for the contract were received by the Engineering & Public Works Department on August 1, 2023. RSD was the lowest responsive bidder of three bidders. The contract time for the Project is 120 calendar days. RSD has an office located in Palm Beach County. **This Project is included in the Five-Year Road Program.** District 1 (YBH)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida (BCC), amending the Rules of Procedure incorporated into Section 500.00 of the Palm Beach County Administrative Code; and providing for an effective date. **SUMMARY:** Staff recommends the ensuing changes to the BCC Rules of Procedure in order to more accurately reflect the rules that apply to public participation during BCC meetings. These viewpoint-neutral and content-neutral restrictions serve to ensure that public comments are relevant to proceedings before the BCC and are not unrelated, disorderly, disruptive, truculent, or obstructive. Additionally, the changes to the Rules of Procedure clarify the Mayor's discretion to adjust speaking time limits, in a viewpoint- and content-neutral manner, as may be necessary to ensure the progress of BCC meetings and the resolution of issues therein. Finally, the proposed changes confirm that while County employees are free to address the BCC, comments pertaining to an active grievance, arbitration, or other personnel disputes are not appropriate for this forum and will not be addressed by the BCC. Countywide (MM)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to:

A) receive and file Amendment No. 0006 to the Florida Department of Children and Families (DCF) Unified Homeless Grant Contract No. IP004 (R2019-1138), for the period July 1, 2019 through June 30, 2025, to increase the grant award by \$467,543.54 for a new total amount not-to-exceed \$4,124,423.64 for homeless prevention assistance to families; and

B) approve an upward Budget Amendment of \$467,544 in the General fund, Human Services and Community Action Division (HSCA) to align the budget with the grant award.

SUMMARY: Amendment No. 0006 (Catalog of State Financial Assistance (CSFA) No. 60.021) to the DCF Unified Homeless Grant increased funding by \$467,544. A total of \$309,098.58 will be allocated to the Emergency Solutions Grant Program (ESG-CV3). A total of \$158,444.96 will be allocated to a new category called Rapid Unsheltered Survivor Housing (RUSH). RUSH funding is available to help communities provide outreach, emergency shelter, rapid re-housing, and other assistance to people experiencing or at risk of homelessness who are in a disaster affected area but who cannot access all services provided by Federal Emergency Management Agency programs. The amendment revised the original contract to include the additional funding to further assist individuals and families in need. The ESG-CV3 portion of the grant provides assistance to those at risk of becoming homeless and will serve a minimum of 41 individuals each month through street outreach for a total of 492 individuals per year. The RUSH portion of the grant will serve a minimum of 6 individual households at risk of becoming homeless each month for a total of 72 individuals per year to help them remain stably housed. **No County match is required.** (Human Services and Community Action Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

2. 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; and
- C) **approve** a Budget Amendment in the amount of \$1,000,000 in the Capital Outlay Fund to recognize the grant award.

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 (BCC) 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. CSD is currently verifying the utilization of Community Development Block Grant (CDBG-CV) funds to support the remaining \$451,828 required for this project. 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), Florida Statute. **No County match required.** (Human Services and Community Action Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

3. Staff recommends motion to approve:

- A) Amendment 001 to Standard Agreement No. IC023-9500 (R2023-1277) for Community Care for the Elderly (CCE) with the grantor Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), for the period July 1, 2023 through June 30, 2024, to amend, revise and replace portions of the standard agreement and increase the overall total funding by \$50,000 in an amount not-to-exceed \$3,128,970, to prevent, reduce, or delay premature or inappropriate placement of older persons in nursing homes and other institutions;
- B) Amendment 001 to Standard Agreement No. IH023-9500 (R2023-1278) for Home Care for the Elderly (HCE) with AAA, for the period July 1, 2023 through June 30, 2024 to amend, revise and replace portions of the standard agreement and increase the overall total funding by \$17,270 in an amount not-to-exceed \$187,863, to encourage the provision of care for elders in family-type living arrangements in private homes as an alternative to nursing homes or other institutional care settings; and
- C) an upward Budget Amendment of \$855,384 in FY 2024 in the Division of Senior and Veteran Services (DSVS) Administration Fund to align the budget to the actual grant award.

SUMMARY: Under the CCE agreement (Catalog of State Financial Assistance (CSFA) 65.010), seniors and caregivers are assisted with in-home services that help seniors live more independently. Under the HCE agreement (CSFA 65.001), seniors and caregivers are assisted with care in a family-type living arrangement as an alternative to institutional care. In Grant Year (GY) 2022, CCE served 274 clients with the following services: personal care, homemaking, companionship, respite and medical supplies, and HCE served 64 clients through a fixed-cash monthly payment (\$160) to authorized caregivers to offset homecare expenses. The budget amendment is necessary to align the County budget with the actual grant awards. 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. The Mae Volen Center, Inc. is responsible for providing services in the areas south of Hypoluxo Rd. **There is a required County match under the CCE agreement (CSFA 65.010) in the amount of \$347,663. There is no required match under the HCE agreement Catalog of State Financial Assistance (CSFA 65.001).** (DSVS) Countywide except for portions of Districts 2, 4, 5, and 7 south of Hypoluxo Rd. (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

4. Staff recommends motion to approve: the Homeless Resource Center (HRC) Contracts for Provision of Services with the below-listed agencies, for the five (5) year period October 1, 2023 through September 30, 2028, in an amount totaling \$9,983,840, of which \$1,996,768 is budgeted for FY 2024, with an anticipated annual allocation of \$1,996,768 in each subsequent fiscal year, contingent upon a budgetary appropriation by the Board of County Commissioners (BCC) for the term of the these contracts:

- A) Adopt-A-Family of the Palm Beaches, Inc. (AAF), for the provision of engagement, interim housing and rapid re-housing, and navigation services of homeless families, in an amount not-to-exceed \$8,910,185, of which \$1,782,037 is budgeted in FY 2024, with an anticipated annual allocation of \$1,782,037 in each subsequent fiscal year for the term of this contract; and
- B) The Lord's Place, Inc. (TLP), for the provision of employment counseling services to homeless individuals and families, in an amount not-to-exceed \$1,073,655, of which \$214,731 is budgeted in FY 2024, with an anticipated annual allocation of \$214,731 in each subsequent fiscal year for the term of this contract.

SUMMARY: The contracted agencies listed will provide a variety of supportive services to persons, individuals and families experiencing homelessness, that include case management, navigation, employment counseling, engagement, interim housing, rapid re-housing, and permanent supportive housing. In FY 2023 AAF received \$1,782,037. AAF served 183 households (537 clients), and expended 100% of the funds on HRC operation, administration, family reunification, leasing/utility expenses, mobilization, and hotel and motel assistance services. AAF will serve approximately 185 unduplicated households under this contract in FY 2024. In FY 2023 TLP received \$214,731. TLP served 169 clients and assisted 20 of the individuals in securing employment, as well as expending 100% of the funds on job training/life skills, job placement services, and administrative expenses. TLP will serve approximately 113 unduplicated individuals and families under this contract in FY 2024. Tyrina Pinkney is an employee of TLP and is a member of the Palm Beach County HIV CARE Council. This board provides no regulation, oversight, management, or policy-setting recommendations regarding the agencies listed above. Disclosure of this contractual relationship at a duly noticed public meeting is being provided, in accordance with the provision of Section 2-443, of the Palm Beach County Code of Ethics. (Human Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

5. Staff recommends motion to approve: Contract for Provision of Services for the Ryan White Program HIV/AIDS Part A (RWHAP) and Ending the HIV Epidemic (EHE) Initiative Program in Palm Beach County with Broward Regional Health Planning Council (BRHPC), for the period November 1, 2023 through February 28, 2025, in an amount not-to-exceed \$500,000, for the provision of health insurance premiums and cost-sharing assistance for RWHAP and EHE clients. **SUMMARY:** The contract is necessary due to several major changes regarding health insurance eligibility. Under Medicaid unwinding, clients who are no longer eligible for Medicaid are being given the opportunity by the state to enroll in an Affordable Care Act (ACA) Health Insurance plan and receive assistance with their premium payments regardless of their Federal Poverty Level (FPL). The Florida Department of Health (FDOH) is lowering the eligibility for RWHAP clients to receive premium assistance to 50% FPL for the upcoming open enrollment period, which began November 1, 2023. FDOH does not provide Health Insurance Navigation and Premium Assistance directly, and instead has entered into a contract with BRHPC as the sole provider of this service across the entire state of Florida. BRHPC is the only entity that can confirm client eligibility for FDOH clients and process premium assistance on their behalf. This contract will supplement current service contracts that are RWHAP only using EHE funding once all RWHAP funds are exhausted. BRHPC will be reimbursed a \$26 administrative transaction fee per premium payment in addition to the actual cost of the premium. RWHAP has 449 clients that are currently enrolled in health insurance plans. There is an average cost savings of \$116 per person to provide health insurance versus direct payment for medical services which extrapolates to \$52,000 in cost savings to the program annually. Comprehensive health care services include a full network of medical providers and inpatient hospital/surgery services that are not available directly through the RWHAP program. There are no additional costs with this contract. Health insurance premiums and cost-sharing assistance will be provided to approximately 100 clients. **No County match is required.** (Ryan White Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

6. Staff recommends motion to approve: the appointments of two (2) new members to the Citizens Advisory Committee on Health and Human Services (CAC/HHS), effective December 19, 2023:

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Term Ending</u>	<u>Nominated By</u>
10	Aruna Gilbert	A Component of the Health and Human Services System of Care: League of Cities Representative	09/30/2026	Vice Mayor Maria G. Marino Commissioner Gregg K. Weiss Commissioner Michael Barnett Commissioner Marci Woodward CAC/HHS
9	Tammy Jackson-Moore	A Component of the Health and Human Services System of Care: West of the 20 Mile Bend Representative	09/30/2026	Vice Mayor Maria G. Marino Commissioner Gregg K. Weiss Commissioner Michael Barnett Commissioner Marci Woodward CAC/HHS

SUMMARY: The CAC/HHS shall provide recommendations to sustain core services within the Systems of Care by defining basic needs; surveying emergent/urgent needs; prioritizing resources to address the needs; and making funding recommendations to the Board of County Commissioners to fill critical service gaps. The CAC/HHS consists of 11 at-large members with at least one (1) member being a resident west of the 20 Mile Bend and at least one (1) member being a representative of the Palm Beach County League of Cities, per Resolution R2013-1563. The Resolution requires that the Executive Committee of the CAC/HHS solicit and recommend member nominations for transmittal to the Board of County Commissioners (BCC). The BCC was notified by memo dated October 16, 2023 requesting nominations for appointments. The CAC/HHS received the appointment applications for Ms. Aruna Gilbert and Ms. Tammy Jackson-Moore and determined that both candidates would be beneficial to the board. Ms. Gilbert and Ms. Jackson-Moore meet all applicable guidelines and requirements outlined in the resolution. The diversity count for the seven (7) seats that are currently filled is: Caucasian: 5 (71%), and African-American: 2 (29%). The gender ratio (female:male) is 5:2. Ms. Gilbert is Asian-American. Ms. Jackson-Moore is African-American. Ex-officio membership consists of one (1) African-American male (25%), two (2) African-American females (50%), and one (1) Caucasian male (25%). Staff is addressing the need to increase diversity within our boards and will continue to encourage this to expand this Board's diversity. (Financially Assisted Agencies) Countywide (HH).

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd)

7. Staff recommends motion to:

A) approve Amendment 004 to Standard Agreement No. IRP22-9500 (R2022-0395) for the American Rescue Plan Act (ARPA) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), for the period January 1, 2022 through September 30, 2024, to amend, revise and replace portions of the standard agreement and decrease the overall total funding by \$500,000 for a new not-to-exceed amount of \$2,162,277, to prevent, prepare and respond to the pandemic by providing supportive services to vulnerable seniors;

B) approve a downward Budget Amendment of \$500,000 in the Division of Senior and Veteran Services (DSVS) Administration Fund to align the budget with the amended grant award; and

C) delegate to the County Administrator, or designee, signatory authority on additional forms, certifications, contracts/agreements and amendments thereto, and any other necessary documents related to ARPA that do not substantially change the scope of work, terms or conditions of the agreement.

SUMMARY: The American Rescue Plan (ARP) Program prevents, prepares for, and responds to the coronavirus, including supportive services for the aged and family caregivers. In order to respond to the needs of seniors, AAA is decreasing by \$500,000 ARP for Home Delivered Meals under Title III-C2 of the Older Americans Act and will subsequently increase \$500,000 to ARP for Family Caregivers under Title III-E of the Older Americans Act. This item recognizes the decrease. Once the decrease is approved, AAA will issue another amendment for the increase. Due to the quick turnaround time required on the increase, the DSVS is requesting delegated authority for the amendment. The budget will be aligned upon receipt of subsequent ARP amendment. DSVS is responsible for providing services north of Hypoluxo Road. The areas of service include all of the districts, excluding District 2, 4, 5 and 7 south of Hypoluxo Road. The Mae Volen Center, Inc. is responsible for providing services in the areas south of Hypoluxo Road. **There is a 10% required County match that is already included in the budget. ARP Amendment 004 Catalog of Federal Domestic Assistance (CFDA) Number is 93.045. (DSVS) Countywide except for portions of Districts 2, 4, 5, and 7 south of Hypoluxo Rd. (HH)**

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. **Staff recommends motion to receive and file:** Consent to Sublease, consenting to the sublease of space at the Palm Beach International Airport (PBI) by Jet Aviation, Ltd. (Jet Aviation) with BDT Capital Partners, LLC, effective as of October 1, 2023. **SUMMARY:** Jet Aviation provides fixed based operator services for general aviation aircraft at PBI pursuant to a Lease Agreement dated November 23, 1999 (R-99-2239, as amended), which provides for the sublease of space subject to the County's consent. Delegation of authority for execution of the standard form consent to sublease was approved by the Board in R-94-1453. Countywide (AH)
2. **Staff recommends motion to receive and file:** Amendment No. 5 (Amendment) to Terminal Building Lease Agreement (R2019-1616, as amended) (Lease) with the General Services Administration (GSA), an executive agency of the United States of America, adjusting GSA's rental rate under the Lease, effective as of October 1, 2023. **SUMMARY:** The Lease provides for the lease of office and support space in the Palm Beach International Airport (PBI) terminal building by the GSA, on behalf of the Transportation Security Administration. Rental rates are adjusted each October 1, in accordance with the terminal rates for non-signatory airlines under the standard form Signatory Airline Agreement (R2019-1155). The Amendment adjusts the rental rate to \$74 per square foot, commencing October 1, 2023. Countywide (AH)
3. **Staff recommends motion to receive and file:** Access Agreement with Airport Logistics Park, LLC (ALP), commencing June 29, 2023, and expiring December 31, 2023, providing ALP access to lease parcels RFS-1W and RFS-1SW, located near the southeast corner of Wallis and Haverhill Roads and south of Lynnwood Drive, at the Palm Beach International Airport (PBI) to conduct due-diligence inspections, without charge. **SUMMARY:** On May 30, 2023, the Department issued Request for Proposals (RFP) No. PB 23-12 for the lease and development of approximately 6.43 to 7.57 acres of vacant, non-aeronautical land at PBI for commercial purposes. ALP was the sole respondent to the RFP. The Access Agreement enables ALP to begin due diligence inspections while a development site lease agreement is being negotiated. Delegation of authority for execution of the standard-form access agreement was approved under R2006-2716. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

4. Staff recommends motion to approve:

- A) Amendment No. 2 to the General Consulting Agreement with AVCON, Inc. (AVCON) for Consulting/Professional Services in the amount of \$326,772.90 for the continued performance of professional planning and design services related to the approved Palm Beach County Airports Capital Improvement Program; and
- B) a Budget Transfer in the amount of \$326,773 in the Airport's Improvement and Development Fund to provide budget for the project; including a transfer from Reserves in the amount of \$326,773.

SUMMARY: The Consulting Agreement with AVCON for general airport planning and design was approved by the Board on September 13, 2022 (R-2022-1029) in the amount of \$796,697.19 in order to carry out the approved Capital Improvement Programs for the County's Airports. Amendment No. 1 was approved by the Board on October 3, 2023 (R-2023-1441) and provided an additional \$449,162.38 to complete the Palm Beach International Airport (PBI) Air Handler Unit Phase 2 (Design) project and Task III Services. Approval of Amendment No. 2 will provide an additional \$326,772.90 to complete PBI Burrowing Owl Mitigation Environmental Services and provide additional budget for Task III Miscellaneous Planning and Engineering Services. Work to be completed under Task III Services will be issued in accordance with PPM CW-F-050, by way of a separate proposal or task authorization. AVCON is an Orlando, Florida based firm; however, the majority of the work will be completed and/or managed through their Boca Raton, Florida offices in conjunction with several Palm Beach County-based sub-consultants and firms. On September 1, 2021, the Goal Setting Committee set an Affirmative Procurement Initiatives (API) for this contract with a mandatory SBE goal of 20%. AVCON is a State of Florida certified MBE firm and has committed to 37.75% SBE participation for this agreement. The anticipated SBE participation based upon this task and previously approved tasks is 46.61%. The SBE participation for this Amendment is 19.49%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

5. Staff recommends motion to approve:

A) Amendment No. 12 to the Construction Manager (CM) at Risk Contract (Contract) with The Morganti Group, Inc. (MGI) for CM at Risk Services for Airport Improvements for Palm Beach County Department of Airports (Department) in the amount of \$817,600 and 293 Calendar Days for Work Order MC 20: Building 846 Storm Resiliency at Palm Beach International Airport (PBI); and

B) a Budget Transfer of \$817,600 in the Airport's Improvement and Development Fund, which includes a transfer from Reserves in the amount of \$817,600.

SUMMARY: The Department of Airports Administration and Communications Facility (Building 846) is home for essential personnel who remain on airport property during hurricanes and other emergency events. Previously, personnel were located in various areas throughout the PBI campus. A study was completed to assess and identify the most resilient areas and provide potential modifications to improve the performance of the facilities during storm events. Building 846, constructed in 2008, was determined to be one of the most resilient areas able to accommodate the number of staff, but with recommended improvements. This project will include renovations to restrooms and the breakroom along with mechanical and electrical improvements to support essential personnel. The Contract with MGI for CM at Risk Services for Airport Improvements for the Department was approved by the Board on January 15, 2019 (R2019-0042). The Contract is for 2 years with 3 one (1) year renewal options and is a task/work order based contract for CM at Risk services. The MGI is a Danbury, Connecticut, based firm; however, the work will be directly managed by their southeast regional office in Palm Beach County. The Contract value to date is \$39,742,664.49. Approval of Amendment No. 12 in the amount of \$817,600 and 293 Calendar Days will enable MGI to complete Work Order MC 20: Building 846 Storm Resiliency at PBI. This project is partially funded with Florida Department of Transportation (FDOT) grant funds. On June 8, 2021 (R2021-0746), the Board approved a Public Transportation Grant Agreement (PTGA) with the FDOT in the amount of \$500,000 or 50% of the eligible project costs, whichever is less for Storm Hardening Facility Improvements - Phase 2 at PBI. A Disadvantaged Business Enterprise (DBE) goal of 12% was established for this Contract. The DBE participation for this Work Order is 41.6%. DBE participation for this Contract to date is 17.7%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

6. Staff recommends motion to approve: Change Order No. 3 to Amendment No 8 to the Construction Manager (CM) at Risk Contract (Contract) with The Morganti Group, Inc. (MGI) for CM at Risk Services for Airport Improvements for Palm Beach County Department of Airports (Department) to extend the project time by eighteen (18) Calendar Days for Work Order MC 02: T-Hangar Electrical Services Improvements at Palm Beach County Park Airport (LNA). **SUMMARY:** Amendment No. 8 was approved by the Board on December 20, 2022, in the amount of \$479,604 and 196 Calendar Days (R-2022-1569). This project provides for electrical improvements to T-hangars in Rows 100-500 at LNA to meet current requirements of the National Electric Code (NEC). Change Orders 1 and 2 were approved pursuant to the authority of PPM CW-F-050 for a cumulative time extension of 120 Calendar Days. Approval of Change Order No. 3 is required to provide additional time to complete unforeseen deficiencies identified by Palm Beach County Planning, Zoning, & Building (PZ&B) inspector to meet current NEC requirements. This change order is being brought to the Board for approval due to the cumulative time exceeding the approval authority referenced in PPM CW-F-050. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

7. Staff recommends motion to approve: Change Order No. 7 to Amendment No. 1 to the Construction Manager (CM) at Risk Contract (Contract) with Suffolk Construction Company Inc. (Suffolk) for CM at Risk Services in the amount of \$464,366.94 and 190 Calendar Days for Work Order SCC 01 Concourse B Expansion - Package 1 at Palm Beach International Airport (PBI). **SUMMARY:** Amendment No. 1 (Work Order SCC-01) in the amount of \$12,398,676 and 368 Calendar Days was approved by the Board on February 7, 2023 (R2023-0217) and provides for the construction of the first phase of the Concourse B Expansion at PBI. This includes expansion of restroom facilities and construction of new concession space between Gates B5 and B7. Change Order No. 1 in the amount of \$802,677 was approved by the Board on April 18, 2023 (R2023-0531). Change Orders 2- 6 in the amount of \$180,945 were approved pursuant to the authority of PPM CW-F-050. Approval of this Change Order will provide a time extension of 190 Calendar Days due to delays to the project beyond Suffolk's control and compensation for additional CM services. Prior change orders did not provide for a time extension. The Risk Management Department conducted a pre-renovation asbestos survey that identified certain materials requiring abatement prior to the commencement of construction to ensure compliance with Environmental Protection Agency (EPA) / Occupational Safety and Health Administration (OSHA) construction standards during the disturbance of the materials. This Change Order includes the time required to sample the material, procure and complete the required abatement. Suffolk is based in Boston, Massachusetts; however, the work will be directly managed by its regional office in West Palm Beach, FL. An overall Disadvantaged Business Enterprise (DBE) goal of 20% was established for this Contract. Suffolk teamed with MCO Construction (MCO), as its DBE partner, to provide DBE outreach, project management, and construction supervision services in an amount not less than 10% of the Suffolk general conditions fee paid by the County for these services. DBE participation for Amendment No. 1, including this Change Order is 17.6%. The total DBE participation for this Change Order is 30.6%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to approve: a negotiated settlement offer in the amount of \$85,000 for the full satisfaction of a code enforcement lien entered against Ivan A. Gonzalez Ariano and Erendira Salcedo Dominguez on April 11, 2017. **SUMMARY:** The Code Enforcement Special Magistrate (CESM) issued an order on August 3, 2016 for the property owned by Ivan A. Gonzalez Ariano and Erendira Salcedo Dominguez, giving them until January 30, 2017 to bring their property located at 4795 Windmill Rd., Loxahatchee, FL into full code compliance. Violations included operating a business in a residential area, construction of structures without a permit, use violations, open storage of inoperable vehicles, and openly stored trash and debris on the property. Compliance with the CESM's order was not achieved, and a fine of \$500 per day was imposed. The CESM executed an order imposing a code lien on April 11, 2017. The Code Enforcement Division (Code Enforcement) issued an affidavit of compliance for the property on August 16, 2023, and the fines stopped. The total fine amount on October 2, 2023 was \$1,194,114.20, the date on which settlement discussions began. Ivan A. Gonzalez Ariano and Erendira Salcedo Dominguez have agreed to pay Palm Beach County \$85,000 (7%) for full settlement of their outstanding code enforcement lien. District 6 (SF)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to:

A) **waive the contractual relationship conflict** under Section 2-443(e) of the Palm Beach County Code of Ethics; and

B) **appoint** the following individual to the County Infrastructure Surtax Independent Citizen Oversight Committee (Surtax Committee) for the term beginning December 19, 2023 to April 30, 2026

<u>Nominee</u>	<u>Seat No.</u>	<u>Nominated By</u>
Maziar Keshavarz	16	Economic Council of Palm Beach County

SUMMARY: The Committee provides oversight and reviews of the expenditure report produced by the County to ensure compliancy with the County's Surtax Plan. On December 20, 2016, the Board of County Commissioners (BCC) created the Surtax Committee. The Surtax Committee will meet quarterly, issue an annual report, may make recommendations to the BCC, and ensure that the proceeds of the County's infrastructure surtax are expended for the purposes set forth in the ballot measure and are in compliance with the County's surtax plan. Mr. Keshavarz is the President of Keshavarz and Associates, Inc., an engineering consulting firm which has multiple contracts with the County. It is possible that the Surtax Committee may provide contract oversight for some of these contracts. The Surtax Committee is a purely advisory board. Pursuant to Section 2-443(e) of the Palm Beach County Code of Ethics, in order to appoint Mr. Keshavarz to the Surtax Committee, this conflict must be disclosed to and waived by the Board by an affirmative vote of a majority plus one (1) of the total membership of the Board. The Surtax Committee has 19 seats, and out of the current 12 positions filled, the diversity count is: 2 African-American (17%); 3 Hispanic (25%); and 7 Caucasian (58%). The gender ratio (female:male) is 5:7. Staff is addressing the need to increase diversity within our boards and will continue to encourage this to expand this Board's diversity. Countywide (MJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: the appointment of one (1) new member to the Public Art Committee as follows:

Appoint	No.	Requirement
:Constance Roy-Fischer	8	Landscape Architect 12/19/2023 – 9/30/2025

SUMMARY: The Public Art Committee will advise the BCC as to the overall art policy in Palm Beach County, set the direction of all County works of art, and develop an education program to expand the traditional definition and perception of art and the benefit of incorporating artwork into public design projects. Pursuant to Resolution No. R2013-1160, the Public Art Committee consists of nine (9) members that are appointed for a term of three (3) years. One (1) new member is recommended to complete the term of an individual that recently resigned from the Public Art Committee. The new recommended appointment is Constance (Connie) Roy-Fisher to replace Carolyn Pendleton-Parker. Ms. Roy-Fisher is the owner of Studio Sprout, which is subcontracted to provide professional landscape architecture services to the County; however, the Public Art Committee provides no regulation, oversight, management or policy setting recommendations regarding those contracts, transactions or services. Disclosure of these contractual relationships 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 term expires on September 30, 2025. The nominee is a Caucasian female. The Public Art Committee has the following diversity count with the nominee: Caucasian: 4 (44%), Hispanic American: 3 (33%), African American: 1 (11%) and Native American: 1 (11%). The resulting gender ratio (female:male) would remain 7:2. Staff has addressed the need to increase diversity within its boards and committees and will continue to encourage this to maintain and/or expand the Committee’s diversity. **(FDO Strategic Planning) Countywide** (MWJ)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to approve: Amendment No. 4 to the continuing Construction Manager (CM) at Risk Services contract (R2020-1689) with D. Stephenson Construction, Inc. (CM), establishing a Guaranteed Maximum Price (GMP) in the amount of \$1,158,508 for the Vista Government Center-Covered Canopy and Lobby project for a period of 330 calendar days from notice to proceed. **SUMMARY:** On November 17, 2020, the Board of County Commissioners (Board) approved the continuing CM at Risk Services contract (R2020-1689) with the CM for construction management services for various capital projects. Amendment No. 4 establishes a GMP in the amount of \$1,158,508 for construction management services necessary for the Vista Government Center-Covered Canopy and Lobby project. The Vista Government Center-Covered Canopy and Lobby project includes, but is not limited to, the construction and renewal/replacement of interior walls, doors, flooring and wall finishes, access control, electrical additions and replacements, security enhancements and the replacement of the rotating vestibule doors with automatic doors. The CM will have 330 calendar days from notice to proceed to substantially complete the construction phase of the project. Liquidated damages for failure to achieve certification of substantial completion within the contract time or approved time extension are \$210 per day. This continuing CM at Risk Services contract was solicited pursuant to the requirements of the Equal Business Opportunity Ordinance (EBO). This continuing CM at Risk Services contract was presented to the Goal Setting Committee (GSC) on December 4, 2019 and the Committee established Affirmative Procurement Initiatives (APIs) of a small business enterprise (SBE) evaluation preference up to 10 points for the SBE Participation Plan and a mandatory 20% SBE subcontracting goal on the contract. SBE participation on the construction trade contracts for this GMP is 33.80%. In accordance with Attachment 3 of Policy and Procedures Memorandum (PPM) CW-O-043, the GSC applies the APIs applicable to the construction phase of the contract (i.e. the subcontracts) before subcontractor bidding so that the SBE participation for the GMP is based on the subcontracting trades associated with the GMP and does not include the CM's fees. SBE participation on the contract to date is 18.35%. The CM is a local business. Funding for this project is from the Building Capital Projects Fund. **(Capital Improvements Division) District 7 (MWJ)**

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT

1. **Staff recommends motion to approve:** a Third Amendment to Contract for Bond and Disclosure Counsel Services between the Housing Finance Authority of Palm Beach County, Florida (HFA) and Greenberg Traurig, P.A. (R2012-0678) and Bryant Miller Olive P.A. (R2012-0679), respectively, to increase the fees to said firms for certain matters. **SUMMARY:** On May 15, 2012 (Agenda Item 3D-3), the Board of County Commissioners (BCC) approved contracts between the HFA and each of the two (2) above named law firms. The contract was for an initial term of three (3) years and allowed for automatic one (1) year renewals thereafter unless one of the parties wished to terminate. Staff supports the amendment and future amendment requests will require a Request for Proposal (RFP) no later than May 2025. The legal services provided by these firms include advice on all actions necessary for the HFA's issuance of bonds, the preparation of bond documents and bond counsel opinions, the review and comment on all documents prepared by others in connection with bond issuances, and the preparation of the bond offering documents and opinions thereon as disclosure counsel. On July 11, 2017 (Agenda Item 3I-2), the Board of County Commissioners (BCC) approved a First Amendment to Contract for Bond and Disclosure Counsel Services (Contract) between the HFA and each of the two (2) above named law firms and on September 13, 2022 (Agenda Item 3I-6), the BCC approved a Second Amendment with each. On October 13, 2023, the HFA Board approved Resolution No. 2023-10 authorizing Third Amendments to the Contracts with Greenberg Traurig P.A. and Bryant Miller Olive P.A. Approval by the BCC of both Third Amendments is requested pursuant to Section 2-189 of the Housing Finance Authority of Palm Beach County Ordinance which requires that all contracts for the purchase of goods and services in excess of \$10,000 be approved by the BCC. Countywide (HJF)

2. **Staff recommends motion to receive and file:** Amendment 004 to Loan Agreement R2021-1076 with Habitat Housing Solutions for \$315,672, for the construction of three (3), for-sale, single family homes, to modify eligible reimbursable expenses. **SUMMARY:** The Loan Agreement (R2021-1076) with Habitat Housing Solutions, Inc., provided \$315,672 in HOME funding toward the construction of three (3) single family affordable housing units located at 540 SW 8th Street in Belle Glade, 205 S. Barfield Highway in Pahokee, and 290 Cypress Avenue in Pahokee. Amendment 004 modified the Loan Agreement to include eligible developer fee reimbursement expenses totaling \$10,522.40 and has been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development (DHED) in accordance with Agenda Item 5A-3 as approved by the BCC on February 11, 2020. County PPM CW-O-051 provides that all delegated contracts, agreements and grants must be submitted by the initiating department as a receive and file agenda item. **HOME Program grant funds are Federal funds which require a 25% local match provided by SHIP funds.** District 6 (HJF)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. Staff recommends motion to approve:

- A) a Contract for the North West Belle Glade Water Main Improvements, Zone 3 (Project) with Centerline Utilities, Inc. (Contractor) in the amount of \$7,895,974.70; and
- B) a \$3,391,000 Budget Transfer in the Water Utilities Department Capital Improvement Fund to Fund the Project. Budget is being transferred from Water Treatment Plant 11 (\$2,281,395) and Reserves (\$1,109,605).

SUMMARY: On August 30, 2023, the Palm Beach County Water Utilities Department (PBCWUD) received two (2) bids for the Project. Contractor was the lowest responsive and responsible bidder in the amount of \$7,895,974.70. The Project provides for the replacement, removal, or abandonment of old and substandard potable water main pipes and water services with approximately 23,000 linear feet of new water main pipes and the relocation of approximately 14 existing water services from the back to the front of the properties within the City of Belle Glade. The Project is partially funded through the Palm Beach County Department of Housing and Economic Development (DHED) in the amount of \$1,109,605 under the grant from the United States Department of Housing and Urban Development (HUD) to Palm Beach County through the Community Development Block Grant (CDBG) Program. Requirements of the Build America, Buy America Act (2 CFR Part 184) are applicable. Federally funded projects are subject to the federal Disadvantaged Business Enterprise (DBE) requirements and local governments are precluded from requiring local preferences during the solicitation. As a result, this Project has a participation goal of 22.4% MBE and 6.9% WBE. Per federal requirements, the Contractor undertook a good faith effort to identify and include DBE participants in this Project. DBE participation will be tracked as part of the Contract. Contractor is a Palm Beach County based company. The remaining funding of the Project is included in the FY24 budget. (PBCWUD Project No. 18-002) District 6 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

2. Staff recommends motion to approve: Work Order (WO) No. 2 to the Contract for Optimization and Improvements Design-Build (Contract) with Globaltech, Inc., (Globaltech) for the Well Electrical Improvements (Project) for a Guaranteed Maximum Price in the amount of \$1,363,398.57. **SUMMARY:** On January 24, 2023, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2023-0086) with Globaltech which has a start date of December 20, 2022. WO No. 2 provides for the design, permitting and construction of electrical and fiber optic cables and conduits at Water Treatment Plant No. 9 (WTP 9). In January 2023, damage to the electrical and fiber communication cables and conduits occurred during work by a developer. The developer did not request a utilities locate ticket prior to work as required by Chapter 556 of the Florida Statutes. The damage has affected the operation of three (3) production wells, 9W-2R, 9W-3 and 9W-7 that are critical for WTP 9. PBCWUD is seeking damages from the developer which will include, but not be limited to, the costs of design, permitting and construction to replace these utilities, as well as the additional costs incurred by PBCWUD to keep the wells in operation and manpower needed to restore the wells. This Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On October 6, 2021, the Goal Setting Committee approved an Affirmative Procurement Initiative of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting goal and an evaluation preference for up to 10 points for M/WBE and up to 5 points for Mentoring based upon the relative level of dollar participation. The Contract provides for 24% SBE participation which includes 12% MBE participation, 5.5% MBE (B), 2.5% MBE (H) and 4% MBE (A). WO No. 2 includes 65.51% overall SBE participation, which includes 6.77% MBE participation, 2.02% MBE (B), 0% MBE (H), and 0% MBE (A). The cumulative SBE participation including WO No. 2 is 20.99%, which includes 6.44% MBE participation, 5.24% MBE (B), 0% MBE (H), and 1.19% MBE (A). Globaltech is a Palm Beach County based company. The Project is included in the PBCWUD FY24 budget. (PBCWUD Project No. 23-034) District 5 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

3. Staff recommends motion to receive and file: Two (2) executed Standard Potable Water and Wastewater Development Agreements, a Standard Reclaimed Water Development Agreement, and a Standard Reclaimed Water Service Agreement Lake Discharge System for the month of August 2023.

A) Standard Potable Water and Wastewater Development Agreement with 5165 Homeland Plaza, LLC, SDA #02-01174-000 (District 6), Recorded in OR BK 34532 PG 232;

B) Standard Potable Water and Wastewater Development Agreement with Boca Raton Associates X, LLLP, SDA #09-01105-000 (District 5), Recorded in OR BK 34532 PG 204;

C) Standard Reclaimed Water Development Agreement with Boca Raton Associates X, LLLP, SDA #09-90019-000 (District 5), Recorded in OR BK 34532 PG 214; and

D) Standard Reclaimed Water Service Agreement Lake Discharge System with Boca Raton Associates X, LLLP, RWSA #09-90019-000 (District 5), Recorded in OR BK 34532 PG 223.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants/ procurement items must be submitted by the initiating Department as a receive and file agenda item and are attached unless the documents have been recorded in the Public Records of Palm Beach County. The documents have been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Palm Beach County Water Utilities Department (PBCWUD) in accordance with Resolutions R93-1619, R96-0228, and R2003-0539 and are now being submitted to the BCC to receive and file. Districts 5 & 6 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

4. **Staff recommends motion to approve:** Contract for Professional Consulting Services for Utility Distribution & Collection System Engineering Services (Utility Contract) for a three (3) year term with the following firms:

- A) Mock, Roos & Associates, Inc. (MRA)
- B) C Solutions, Inc. (C Solutions)
- C) Thompson & Associates, Inc. (Thompson)

SUMMARY: The Utility Contract will provide professional engineering and consulting services for Palm Beach County Water Utilities Department (PBCWUD) projects including renewal, replacement, and expansion of potable water distribution, wastewater collection, and reclaimed water pipelines and lift stations. The Utility Contract was procured under the requirements of the Equal Business Opportunity Ordinance (EBO). On April 5, 2023, the Goal Setting Committee applied an Affirmative Procurement Initiative (API) of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting goal and an evaluation preference for up to 15 points based upon the relative level of dollar participation by certified African American owned firms. MRA, C Solutions, and Thompson have met the established API for this Contract. The Contract with MRA provides for 36% SBE participation, which includes 25% MBE participation, 25% MBE (B). MRA is a Palm Beach County based company. The Contract with C Solutions provides for 91% SBE participation, which includes 86% MBE participation, 86% MBE (B). C Solutions is headquartered in Dania Beach, Florida and maintains an office in Palm Beach County from which the majority of the work will be undertaken. The Contract with Thompson provides for 100% SBE participation, which includes 25% MBE participation, 25% MBE (B). Thompson is headquartered in Ft. Lauderdale, Florida and maintains an office in Palm Beach County from which the majority of the work will be undertaken. (PBCWUD Project No. 23-025) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

5. Staff recommends motion to approve: Work Order (WO) No. 3 to the 2022 Pipeline Continuing Construction Contract (Continuing Contract) with Hinterland Group Inc., (Contractor) for the Lake Worth Hills Water Main Replacement (Project) in the amount of \$3,434,964.73. **SUMMARY:** On May 16, 2023, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2023-0676) with Contractor. WO No. 3 provides for the replacement of approximately 10,000 linear feet of potable water main in the Lake Worth Hills Community. The project will also provide for improvement of fire protection by replacing and adding additional fire hydrants. This Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On September 7, 2022, the Goal Setting Committee applied an Affirmative Procurement Initiative of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting participation of which 5% shall be among certified African American and/or Hispanic American owned firms. The Contract provides for 20.96% SBE participation, which includes 5.85% MBE participation, 5.85% MBE (H). WO No. 3 includes 20.28% SBE participation, which includes 3.79% MBE participation, 3.79% MBE (H). The cumulative SBE participation including WO No. 3 is 20.28% SBE participation, which includes 3.79% MBE participation, 3.79% MBE (H). Contractor is a Palm Beach County based company. The Project is included in the PBCWUD FY24 budget. (PBCWUD Project No. 21-084) District 2 (MWJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to approve: Re-appointment of one (1) At-Large member to the Natural Areas Management Advisory Committee (NAMAC). Seat No. 4 is for a term of approximately 2.75 years beginning December 19, 2023 through September 30, 2026.

<u>Seat No.</u>	<u>Re-appointment</u>	<u>Seat Requirement</u>	<u>Term Ending</u>	<u>Nominated By</u>
4	Michele Thompson	Local Municipal Government Parks and Recreation Program	09/30/2026	Comm. Weiss Vice Mayor Marino Comm. Barnett Comm. Bernard Comm. Woodward

SUMMARY: NAMAC reviews and comments on initial and revised management plans developed by staff for natural areas and conservation lands managed by ERM, hold public hearings, consider oral and written public comments and make recommendations. Resolution No. R2013-1328 provides for a seven-member NAMAC. Membership consists of one member with experience in the management of natural areas, one biological scientist, one professional educator with knowledge of South Florida ecosystems, one representative of a local municipal government parks and recreation program, one member of the Palm Beach County Parks and Recreation Department staff, and two citizens having an interest in preservation and conservation of natural areas. With this re-appointment, all seven seats will be filled. The diversity count of current members is Caucasian: 5 (83%), and African American: 1 (17%). The gender ratio (female:male) is 3:3. Seat No. 4 nominee is a Caucasian female. Staff continues to address the need for increased diversity within our boards and will encourage expansion of this Board’s diversity. Countywide (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (cont'd.)

2. Staff recommends motion to receive and file:

- A) Interlocal Agreement with the City of Boca Raton for manatee law enforcement services from November 15, 2023 to March 31, 2028;
- B) Interlocal Agreement with the City of Boynton Beach for manatee law enforcement services from November 15, 2023 to March 31, 2028;
- C) Interlocal Agreement with the City of Delray Beach for manatee law enforcement services from November 15, 2023 to March 31, 2028;
- D) Interlocal Agreement with the Town of Lantana for manatee law enforcement services from November 15, 2023 to March 31, 2028;
- E) Interlocal Agreement with the Palm Beach County Sheriff's Office for manatee law enforcement services from November 15, 2023 to March 31, 2028;
- F) Interlocal Agreement with the Village of Tequesta for manatee law enforcement services from November 15, 2023 to March 31, 2028; and
- G) Interlocal Agreement with the Town of Jupiter for manatee law enforcement services from November 15, 2023 to March 31, 2028.

SUMMARY: On August 19, 2014, the Board of County Commissioners (BCC) approved a Resolution (R2014-1193) adopting a standard form Interlocal Agreement (Agreement) with law enforcement agencies for manatee protection and public education. On September 19, 2023, the BCC approved a new Resolution (R2023-1316) that updated the standard form Interlocal Agreement with law enforcement agencies, and authorized the County Administrator, or designee, to execute the Agreement and sign all future time extensions, task assignments, certifications, award letters, amended award letters and other forms associated with the Agreement. The purpose of the new five-year interlocal agreements is to provide for additional marine law enforcement services within the estuarine waters of the County during manatee season, which runs between November 15 and March 31, each year. They include updated County Agreement provisions and revised Standard Marine Enforcement Daily Report forms. 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. Districts 1, 2, 4 & 7 (SS)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: an executed Entertainment Contractor Agreement with Gary Frost in an amount of \$600 for the Sour Mash Band concert at Canyon Amphitheater, on October 21, 2023. **SUMMARY:** The Parks and Recreation Department produces cultural activities to promote the quality of life in the communities it serves. A sponsorship in the amount of \$6,000 for the Legends of the Lawn events from Nostalgic America offset the expense of this concert at the Canyon Amphitheater. This Entertainment Contractor Agreement has been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution 2008-1109, amended by Resolutions 2010-0644, 2014-0168 and 2017-1367. The Department is now submitting this Agreement in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a Receive and File agenda item. District 5 (AH)

2. Staff recommends motion to receive and file: an executed Second Amendment to the Independent Contractor Agreement with Mary Lou Putnam, Adult Water Aerobics Program, North County Aquatic Complex, to increase the amount of the agreement (R2022-1463) by one thousand forty-four dollars (\$1,044) for a total amount not to exceed twenty six thousand six hundred dollars forty-five (\$26,645) for the period of October 1, 2022 through September 30, 2023. **SUMMARY:** The Independent Contractor Agreement has been fully executed on behalf of the Board of County Commissioners (BCC) by the County Administrator and Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 2002-2103, 2007-0409, 2012-0168, 2017-0822 and 2021-2049. The Department is now submitting this Amendment in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a Receive and File agenda item. District 1 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (cont'd.)

3. Staff recommends motion to approve: a Memorandum of Agreement with the Children's Services Council of Palm Beach County (CSC) to provide funding in an amount not to exceed \$10,000 for processing fees associated with American Red Cross (ARC) lifeguarding and water safety instructor certification courses taught by the Parks and Recreation Department's Certified Lifeguard Instructors for the period of December 19, 2023 through September 30, 2024. **SUMMARY:** The Parks and Recreation Department's Aquatics Division provides ACR lifeguarding and water safety certification courses to the public. The CSC has agreed to fund the lifeguarding and safety certification courses with the goal of removing financial barriers that may prevent enrollment. CSC will transfer an amount not to exceed \$10,000 within 30 days of receipt of written request for funds as outlined in the Agreement. This Agreement requires the County to offer a maximum of twelve (12) lifeguarding certification courses every month and a maximum of eight (8) water safety instructor courses bi-monthly, through September 30, 2024. Countywide (AH)

4. Staff recommends motion to:

A) **receive and file** a fully executed Florida Inland Navigation District (FIND) Waterways Assistance Program Grant Project Agreement in the amount of \$800,000 for Bert Winters Park Redevelopment Phase IIB for the period October 9, 2023 through September 30, 2025; and

B) **approve** Budget Amendment of \$800,000 within the Park Improvement Fund to establish budget for the approved grant.

SUMMARY: On May 2, 2023, the Board of County Commissioners (BCC) ratified the mayor's signature on a Waterways Assistance Program (WAP) grant application, R-2023-0607, to fund a portion of the construction costs associated with the redevelopment and renovation of the southern portion of Bert Winters Park. The BCC also authorized the County Administrator or designee to execute the Project Agreement, (PB-23-226) and other grant forms related to this project if the grant was approved. The grant was approved and the Project Agreement has been fully executed and is being submitted to the BCC to receive and file and to establish budget for the grant. **The \$800,000 FIND grant requires an \$800,000 (50%) match which will be funded from the Bert Winters Park Redevelopment Infrastructure Sales Tax (IST) project.** The grant contract requires the project site be dedicated for public use for a minimum of thirty-five (35) years from date of completion. The grant term is from October 9 , 2023 through September 30, 2025, with a possible one year time extension. District 1 (AH)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

1. Staff recommends motion to receive and file: a Public Emergency Medical Transportation (PEMT) Letter of Agreement (LOA) with the State of Florida, Agency for Health Care Administration (AHCA) relating to intergovernmental transfers to the State for the supplemental payment program for Medicaid managed care patients for State Fiscal Year (SFY):2023-2024. **SUMMARY:** In the fall of 2019, AHCA established the Florida Medicaid Managed Care Supplemental Payment Program (MCO), which allows qualifying government-owned ambulance providers to receive supplemental payments for emergency transports of Medicaid managed care patients. In order to guarantee Federal share funding, intergovernmental transfers (IGT) from PEMT providers are required to cover the State's share of the MCO. The County's IGT for SFY 2023-2024 is \$2,648,680, and the County is expected to receive \$6,300,380 in supplemental payments, for an estimated net revenue of \$3,651,700. The Board delegated authority (R2019-1462) to the County Administrator or designee to execute LOAs with the State relating to IGTs for the PEMT program; and the County Administrator has designated the Fire Rescue Administrator to execute such LOAs. Pursuant to Countywide PPM CW-O-051 this LOA is being submitted to receive and file. Countywide (SB)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to receive and file:

A) a fully executed AT&T ILEC Intrastate Pricing Schedule for ISDN Voice/Data service for a period of twenty four (24) months.

B) a fully executed AT&T ILEC Intrastate Pricing Schedule for Business Line service for a period of thirty six (36) months.

SUMMARY: The Pricing Schedules have been fully executed on behalf of the Board of County Commissioners (BCC) by the Chief Information Officer in accordance with Resolution 2023-0958. Information Systems Services is now submitting the schedule in accordance with County PPM CW-O-051, which requires all delegated schedules to be submitted by the initiating Department to the BCC as a receive and file agenda item. The AT&T ILEC Intrastate Pricing Schedules renew existing services at current discounted rates under the new AT&T Master Agreement 158865UA (R2023-0958). The Pricing Schedule for ISDN Voice/Data service is for a period of twenty four (24) months and Business Line service for a period of thirty six (36) months. Countywide (DB)

2. Staff recommends motion to approve: Task Order #2 for the acquisition and delivery of 2024 Palm Beach County Oblique Imagery Program with GPI Geospatial Inc. (R2022-1296) in the amount of \$398,076. **SUMMARY:** On November 1, 2022, The Board of County Commissioners approved the contract with GPI Geospatial Inc. (R2022-1296) to provide professional services for Geospatial Services including planimetric mapping, digital orthophotography, GPS Survey, LiDAR Processing and other tasks in support of the County's Geographic Information System on a task order basis. Task Order #2 is for the acquisition and delivery of 2024 Palm Beach County Color Oblique Imagery Program. The total costs of the project will be paid over two years and split equally between the Property Appraiser and Palm Beach County. The Small Business Enterprise (SBE) overall goal for this contract is 25%, awarded under the Office of Equal Business Opportunity (OEBO) ordinance. Task Order #2 includes 0% SBE Participation, due to the highly specialized nature of the task. The cumulative SBE participation including Task Order #2 is 0% Countywide (DB).

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to:

- A) **receive and file** executed Judicial Inquiry System (JIS) Interagency Agreement with the Office of the State Courts Administrator (OSCA) authorizing the Public Safety Department's Pretrial Services Program (PTS) to utilize the Florida Department of Law Enforcement's (FDLE) Criminal Justice Network, an intra-agency information and data sharing network for use by the State of Florida's criminal justice agencies for criminal background checks;
- B) **approve** Criminal Justice Information Services (CJIS) Agency Contact form to update PTS contacts;
- C) **approve** JIS Department of Highway Safety and Motor Vehicle (DHSMV) Access Certification Statement certifying PTS has appropriate internal controls in place to protect data; and
- D) **authorize** County Administrator or designee to execute agreements and administrative documents associated with OSCA for the utilization of FDLE's Criminal Justice Network after approval of legal sufficiency by the County Attorney's Office and within budgeted allocations.

SUMMARY: On September 9, 2014, the Board of County Commissioners approved a JIS Interagency Agreement (R2014-1339) and CJIS Agency Contact form (R2014-1340) with OSCA. The JIS Interagency Agreement is a no-cost agreement with no expiration date. Execution of the updated JIS Interagency Agreement ensures that PTS will have comprehensive access to the criminal histories of individuals who fall within the scope of work performed by PTS, by allowing access to and retrieval of information from the Florida Crime Information Center as well as the National Crime Information Center. To comply with the terms of the previous agreement, the OSCA must be notified and a new interagency agreement signed within 30 days upon a change in the designated Point of Contact (POC). Due to a change in the County's POC, a revised user agreement was needed. Pursuant to the Purchasing Code and upon advisement from the County Attorney's Office, the Purchasing Director signed the updated JIS Interagency Agreement. The regular process could not be followed due to the 30-day turnaround required in order to remain in compliance. The CJIS Agency Contact form provides the updated PTS contacts. The JIS DHSMV Access Certification Statement certifies PTS has the appropriate internal controls in place to protect data from unauthorized access, distribution, use, modification, or disclosure. Countywide (RS)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (cont'd.)

2. Staff recommends motion to:

- A) **receive and file** Purchase Order (PO) (C1E695) for \$500,000 for contractual adult reentry services from the Florida Department of Corrections (FDC) for the service period of July 1, 2023 through June 30, 2024;
- B) **approve** a Budget Amendment of \$125,000 in the Justice Service Grant Fund to adjust the budget to the actual grant award;
- C) **approve** the following contracts to provide adult reentry case management, support services and mental health services:
 - 1) The Lord's Place, Inc. (TLP) in the amount of \$223,570 for the period retroactive to July 1, 2023 through June 30, 2024 utilizing funding from FDC;
 - 2) Integrated Healthcare Systems Riviera, Inc. (IHSR) in the amount of \$55,000 for the period retroactive to July 1, 2023 through June 30, 2024 utilizing funding from FDC;
 - 3) The City of Riviera Beach (RB) in the amount of \$221,430 for the period retroactive to July 1, 2023 through June 30, 2024 utilizing funding from FDC;
 - 4) TLP in the amount of \$198,287 for the period retroactive to October 1, 2023 through September 30, 2024 utilizing funding from Federal Justice Assistance Grant (JAG) and ad valorem;
 - 5) IHSR in the amount of \$10,000 for the period retroactive to October 1, 2023 through September 30, 2024 utilizing funding from ad valorem;
 - 6) The City of RB in the amount of \$355,062 for the period retroactive to October 1, 2023 through September 30, 2024 utilizing funding from the State JAG and ad valorem; and
- D) **authorize** County Administrator or designee to execute amendments and administrative documents associated with the above contracts, 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 contracts/interlocal agreements.

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (cont'd.)

2. **SUMMARY:** Palm Beach County's (PBC) Public Safety Department Division of Justice Services contracts with providers to coordinate reentry services to those returning to Palm Beach County from incarceration. Providers are solicited and selected for a three year period through a competitive procurement process, although funding is allocated on an annual basis. For 2022-2025, TLP, RB and IHSR were selected to receive funding for services such as pre and post release case management, client support services and mental health treatment. The State of Florida FY23–FY24 General Appropriations Act provided \$500,000 in non-recurring general revenue funds to the Palm Beach County Board of County Commissioners for Adult Reentry Services. This funding supports the provider contracts who serve returning residents who are released from FDC facilities and return to Palm Beach County. Approximately 663 adults (358 Sago Palm Reentry Center and 305 Post Release) have been served by the County's Reentry Program in County FY23. This includes 137 pre release new enrollments at Sago Palm and 182 post release new enrollments. Of those newly enrolled approximately 78% of participants who reported needing assistance with housing and 79% of who reported needed assistance with behavioral services received support and assistance in these areas. During FY 23, funds were also used by the City of Riviera Beach to incorporate important evidence based programming pre release such as Moral Reconciliation Therapy, Inside Out Dads, Peer Group, and Casual Conversation with a behavioral health specialist. Separate contracts are necessary for each provider based on funding source and the beginning and ending dates of the county and the state fiscal year. Contracts utilizing funding from the State of Florida FY23–FY24 General Appropriations Act are retroactive to July 1, 2023. Contracts funded through ad valorem funds and Federal and State JAG funding are retroactive to October 1, 2023 through September 30, 2024. There was a delay in the processing of these contracts due to not receiving the Florida Department of Corrections purchase order until July 1, 2023, the City of Riviera Beach's extensive contract approval process, and several contractual changes needed to be made and approved by all legal parties. Countywide (RS)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (cont'd.)

3. Staff recommends motion to receive and file: First Amendment to Contract/Interlocal Agreement for Adult Reentry retroactive to June 1, 2023:

A) First Amendment to Contract #R2022-1232 The Lord's Place, Inc. (TLP) to amend, revise and replace portions of the agreement, and increase the overall total contract by \$53,000, for a new not-to-exceed amount of \$308,272; and

B) First Amendment to Interlocal Agreement #R2022-1138 The City of Riviera Beach Reentry Center (RB) to amend, revise and replace portions of the agreement, and decrease the overall total contract by \$53,000, for a new not-to-exceed amount of \$245,077.

SUMMARY: Palm Beach County Public Safety Department Division of Justice Services, entered into a contract with TLP on October 18, 2022, and into an interlocal agreement with RB on October 4, 2022, to coordinate adult reentry services to those returning to Palm Beach County from incarceration. Based on funding needs and to ensure utilization of grant funding, it is necessary to amend the agency contracts prior to year end to: 1) reallocate \$19,000 of the Florida Department of Law Enforcement (FDLE) Justice Assistance Grant (JAG) funds from RB to TLP for case management services; and 2) reallocate \$34,000 of Ad Valorem funds from RB to TLP for transitional housing. The First Amendment to the TLP contract increases the budget by \$53,000 from \$255,272 to \$308,272. The First Amendment to the RB contract decreases the budget by \$53,000 from \$298,077 to \$245,077. All adjustments are revenue neutral and within approved line items. On October 18, 2022, R2022-1232 and R2022-1138 authorized the County Administrator or designee to execute amendments and administrative documents associated with these reentry contracts on behalf of the BCC after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations. These amendments did not substantially change the scope of work, terms or conditions of the contract/interlocal agreement. The First Amendments were executed late due to RB's extensive amendment approval process. Countywide (RS)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (cont'd.)

4. Staff recommends motion to approve: Contract for Professional/Consultation Services in the area of veterinary and medical services with The Darbster Foundation, Inc. (DARBSTER) for spaying/neutering at risk dogs, rescued animals (pulled from the shelter), and community cats as part of the Countdown 2 Zero (C2Z) initiative in an amount not to exceed \$200,000 beginning December 19, 2023 through December 18, 2024 with automatic renewals for three additional one-year terms. **SUMMARY:** Spaying/neutering at risk animals is part of the overall C2Z program to reduce and/or eliminate euthanasia. The County currently has agreements with Peggy Adams Animal Rescue League (PAARL), Tri-County Humane Society, Inc. (TCH), Barky Pines Animal Rescue & Sanctuary, and the Humane Society of Greater Jupiter/Tequesta, Inc. (Furry Friends Adoption, Clinic & Ranch) for outsourcing sterilization services. Under this Contract, DARBSTER will sterilize at risk dogs, rescued animals pulled from the shelter, and community cats utilizing a mobile vet clinic to target at risk communities. Community cats, will be sterilized, microchipped, vaccinated/treated, and ear tipped and tattooed, before being returned to their original location by community cat caregivers, volunteers, or DARBSTER. At risk dogs and rescued animals are to be returned to either the owner or rescue. DARBSTER will be paid \$75 per cat and \$100 per dog, not to exceed 2,000 animals and \$200,000 per year. Countywide (SF)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. Staff recommends motion to:

- A) **adopt** a Resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, approving a FY2024 Public Transportation Grant Agreement (PTGA) in Block Grant funding for urbanized public transportation operating assistance (FM No. 407188-3-84-01) with the State of Florida Department of Transportation (FDOT), providing a grant in the amount of \$6,332,223, to offset the operating costs of providing fixed route services to the public in Palm Beach County. The PTGA will become effective upon FDOT execution and has an expiration date of June 30, 2027;
- B) **approve** a Budget Transfer of \$233,094 in the Palm Tran Operating Fund 1340 to reconcile the revenue budget to the actual grant award and reduce the transfer from the General Fund 0001; and
- C) **approve** a Budget Transfer of \$233,094 in the General Fund 0001 to reduce the transfer to Palm Tran Operating Fund 1340 and increase Contingency Reserves.

SUMMARY: The PTGA provides Palm Beach County its annual allocation of the Public Transit Block Grant Program (CSFA 55.010); Palm Tran will utilize the grant funds to offset the operating costs of providing fixed route service on all routes in the County. This FY2024 PTGA, in the amount of \$12,664,446, **requires a match of 50% or \$6,332,223** and provides a grant in the amount of \$6,332,223. The match is included in Palm Tran's FY2024 budget. The grant requires broader indemnification by the County than that approved by PPM CW-F-049. The grant requires the County and its officers, agents, or employees to indemnify, defend, and hold harmless FDOT and all of its officers, agents, and employees from any claim, loss, damage, cost, charge, or expense arising out of the County's non-compliance or performance of this agreement. The indemnification obligation must also be passed on to contractors and/or consultants. The Risk Management Department and County Attorney's Office have reviewed the indemnification requirements of this grant. Given that liability is limited to County's non-compliance or performance of this agreement and the statutory caps of Section 768.28, Florida Statutes, Palm Tran recommends Board approval. Countywide (MM)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (cont'd.)

2. Staff recommends motion to approve: a contract between the Palm Beach County Board of Commissioners (BCC) and Trapeze Group for the DriverMate Module software in the amount of \$218,994. **SUMMARY:** On June 17, 2020, Palm Tran received funding from the Florida Department of Transportation (FDOT) to assist with the purchase of new scheduling software and supporting equipment for the Go Glades and Paratransit Service. On August 22, 2023, the BCC approved the extension of the grant agreement to July 31, 2024, to allow time to acquire the Trapeze Module, DriverMate, for the entire Paratransit fleet and use the remainder of the grant funds which do not require a County match, and will fund 100% of the acquisition cost. The DriverMate Module acts as an electronic manifest for drivers allowing for real-time scheduling and trip updates, and improved communication between drivers and dispatch. A noteworthy feature of DriverMate is its seamless integration with Palm Tran's current Trapeze infrastructure, this integration is designed to necessitate only minimal changes to the existing infrastructure, thereby ensuring a smooth transition and minimizing potential disruptions. The grant requires broader indemnification by the County than that approved by PPM CW-F-049. Trapeze's limitation of liability and responsibility for any claims, damages, costs or losses is limited to the amount of the license fees paid by County. In addition, Trapeze will not be liable to the Licensee (County/Palm Tran) or any third party for losses or damages suffered by Licensee or any third party which fall within the following categories: i). incidental or consequential damages, whether foreseeable or not; ii). Special damages even if Trapeze was aware of circumstances in which special damages could arise; and iii). Loss of profits, anticipated savings, business opportunity, goodwill, or loss of information of any kind. The Risk Management Department and County Attorney's Office have reviewed the indemnification requirements of this contract. Palm Tran recommends Board approval. Countywide (MM)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

1. Staff recommends motion to:

A) receive & file a contract amendment between the Palm Beach County Sheriff's Office and the University of North Florida Training and Services Institute, Inc., d/b/a Institute of Police Technology and Management ("IPTM"), to provide \$35,439.18 in supplemental funding for the Palm Beach County Sheriff's Office's High Visibility Enforcement (HVE) Project; and

B) approve a Budget Amendment of \$35,439 in the Sheriff's Grants Fund.

SUMMARY: On September 19, 2023, the Board of County Commissioners (BCC) accepted a grant award on behalf of the Palm Beach County Sheriff's Office (PBSO) from the University of North Florida Training and Services Institute, Inc., d/b/a Institute of Police Technology and Management ("IPTM"), in the amount of \$86,196.06 to pay for overtime costs for PBSO's High Visibility Enforcement Project in support of the Florida Department of Transportation's Bicycle Pedestrian Focused Initiative (R2023-1352). This contract amendment will provide \$35,439.18 in supplemental funds to support the HVE project. **There is no match requirement associated with this award.** The Catalog of Federal Domestic Assistance (CFDA) number is 20.205, the project number is 433144-1-8404, and the FDOT Contract number is G2M61. Countywide (RS)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

2. Staff recommends motion to approve: a budget transfer of \$195,339 from the Federal Treasury Law Enforcement Trust Fund (LETf) to the Palm Beach County Sheriff's Office (PBSO). **SUMMARY:** The 2018 Guide to Equitable Sharing for State, Local and Tribal Law Enforcement Agencies (GUIDE), provides that seizing law enforcement agencies shall use Justice and Treasury Forfeiture proceeds for law enforcement purposes only. Permissible uses include: law enforcement operations and investigations; law enforcement training and education; law enforcement, public safety, and detention facilities; law enforcement equipment; joint law enforcement/public safety operations; contracts for services; law enforcement travel and per diem; law enforcement awards and memorials; drug, gang and other prevention or awareness programs; matching grants; and support of community-based organizations. The transfer of Federal Treasury LETf requested above will allow for the purchase of a four vehicles for the Aggressive Driving/Highway Interdiction Unit. Use of Federal Treasury LETf requires approval by the Board, upon request of the Sheriff. The current Federal Treasury LETf balance is \$195,339. Approval of this request will reduce the Federal Treasury LETf balance to \$0. The PBSO certifies that the use of these funds is in accordance with the GUIDE. No new positions are needed and no additional County funds are required. Countywide (RS)

3. CONSENT AGENDA APPROVAL

DD. TOURIST DEVELOPMENT COUNCIL

1. Staff recommends motion to receive and file: three (3) fully executed Palm Beach County FY2024, Category “G” Grant Agreements managed by the Palm Beach County Sports Commission, Inc. (Sports Commission), on behalf of the Palm Beach County Tourist Development Council (TDC) with:

A) Perfect Game USA, Inc., for the promotion of Perfect Game WWBA Championship Week/ Perfect Game 13U & 14U World Championship, held from October 5 -16, 2023, for the term May 5, 2023 – January 16, 2024. This grant was approved by the TDC on May 11, 2023, in the amount of \$107,000;

B) Orlando Youth Hockey Association, Inc., for the promotion of the Columbus Day Discovery Showdown, held from October 5 – 8, 2023, for the term May 5, 2023 – January 8, 2024. This grantee was approved by the TDC on May 11, 2023, in the amount of \$8,000; and

C) Players International Management, Inc., for the promotion of the USTA Columbus Day Open, held from October 7 – 9, 2023, for the term July 7, 2023 – January 9, 2024. This grantee was approved by the TDC on May 11, 2023, in the amount of \$7,500.

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 Perfect Game USA, Inc./ Perfect Game WWBA Championship Week/ Perfect Game 13U & 14U World Championship were 19,592, room nights generated for Orlando Youth Hockey Association, Inc./Columbus Day Discovery Showdown were 800, and room nights generated for Players International Management, Inc./USTA Columbus Day Open were 500. Districts 1,4, 6 & 7 (YBH)

3. CONSENT AGENDA APPROVAL

EE. CAREERSOURCE

1. Staff recommends motion to approve: the appointment of Michael J. Burke to the CareerSource Palm Beach County, Inc. Board of Directors (Board) for the seat and term indicated below.

Appointment	Seat No.	Term	Area of Representation	Nominated By
Michael J. Burke	15	12/19/23 -12/18/30	Labor Organization Youth	The School District of Palm Beach County

SUMMARY: The Board is to develop a more efficient system to prepare Floridians for high skill and high wage jobs, and to oversee Welfare Reform, School- to- Work, and Adult/Literacy educational training. On October 5, 2021, the Board of County Commissioners (BCC) approved the Interlocal Agreement Palm Beach Workforce Development Consortium, which replaced Interlocal Agreement R2007-1220; First Amendment to the Interlocal Agreement R2007-1446; Amendment No. 2 to the Interlocal Agreement R2008-1268; and Third Amendment to the Interlocal Agreement R2014-1650. The Agreement states the BCC will appoint private sector board members to assure a minimum 51% private sector majority. The federal Workforce Innovation and Opportunity Act requests that an emphasis be placed on Chief Executive Officers or highest level of management positions for both community and business sector appointments. Michael J. Burke is the Superintendent of the School District of Palm Beach County. The CareerSource Palm Beach County, Inc. Board of Directors is comprised of a minimum of 19 members with representation established in Attachment 4. The Board has a maximum of 33 seats, 23 currently filled and a diversity count of Caucasian: 17 (74%), African-American: 3 (13%) and Hispanic: 3 (13%). The gender ratio (female:male) is: 9:14. The nominee is Caucasian male. Staff is addressing the need to increase diversity within our boards and will continue to encourage this to expand this Board’s diversity. Countywide (HH)

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

A. FIRE RESCUE

1. Staff recommends motion to adopt: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, repealing and replacing Section 12-57 of Chapter 12, Article IV, of the Palm Beach County Code (codifying Ordinance 2020-027); providing for incorporation of recitals and findings; providing that the updated Florida Fire Prevention Code shall be deemed adopted; providing for Local Amendments to the updated Florida Fire Prevention Code; providing for applicability; providing for repeal of laws in conflict; providing for a savings clause; providing for severability; providing for inclusion in the Code; and providing for an effective date. **SUMMARY:** Pursuant to Chapter 633, Florida Statutes, the State Fire Marshal has or will adopt an updated Florida Fire Prevention Code every three years, which establishes the statewide minimum firesafety code, with an anticipated effective date of December 31, 2023. This updated Florida Fire Prevention Code is based on updated Florida editions of the National Fire Protection Association’s Fire Code (NFPA 1) and Life Safety Code (NFPA 101). The proposed Palm Beach County Local Amendments to the updated Florida Fire Prevention Code are recommended by the County’s Fire Marshal and Fire Code Advisory Board. Both the proposed and existing Local Amendments established the scope and authority of the Bureau of Safety Services; requirements for life safety features and fire protection features within buildings; collection of fees for plan review and inspection services; and a Fire Code Board of Appeals and Adjustments. Countywide (RM)

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5. REGULAR AGENDA

A. AIRPORTS

1. Staff recommends motion to approve: Price Agreement with Rosenbauer Minnesota, LLC for the purchase and delivery of one (1) Rosenbauer Panther 6x6 High Reach Extendable Turret Aircraft Rescue and Fire Fighting (ARFF) vehicle in the amount of \$1,384,137 (Agreement) for use at Palm Beach International Airport (PBI). **SUMMARY:** Several of the vehicles utilized by Station 81, including ARFF vehicles, at PBI are nearing, or at the end of, their typical service life, resulting in increased maintenance costs and difficulty in sourcing replacement parts. The Department of Airports, in coordination with Palm Beach County Fire Rescue, has identified the need for the replacement of an existing ARFF vehicle. The first replacement ARFF vehicle of the same make and model was put in service in 2023. A plan is in place to replace vehicles that are beyond their typical service life over the next several years, which includes the purchase of a second ARFF vehicle. The procurement of the second ARFF vehicle is being processed through the Sourcewell piggy-back agreement for Firefighting Apparatus and Fire Service Vehicles awarded to Rosenbauer Minnesota, LLC, through Sourcewell Contract #113021-RSD. The Agreement adheres to Section 2-54f(5) of the Purchasing Code for Alternative Source Selection, which establishes the requirements for piggy-back purchases. As a result, the purchase is exempt from the Equal Business Opportunity Program as set forth in Sections 2-80.20-2-80.40 of the Palm Beach County Code. Pursuant to changes to Chapter 332, Florida Statutes, effective July 1, 2023, a governing body of a commercial service airport may not approve contracts in excess of \$1,000,000, on a consent agenda. This purchase exceeds the threshold amount and must be approved on the regular agenda. Countywide (AH)

5. REGULAR AGENDA

B. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida; approving the issuance of Housing Finance Authority of Palm Beach County, Florida, Multifamily Housing Revenue Bonds for Boynton Bay Apartments, by the Housing Finance Authority of Palm Beach County, Florida (the "Authority") in the principal amount of \$58,000,000 (the "Bonds"). **SUMMARY:** The Bonds are being issued by the Authority to finance a portion of the costs of acquiring, rehabilitating and equipping a multifamily rental housing facility for the elderly containing approximately 240 units known as Boynton Bay Apartments (the "Project"). The Project is located at 499 Boynton Bay Circle in the City of Boynton Beach, Florida. The Authority will require that the units be rented to qualified persons and families whose average household incomes do not exceed 60% of area median income (\$58,440 for a family of four for 2023) for a thirty (30) year affordability period. The Borrower is Boynton Bay Apartments, LLC, a Florida limited liability company, or an affiliate thereof (the "Borrower"), and the developer is Shag Boynton Bay Developer, LLC. The total project cost is \$126,660,734. The Bonds will be payable solely from revenues derived from the Borrower and/or other collateral provided by or on behalf of the Borrower. Bryant Miller Olive, P.A. is Bond Counsel to the Authority with respect to the Bonds. Raymond James & Associates, Inc. will be the underwriter or placement agent for the Bonds. The resolution of the Authority authorizing the issuance of the Bonds will include language substantially as follows: The County assumes no responsibility for monitoring compliance by the Borrower of applicable federal income tax, securities laws or other regulatory requirements. The Borrower understands and agrees that it is responsible for monitoring its compliance with all applicable federal income tax, federal securities law and other regulatory requirements, retaining adequate records of such compliance, and retaining qualified counsel to respond to or assist the Authority and the County in responding to any audit, examination or inquiry of the Internal Revenue Service, the Securities and Exchange Commission or other regulatory body. The Borrower assumes responsibility for monitoring compliance with applicable provisions of federal tax laws and U.S. Treasury Regulations relative to the Bonds, and shall retain adequate records of such compliance until at least three (3) years after the Bonds are retired. In the event of any audit, examination or investigation by the Internal Revenue Service with respect to the tax-exempt status of the Bonds or any other related tax matters, the Borrower shall be responsible for retaining qualified counsel to respond to such audit. **Neither the taxing power nor the faith and credit of the County nor any County funds are pledged to pay the principal, redemption premium, if any, or interest on the Bonds.** District 7 (HJF)

5. REGULAR AGENDA

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

2. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, approving the issuance of not exceeding \$100,000,000 Housing Finance Authority of Palm Beach County, Florida, Homeowner Revenue Bonds, Multiple Series (the "Bonds") within the meaning of Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"). **SUMMARY:** The Bonds are being issued by the Housing Finance Authority of Palm Beach County, Florida (the "Authority") to implement its Single Family Homeowner Revenue Bond Program (the "Program"), which Program is for the purpose of providing to qualified mortgagors mortgage financing for owner-occupied, single family residential housing facilities within the Authority's area of operation. The Authority intends to apply for unused volume cap private activity bond allocation ("PAB") from the Florida Division of Bond Finance on or before the deadline of December 29. Unused volume cap PAB is allocated by lottery. The Authority intends to request "carry-forward" allocation for whatever amount of PAB the Authority receives. The Authority will be able to use this carry-forward allocation after December 31, 2023 for either single family homeowner revenue bonds, single family mortgage credit certificates and/or multifamily housing revenue bonds. Single family homeowner revenue bonds have not been financially feasible for a number of years, but that may change given current market conditions. Eligible applicants may not exceed 140% area median income (\$98,300 for a family of four for 2023) and 90% of the average area purchase price. The affordability period will be established based on receipt of the bonds and the final approved use of the bonds (i.e. homeowner program or multifamily program). The Authority retains Bryant, Miller & Olive, P.A. and Greenberg Traurig, P.A. as its bond and disclosure counsel on a rotating basis. However, it has not yet been determined which of these firms will fill these roles in the event the Bonds are issued as set forth above. **Neither the taxing power nor the faith and credit of the County, nor any County funds, shall be pledged to pay principal or redemption premiums, if any, or interest on the Bonds. Countywide** (HJF)

5. REGULAR AGENDA

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

3. Staff recommends motion to:

- A) **approve** a State Housing Initiatives Partnership (SHIP) Program award of \$1,262,000 to Diverse Housing Services, Inc. (DHS), a Florida not-for-profit corporation;
- B) **direct** staff to negotiate the loan/grant agreement; and
- C) **authorize** the County Administrator, or designee, to execute the loan agreement, amendments thereto, and all other documents necessary for project implementation that do not substantially change the scope of work, terms, or conditions of the award.

SUMMARY: Amaryllis Gardens is a 44-unit affordable multifamily rental property located in Pahokee, Florida that was built in 1992 to provide affordable rental housing for domestic farm workers. The project was funded by the United States Department of Agriculture (USDA) Rural Development with loans, grants, and rental assistance. While originally built for domestic farm laborers under the USDA 514/516 Program, due to the diminished need for farm labor housing over some years, Amaryllis Gardens was granted waivers to the farm labor housing requirement and this exception was made permanent in December 2011. As the property has continued to age, USDA's priority for preservation funding has excluded the eligibility of projects on waivers. In June of 2020, ownership of the property was transferred to DHS, a Florida not-for-profit corporation established in 2019 for the purpose of providing, preserving, and developing affordable rural housing for very low, low, and moderate income families. DHS is requesting funding towards the renovation of 43 units to preserve this affordable multifamily development. Staff recommends a zero interest rate loan of \$1,262,000 to fund exterior repairs including roofing, windows, and exterior painting. The total rehabilitation cost of the project is \$2.47 million, and funding for the balance of project costs will be provided by the Housing Assistance Council (HAC). All housing units in the project will remain affordable to tenants with incomes no greater than 100% of Area Median Income for no less than 50 years. The funding agreement and related documents pursuant to these SHIP funds will be between the County and the entities identified herein or their respective successors and/or assigns. To facilitate project implementation, staff requests authorization for the County Administrator, or designee, to execute the loan agreements and related documents. **These are State SHIP Program grant funds which require no local match.** District 6 (HJF)

5. REGULAR AGENDA

C. WATER UTILITIES

1. Staff recommends motion to:

- A) **approve** Amendment No. 1 to the Contract for Green Cay Phase 2 Progressive Design-Build (Contract) with CDM Constructors Inc., (CDM) in the amount of \$89,634,894.55 for a Guaranteed Maximum Price (GMP) of \$99,220,507.16;
- B) **approve** an \$8,450,000 Budget Transfer in the Water Utilities Capital Improvement Fund from Building Improvements, Water Treatment Plants and Water Treatment Plant 11 to fully fund the project; and
- C) **authorize** the County Administrator, or her designee which in this case shall be the Director of Palm Beach County Water Utilities Department (PBCWUD), to issue Certificate of Entitlement(s) to vendor(s) for tax exempt County Furnished Materials.

5. REGULAR AGENDA

C. WATER UTILITIES (cont'd.)

1. **SUMMARY:** On September 14, 2021, the Board of County Commissioners approved the PBCWUD Contract (R2021-1248) with CDM. The Green Cay Phase 2 Project (Project) includes the design and construction of a new Water Purification Facility (WPF) located at the Southern Region Water Reclamation Facility (SRWRF) capable of treating two (2) million gallons per day (MGD) of purified water and expandable to four (4) MGD, a new state-of-the-art education/learning facility co-located with the WPF, a new sixty-three (63) acre public park with purified waterways located at the corner of Jog and Flavor Pict Roads, and two (2) new surficial aquifer production water wells and associated water transmission lines. CDM is near completion of the Phase 1 Pre-construction Services, which includes design, permitting, piloting, and Phase 2 competitive bidding under the Contract. The Amendment is for CDM to provide Phase 2 Construction Services including a GMP for the completion of design, engineering services during construction, construction of the Project, and warranty services. The Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On June 22, 2022, the Goal Setting Committee established the following Affirmative Procurement Initiatives (APIs) for Phase 2 Construction Services of the Project: (i) a minimum mandatory 20% SBE subcontracting goal of which 5% is for African American and/or Hispanic owned firm(s). At the time of establishing the APIs for Phase 2 Construction Services, Phase 1 Pre-construction Services of the Contract achieves 29.84% SBE participation, which includes 24.02% M/WBE participation, 11.29% MBE (B), 11.49% MBE (A), and 1.23% WBE. CDM's SBE mentor protégé has since graduated from the SBE program. Phase 2 Construction Services Amendment provides for 13.30% SBE participation, which includes 0.67% M/WBE participation, 0.13% MBE (B), 0.15% MBE (H), 0.33% MBE (A), 0.06% WBE. The cumulative SBE participation, including this Amendment is 14.83%, which includes 2.92% M/WBE, 1.20% MBE (B), 0.14% MBE (H), 1.40% MBE (A), and 1.23% WBE. A subcontracting waiver request was approved by the Office of Equal Business Opportunity. CDM is headquartered in Boston, Massachusetts, but maintains an office in Palm Beach County from which the majority of the work will be undertaken. The Project has overwhelming support from local, state, and federal agencies and successfully secured the following grant funding: \$5,000,000 from South Florida Water Management District Alternative Water Supply FY23 (AWS Grant), \$3,000,000 from Florida House of Representatives Appropriation FY23, and \$10,500,000 from American Rescue Plan Act (ARPA) Response Replacement. Due to timing issues, the GMP does not meet the requirements of the Davis-Bacon Act, which is a requirement of the AWS Grant. Complying with the Davis-Bacon Act may increase the GMP cost by an amount estimated to be \$2.25 million dollars or less. PBCWUD will negotiate in good faith with CDM to execute a future change order to ensure compliance with said grant provisions. The remaining project cost is included in the PBCWUD FY24 budget. **These are County ARPA Response Replacement funds that do not require a local match.** (PBCWUD Project No. 20-036) District 5 (MWJ)

5. REGULAR AGENDA

D. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve:

- A) an Agreement for Purchase and Sale of two (2) 1.30 acre parcels of vacant land located north of Indiantown Road and east of Bee Line Highway from Claudette Maloney, for \$40,300 plus closing, title insurance and recording costs estimated to be \$895;
- B) a Memorandum of Agreement with Claudette Maloney, to be recorded in the public records to provide notice of this Agreement;
- C) an Agreement for Purchase and Sale of a 1.10 acre parcel of vacant land located north of Indiantown Road and east of Bee Line Highway from Camille Y. Meikle, f/k/a Camille M. Chin and Camille Mekle Chin, and Damon S. Chin, for \$17,050 plus closing, title insurance and recording costs estimated to be \$545; and
- D) a Memorandum of Agreement with Camille Y. Meikle, f/k/a Camille M. Chin and Camille Mekle Chin, and Damon S. Chin, to be recorded in the public records to provide notice of this Agreement.

5. REGULAR AGENDA

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

1. **SUMMARY:** On November 2, 2021, the Board of County Commissioners (Board) approved a Fiscal Strategy for the spending of American Rescue Plan Act (ARPA) funds, which included an allocation of \$4,000,000 for the acquisition of environmentally sensitive lands. The parcels owned by Claudette Maloney (Maloney Parcels) and the parcel owned by Camille Y. Meikle f/k/a Camille M. Chin and Camille Mekle Chin and Damon S. Chin (Chin Parcel), are interior parcels located in an area known as Palm Beach Heights (part of the Pal-Mar Ecosite). The Pal-Mar Ecosite is part of a large ecological greenway that stretches from just west of the Atlantic Ocean to just east of Lake Okeechobee. The area provides habitat for a wide variety of native plants and animals and it is part of a hydrologically significant region that includes the headwaters of the federally designated Wild and Scenic Northwest Fork of the Loxahatchee River. Hence its value as environmentally sensitive land. Appraisals were obtained from Anderson & Carr, Inc. and M.R. Ford & Associates, Inc. who assigned a \$15,000 and \$16,000 per acre value for interior Palm Beach Heights parcels, respectively. Callaway & Price, Inc. reviewed the appraisals and concluded a reasonable aggregate value of \$15,500 per acre for interior Palm Beach Heights parcels, which is the basis of the offer. Both Agreements allow for the County's due diligence review of the parcels within 45 days of Board approval. The County will pay title insurance policy premium, closing and recording costs estimated to be \$895 for the Maloney Parcels and \$545 for the Chin Parcel. The Environmental Resources and Management (ERM) Department will perform pre-acquisition environmental assessments for the parcels prior to closing. Boundary surveys will not be obtained for the parcels due to the remote location. ERM will be responsible for the administration of the parcels. All costs related to the acquisitions will be paid from existing funds received from the ARPA Response Replacement Fund. **These are County ARPA Response Replacement funds that do not require a local match. These acquisitions must be approved by a supermajority vote (5 Commissioners).** (Property & Real Estate Management) District 1 (HJF)

5. REGULAR AGENDA

E. HUMAN RESOURCES

1. Staff recommends motion to adopt: Resolution of the Board of County Commissioners of Palm Beach County, Florida, amending Resolution No. R2010-0224 as amended by Resolution No. R2013-0324, as amended by Resolution No. R2013-1281, as amended by Resolution No. R2017-0218, as amended by Resolution No. R2017-1096, as amended by Resolution No. R2023-0458, amending staffing to include a total of four (4) County Commission Administrative Assistants for each District Commission Office or any adjustments as deemed appropriate. **SUMMARY:** Based on a request made of the Board on July 11, 2023, Commission staffing shall go from three (3) County Commission Administrative Assistants to four (4) County Commission Administrative Assistants or allocate positions as deemed appropriate. These positions were directed to be transferred from other County Departments, resulting in no additional fiscal impact at this time. Due to difficulty in filling positions, these positions have been vacant for approximately a year. These positions will be requested to be replaced as employment conditions improve. Countywide (DO)

5. REGULAR AGENDA

F. CRIMINAL JUSTICE COMMISSION

1. Staff Recommends Motion to receive and file:

- A) the 35-Year Historical Snapshot into the Criminal Justice Commission (CJC) as presented by 2023 CJC Chair Rev. Kevin Jones and Vice-Chair Dr. Rachel Docekal; and
- B) Evaluation report on the Efficacy of Pretrial Changes Intended to Reduce Jail Population through Pretrial Services' Supervision Unit presented by Dr. Jennifer Copp, Florida State University, School of Criminology and Criminal Justice.

SUMMARY: The year 2023 marks the CJC's 35-Year history serving as an advisory board to the Board of County Commissioners. Rev. Kevin Jones, 2023 CJC Chair and Dr. Rachel Docekal, 2023 Vice-Chair will make a brief presentation to the Board of County Commissioners on the major achievements of the CJC over its 35-Year history. Over the past eight (8) years, the CJC has participated in the Safety and Justice Challenge (SJC) project funded by the John D. and Catherine T. MacArthur Foundation. The primary focus of this project is public safety through effective jail reform and reducing racial and ethnic disparities within the criminal justice system. As part of this project, the CJC contracted with Florida State University (FSU), School of Criminology and Criminal Justice to conduct an evaluation on the effectiveness pretrial release supervision services in the county. Dr. Jennifer Copp, the lead researcher, will provide the summary findings of this evaluation. Countywide (HH)

5. REGULAR AGENDA

G. PALM TRAN

1. Staff recommends motion to approve:

- A) the first amendment to Contract No. F500651/LI (R2023-0536), an emergency contract for Palm Tran Connection Services Run Package A by and between Palm Beach County, and MV Transportation, Inc. (MV) extending the emergency contract end date to April 30, 2024; and increasing the not to exceed amount by \$12,057,718.47 for the provision of paratransit service;
- B) the first amendment to Contract No. F500652/LI (R2023-0535) an emergency contract for Paratransit Services - Dial-A-Ride/MOD - Glades Region by and between Palm Beach County, and MV Transportation, Inc. (MV), extending the emergency contract end date to April 30, 2024; and increasing the not to exceed amount by \$563,027 for the provision of paratransit service; and
- C) the first amendment to Contract No. F500651/LI (R2023-0537) an emergency contract for Palm Tran Connection Services Run Package B by and between Palm Beach County, and First Transit, Inc., (First Transit), extending the emergency contract end date to April 30, 2024; and increasing the not to exceed amount by \$7,783,442.06 for the provision of paratransit service.

SUMMARY: A new solicitation for paratransit services was advertised on July 25, 2023. The award of the new paratransit service contract has been delayed due to a protest to the recommended award. These amendments are intended to maintain life sustaining paratransit, and Go Glades services until a new contract can be awarded. Despite rising costs due to market conditions for operating and labor, these contract amendments maintain their pricing structure with no increase to the fixed and variable costs associated with providing paratransit transportation. A lapse in providing these contracted services would be detrimental to the interests, health, safety, and welfare of the County by reducing transportation services to vulnerable citizens. Palm Tran Connection provides approximately 744,000 trips a year to over 10,000 customers. Of these trips, 48% serve those with disabilities, 48% are older adults, and 4% of the trips are to lower income individuals. Go Glades provides approximately 115,500 trips per year to Glades residents and visitors. Countywide (MM)

5. REGULAR AGENDA

H. TOURIST DEVELOPMENT COUNCIL

1. Staff recommends motion to approve: an Agreement with the PGA TOUR, INC. (PGA), a company authorized to do business in the State of Florida, for the term December 19, 2023, through December 18, 2024, for the total budgeted amount of \$1,250,000. **SUMMARY:** Approval of this Agreement establishes the expenditure of \$1,250,000 in tourist development tax revenues for presenting sponsor rights, requiring “IN THE PALM BEACHES” to be included in the official tournament name, as follows: “[Title Sponsor Name] CLASSIC IN THE PALM BEACHES”. PGA has produced an annual Professional Golf Association Tournament featuring professional golfers with which PGA has agreements for participation at PGA National Resort in Palm Beach Gardens, Florida since 1972. The 2024 tournament will be played February 26, 2024 – March 3, 2024, at PGA National Resort. The Agreement provides for an initial payment of \$625,000 to be paid on or before February 26, 2024, and the remainder being paid on or before April 17, 2024. PGA will be responsible for all activities and services regarding the planning, organization, production, and operation of the tournament and shall be responsible for the full cost of such activities and services. As a Presenting Sponsor the County has a list of deliverables it will receive inclusive of vip status, brand identification, media presence, and activations hosted by the Tourist Development Council, Palm Beach County Sports Commission, Inc., and Discover the Palm Beaches, Inc. Countywide (YBH)

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DECEMBER 19, 2023

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

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DECEMBER 19, 2023

7. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

DECEMBER 19, 2023

8. COMMISSIONER COMMENTS

District 1 – COMMISSIONER MARIA G. MARINO

District 2 – COMMISSIONER GREGG K. WEISS

Requesting off-site approval Proclamation declaring January 2024 as Art and Nature Inspiring Conservation Month.

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

DECEMBER 19, 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."