

January 23, 2024
8:00 am

BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA

ADDITIONS, DELETIONS, & SUBSTITUTIONS

JANUARY 23, 2024

<u>PAGE</u>	<u>ITEM</u>	
14	3A1	* DELETED – staff pulled for further review (ADMIN)
32	3E9	* DELETED – staff pulled for further review (COMM SVCS)
86	3GG2	<p>*REVISED MOTION/TITLE (OEO) / Staff recommends motion to approve: Contracts for the Handicap Accessibility and Awareness Grant Program with the non-profit agencies listed below, as of the date of approval of the contract by the Palm Beach County Board of County Commissioners (BCC) through September 30, 2024, in the amount not to exceed <u>\$11,750</u> \$13,000:</p> <p>A) a Contract with CareerSource Palm Beach County, to provide funding to purchase assistive technology to increase access to their services to persons with disabilities to find and obtain employment, in an amount not to exceed \$6,500; and</p> <p>B) <u>a Contract with National Federation of the Blind of Florida, Inc., to provide funding to blind and visually impaired individuals to cover the costs of attending conferences or seminars to obtain access to information which would assist them in quality independent living, job training and technology information, in an amount not to exceed \$5,250</u> a Contract with Lighthouse for the Blind of the Palm Beaches, to provide funding to present sensitivity and public awareness programs to increase the public awareness as to the rights and abilities of persons with disabilities, in an amount not to exceed \$6,500.</p>
87	3HH1	* DELETED – staff pulled for further review (WATER TASK FORCE)

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**

JANUARY 23, 2024

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

**COMMISSION
CHAMBERS**

- 1. CALL TO ORDER**
 - A. Roll Call
 - B. Invocation
 - C. Pledge of Allegiance

- 2. AGENDA APPROVAL/SPECIAL PRESENTATIONS**
 - A. Additions, Deletions, Substitutions
 - B. Adoption

- 3. CONSENT AGENDA (Pages 14 - 87)**

- 4. SPECIAL PRESENTATIONS (Page 88)**

- 5. PUBLIC HEARINGS - 9:30 A.M. (Page 89)**

- 6. REGULAR AGENDA (Pages 90 - 99)**

- 7. BOARD APPOINTMENTS (Page 100 - 101)**

- 8. STAFF COMMENTS (Page 102)**

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- 10. MATTERS BY THE PUBLIC – 2:00 P.M. (Page 104)**

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B. CLERK & COMPTROLLER

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3B-1 Warrant list

3B-2 Minutes

3B-3 Contracts and claims settlements list

3B-4 Change orders, work task orders, minor contracts, final payments, etc.

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3C-4 Consultant Service Authorization No. 2 with Kimley-Horn and Associates, Inc. for the Torry Island Swing Bridge Repairs project.

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3C-5 Contract with Bergeron Land Development, Inc. for the construction of SW 18th Street and Boca Rio Road project, and approve a Budget Transfer.

3C-6 Consultant Service Authorization No. 1 with Scalar Consulting Group, Inc. for the East Ocean Avenue Bridge over Hypoluxo Island Lagoon project.

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3C-7 Sovereignty Submerged Lands Easement Renewal from Trustees of the Internal Improvement Trust Fund for the submerged lands under the Center Street bridges over Sims Creek and Jupiter Creek.

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3C-8 Resolution approving the 2022 Safe Streets and Roads for All Grant Program agreement with USDOT, approve an agreement with USDOT to reimburse the County to develop and complete the project, and adopt a Resolution delegating signatory authority to the County Administrator and/or designee.

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- 3C-10 Work Order 2021050-89 with Ranger Construction Industries, Inc. to mill and resurface SW 18th Street from Boca Raton to Military Trail.

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- 3C-11 Work Order 2021050-70 with Ranger Construction Industries, Inc. to mill and resurface the maintained residential streets within the Lakes at Boca Raton Subdivision.

D. COUNTY ATTORNEY

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- 3D-1 Settlement agreement in the personal injury case with Veronica Ramirez.

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- 3D-2 Settlement agreement in the personal injury case with Amber McMillian.

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- 3E-1 Notice of Award No. 6 from U.S. Department of Health and Human Services for carryover funds for Grant Year 2023 for Ending the HIV Epidemic, and Notice of Award No. 8 to authorize prior approval request for capital purchases.

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- 3E-2 Notice of Award No. 6 from U.S. Department of Health and Human Services to continue improving health outcomes for clients with HIV/AIDS, and approve a Budget Amendment.

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- 3E-4 Subrecipient agreements with several agencies in Emergency Solutions Grant Program funds.

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F. AIRPORTS

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3F-2 Public Transportation Grant agreement with FDOT for the Runway 4/22 Rehabilitation project at Palm Beach County Park Airport, and approve a Budget Amendment.

3F-3 Public Transportation Grant agreement with FDOT for Design & Construction new Taxiway Connector at Taxiway Charlie and Taxiway Mike at PBI, and approve a Budget Amendment.

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3F-6 Amendment No. 2 with Ricondo & Associates, Inc. for the continued performance of professional planning and design services related to the approved PBI Capital Improvement Program, and approve a Budget Transfer.

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3H-3 Request for an increase to the maximum cumulative value for the annual fire alarm repair and replacement contract.

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3I-3 Impact Fee Affordable Housing Assistance Program funding award, authorize Mayor, and approve several Budget Transfers.

J. PLANNING, ZONING & BUILDING

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- 3X-1 Grant Agreement for the Emergency Management Performance Grant to receive funding to improve and enhance emergency management plans and programs, and approve a Budget Amendment.
- 3X-2 Florida Department of Health Emergency Medical Services Program, Grants Section Change Request.

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- 3X-3 Resolution authorizing the County Administrator and/or designee to sign the annual Florida Department of Health Emergency Medical Services County Grant Application.
- 3X-4 First Amendment with the City of Riviera Beach to provide temporary medical staff to the disaster shelter.

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- 3X-5 Subcontract with the Florida Council Against Sexual Violence, approve the additional of one staff position, and approve a Budget Amendment.

CC. SHERIFF

Page 77

- 3CC-1 Accept a Subgrant Agreement from FDOT for the Palm Beach County Occupant Protection project, and approve a Budget Amendment.

Page 78

- 3CC-2 Accept a Department of Homeland Security FY2023 Targeted Violence and Terrorism Prevention Grant Program grant award, and approve a Budget Amendment.
- 3CC-3 Accept a Bureau of Justice Assistance State Criminal Alien Assistance Program FY2023 Grant, and approve a Budget Amendment.

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3CC-4 Grant Modification #2 with the Office of National Drug Control Policy to provide supplemental funds, and approve a Budget Amendment.

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3CC-5 Accept agreement with Palm Beach County Office of Community Revitalization for a neighborhood outreach project, approve a Budget Transfer, and approve a Budget Amendment.

DD. TOURIST DEVELOPMENT COUNCIL

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3DD-1 Two Category "G" Grant Agreements managed by the Palm Beach County Sports Commission, Inc. with Caribbean Baseball Organization, Inc. and with Boca Raton Champions Golf Charities, Inc.

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3DD-3 Several agreements for the Cultural Capital Fund Grant managed by the Tourist Development Council for capital improvement projects with several non-profit local agencies.

EE. MEDICAL EXAMINER

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3EE-1 Contract with AXIS Forensic Toxicology, Inc. to provide forensic toxicology testing.

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3FF-1 Audit report #2024-01 Environmental Resources Management-Contract Management, and the Audit Recommendation Follow-up Status Report.

GG. OFFICE EQUAL OPPORTUNITY

Page 86

3GG-1 Amendment No. 1 with the Legal Aid Society of Palm Beach County, Inc. for certain contract updates/add-ons.

3GG-2 Contracts with CareerSource Palm Beach County and Lighthouse for the Blind of the Palm Beaches to provide necessary funding for various services.

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HH. WATER RESOURCE TASK FORCE

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~~3HH-1 Approve The League of Cities board appointments, along with other seats.~~

SPECIAL PRESENTATIONS - 9:30 A.M.

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- 4A January 2024 Mentoring Month
- 4B January 25-26, 2024 as the 24-Hour Homeless Point-in-Time Count Day
- 4C Certificate of recognition Dr. Annette M. Gilbert
- 4D 75th Anniversary of Boca Raton Airport
- 4E 8th Annual Judy Levis Krug Boca Raton Jewish Film Festival Days
- 4F January 2024 as Florida Jewish History Month
- 4G Susan G Komen More Than Pink Walk Day
- 4H January 2024 Human Trafficking Prevention Month
- 4I 100th Anniversary of Jones Foster

PUBLIC HEARINGS – 9:30 A.M.

A. PALM TRAN

Page 89

5A-1 Resolution authorizing signing of FY2024-FY2025 Section 5310 Grant Application for the acquisition of replacement paratransit vehicles.

REGULAR AGENDA

A. AIRPORTS

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6A-1 Amendment No. 2 with AECOM Technical Services, Inc. for the continued performance of professional planning and design services related to the PBI Capital Improvement Program, and approve a Budget Transfer.

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6A-2 Term Contract for Maintenance of Airport Facilities and Systems with ERMCA Aviation LLC providing for improvements to the passenger boarding bridges and the purchase of a mobile loading bridge for use at PBI, and approve a Budget Transfer.

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6B-1 Contract with 34ED, LLC for the installation, implementation, and maintenance of an emergency notification system at various County buildings, with individual consultant service authorizations with Centegix.

Page 93

6B-2 Resolution authorizing conveyance of the County's interest lying within a 3' wide strip of land located north of Blue Heron Bridge, and approve a County Deed.

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6B-3 Amendment No. 2 with Kaufman Lynn Construction, Inc. establishing a Guaranteed Maximum Price for the Lake Lytal Aquatic Complex – Phase 2 Site Development project.

C. HOUSING AND ECONOMIC DEVELOPMENT

Page 96

6C-1 Community Development Block Grant Coronavirus allocation for the rehabilitation of the Senator Philip D. Lewis Homeless Resource Center.

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6C-2 Community Development Block Grant Coronavirus funding to Harper Court Housing LLC, and to direct staff to negotiate funding agreement, and to authorize County Administrator and/or designee.

Page 98

6C-3 Resolution endorsing and supporting the "Housing for All" Palm Beach County's Housing Action Plan.

Page 99

6C-4 Request direction of voter referendum for the Economic Development Ad Valorem Tax Exemption Program.

BOARD APPOINTMENTS

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7A-1 Appointment of one member to the Health Care District of Palm Beach County Board of Commissioners Board to complete an unexpired term.

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7B-1 COMMISSIONER DISTRICT BOARD APPOINTMENTS

JANUARY 23, 2024

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ADJOURNMENT (Page 105)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to ratify: the following Palm Beach County League of Cities (League) representatives to the Treasure Coast Regional Planning Council (TCRPC), beginning January 23, 2024 to December 31, 2024:

<u>Nominees</u>	<u>Seat No.</u>	<u>Representing</u>
<u>Regular appointments:</u>		
Anne Gerwig, Mayor	4	Village of Wellington
Jeff Hmara, Councilman	5	Village of Royal Palm Beach
Christopher McVoy, Vice Mayor	7	City of Lake Worth Beach
Chelsea Reed, Mayor	8	City of Palm Beach Gardens

<u>Alternate appointments:</u>		
Joseph Peduzzi, Commissioner	4A	City of West Palm Beach
Yvette Drucker, Councilmember	5A	City of Boca Raton
Deborah Searcy, Mayor	8A	Village of North Palm Beach

SUMMARY: TCRPC discusses local government comprehensive plans, developments of regional impact and other regional planning activities. In accordance with the TCRPC Rules of Order, the Board of County Commissioners (BCC) appointed its members and alternates for the coming year. The TCRPC Rules of Order also require the League to appoint municipal representatives and for the BCC to ratify them. The League appointed the above municipal representatives. There are currently three (3) seats that are vacant. 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:

<u>Meeting Date</u>	<u>Meeting Type</u>
October 24, 2023	Comp Plan & Zoning
November 21, 2023	Reorganization Final
November 21, 2023	Regular
November 28, 2023	Workshop
November 29, 2023	Zoning
December 5, 2023	Childcare Facilities
December 5, 2023	Regular

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

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** Consultant Service Authorization (CSA) No. 3 to the Intersection Improvements Annual Design Services Contract (R2023-0476) dated April 18, 2023 (Contract) with HSQ Group, LLC (HSQ) in the amount of \$246,769.09 for the Palmetto Park Road and Powerline Road Intersection Improvements (Project). **SUMMARY:** Approval of this CSA will provide the professional services necessary to design turn lane improvements for the Project. On January 5, 2022, the Goal Setting Committee applied Affirmative Procurement Initiatives of a 20% minimum mandatory Small Business Enterprise (SBE) participation and an SBE evaluation preference. HSQ agreed to 80% SBE participation for the Contract. They agreed to 100% SBE participation for this CSA. HSQ has an office located in Palm Beach County (County) and is a certified SBE company. District 4 (YBH)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to:

A) approve Work Order G-18 for a cost not to exceed \$501,623.16 to the annual traffic signal contract dated August 23, 2022 (R2022-0791) with Gerelco Traffic Controls, Inc. (Gerelco) to construct a mast arm traffic signal at the intersection of Weisman Way and Sansburys Way, Palm Beach County (County) Intersection ID Number 29862 (Project); and

B) approve a Budget Amendment of \$450,000 in the County Transport Trust to recognize reimbursement funding from Florida Auto Auction of Orlando, Inc. dba Manheim Palm Beach (Manheim) and appropriate it to the Project.

SUMMARY: Approval of this Work Order will allow Gerelco to construct the Project. Pursuant to Condition E.9 of Resolution R2009-0486, Manheim is required to fund the cost of a mast arm traffic signal if warranted. In 2018 County staff determined the signal is warranted and estimated the Project costs to be \$450,000. Manheim provided the County \$450,000. The Project was then delayed due to utility conflicts and an ongoing project at this location that is anticipated to be completed in early 2024. The current market prices for the related products and services to construct a mast arm traffic signal have increased since 2018. Upon completion of the Project, Manheim will be refunded any excess payment or be billed for any extra costs, depending on the actual Project cost. Per County PPM CW-F-050, this work order exceeds the threshold relating to staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners (BCC). Prior to this work order, \$2,223,980.19 of Gerelco's \$5,000,000 contract has been spent or encumbered. Gerelco has an office located in the County. On January 20, 2022, the Office of Equal Business Opportunity granted a waiver of the Affirmative Procurement Initiative based upon the determination that sufficient qualified Small/Minority/Women Business Enterprises providing the goods or services required by the contract are unavailable in the County to perform the specialized construction of traffic signals. On August 23, 2022, the BCC approved the annual traffic signal contract with Gerelco to provide for and install various signal components for traffic control devices. District 2 (YBH)

3. CONSENT AGENDA APPROVAL

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

3. Staff recommends motion to approve: a contract with M&M Asphalt Maintenance, Inc., D/B/A All County Paving (MAM) in the amount of \$494,755 with a contract time of 60 calendar days for the construction of Penn Park Neighborhood Resurfacing Federalized (Project). **SUMMARY:** Approval of this contract will authorize the construction services necessary to resurface the Palm Beach County (County) maintained neighborhood roads and provide minor improvements for the Project. Because this Project is funded by a federal Community Development Block Grant, the Equal Business Opportunity Ordinance is not applicable. Bids for the contract were received by the Engineering & Public Works Department (EPW) on August 8, 2023. The contract time for the Project is 60 calendar days. MAM was the lowest responsive bidder of four bidders. District 1 (YBH)

4. Staff recommends motion to approve: Consultant Service Authorization No. 2 (CSA) to the Annual Structural Engineering Services Contract (R2023-0263) dated March 14, 2023 (Contract) with Kimley-Horn and Associates, Inc. (KHA) in the amount of \$130,257.51 for the Torry Island Swing Bridge Repairs (Project). **SUMMARY:** Approval of this CSA will provide the professional services necessary for the design of bridge repair plans for the Project. The plans will address corroded steel members, missing rivets and cracked welds. On January 5, 2022, the Goal Setting Committee applied Affirmative Procurement Initiatives of a 20% minimum mandatory Small Business Enterprise (SBE) participation of which at least 5% must be Minority Business Enterprise participation for African American owned firms, and an SBE evaluation preference. KHA agreed to 40% SBE participation for the Contract. They agreed to 13.8% SBE participation for this CSA. KHA has an office located in Palm Beach County (County). District 6 (YBH)

3. CONSENT AGENDA APPROVAL

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

5. Staff recommends motion to:

A) approve a contract with Bergeron Land Development, Inc. (BLD) in the amount of \$3,446,623.54 with a contract time of 480 calendar days for the construction of SW 18th Street and Boca Rio Road (Project); and

B) approve a Budget Transfer of \$965,000 in the Road Impact Fee Zone 5 Fund from Reserves and appropriate it to the Project.

SUMMARY: Approval of this contract will authorize the construction services necessary to provide an additional southbound left turn lane and mast arm traffic signals for the Project. This Project cost is higher than the typical intersection improvement project. It includes structural items such as gravity walls, retaining walls, steel sheet piling and new mast arm signals, which accounts for over \$1,280,000 of the Project cost. Approval of the Budget Amendment will provide funding for the Project. On October 5, 2022, the Goal Setting Committee applied an Affirmative Procurement Initiative of a 15% minimum mandatory Small Business Enterprise (SBE) participation. BLD agreed to 25.2% SBE Participation for this contract. Bids for the contract were received by the Engineering & Public Works Department (EPW) on August 8, 2023. BLD was the lowest responsive bidder of four bidders. The contract time for the Project is 480 calendar days. BLD has an office located in Palm Beach County. **This Project is included in the Five-Year Road Program. District 5** (YBH)

6. Staff recommends motion to approve: Consultant Service Authorization (CSA) No. 1 to the Annual Structural Engineering Services Contract (R2023-0262) dated March 14, 2023 (Contract) with Scalar Consulting Group, Inc. (SCG) in the amount of \$444,494.48 for the East Ocean Avenue Bridge (CR-812) over Hypoluxo Island Lagoon (934347) (Project). **SUMMARY:** Approval of this CSA will provide the professional services necessary to prepare design plans for replacing the East Ocean Avenue bridge over the Hypoluxo Island Lagoon. A bridge inspection was conducted and the structural reviewer recommended replacement of the bridge due to structural cracks and substandard vertical clearance. On January 5, 2022 the Goal Setting Committee applied Affirmative Procurement Initiatives of a 20% minimum mandatory Small Business Enterprise (SBE) participation of which 5% must be Minority Business Enterprise for African American owned firms and an SBE evaluation preference. SCG agreed to 32% SBE participation for the Contract. They agreed to 12.42% SBE participation for this CSA. SCG has an office located in Palm Beach County (County) and is a certified SBE company. **This project includes infrastructure sales tax funding. District 4** (YBH)

3. CONSENT AGENDA APPROVAL

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

7. Staff recommends motion to approve: the Sovereignty Submerged Lands Easement Renewal (Easement Renewal) from the Trustees of the Internal Improvement Trust Fund (TIITF) of the State of Florida to Palm Beach County (County) for submerged lands under the Center Street bridges over Sims Creek and Jupiter Creek (Bridges). **SUMMARY:** Approval of this Easement Renewal from TIITF will extend the use of the 0.2733 acre of Jupiter Creek, and the 0.2058 acre of Sims Creek sovereignty submerged lands, located beneath the Bridges for a period of 50 years. The previous easement with TIITF was approved by the Board of County Commissioners (BCC) on September 21, 1993, recorded in Official Records Book 8164, page 1139, and expired on June 22, 2023. TIITF recently brought this Easement Renewal to our attention. The Easement Renewal contains a liability provision that deviates from what is approved in PPM CW-F-049, pursuant to which, Risk Management and the County Attorney's Office have reviewed the provision and advised the Engineering and Public Works Department (EPW) of the associated risks. The new provision includes liabilities that accrue to the subject parcels for improvements, assessments or taxes. Due to the business needs and benefits to be derived from the Easement Renewal, Risk Management and the County Attorney's Office have agreed to allow EPW to move the Easement Renewal forward for BCC approval. District 1 (YBH)

3. CONSENT AGENDA APPROVAL

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

8. Staff recommends motion to:

A) adopt a Resolution approving the 2022 Safe Streets and Roads for All (SS4A) Grant Program agreement (Agreement) with the United States Department of Transportation (USDOT) Federal Highway Administration (FHWA) for funding the development of the Palm Beach County (County) Safety Action Plan (Plan) and committing to fund the local share of project delivery;

B) approve the Agreement with the USDOT FHWA in which the FHWA will reimburse the County in the amount of \$639,200 to develop and complete the Plan within 24 months of the Agreement's effective date; and

C) adopt a Resolution delegating signatory authority to the County Administrator or Designee on additional forms, certifications, contracts/agreements, amendments and any other necessary documents related to the Agreement, which documents do not substantially change the scope of work, terms, or conditions of the Agreement.

SUMMARY: Approval of this Agreement and delegation of authority will allow the County to receive a federally funded grant in the amount of \$639,200 for the Plan to enhance the safety of the transportation network. The Plan will identify strategies and improvement projects in the County that would be eligible for additional SS4A grant funds in the future for the Plan's implementation. The County estimated \$799,200 to develop and complete the Plan and agrees to finance the non-Federal share of \$160,000. This amount was anticipated and is included in the current budget. The FHWA will reimburse the County \$639,200 for completing the Plan. The Agreement, delegation of authority, and budget amendment were originally approved by the Board of County Commissioners (BCC) on October 17, 2023 (R2023-1524 and R2023-1523). However, the project funding allocation was identified to be itemized incorrectly, and the USDOT FHWA requested the Agreement to be corrected and re-signed by the County prior to USDOT FHWA executing the Agreement, which will supersede and replace the previously approved Agreement. Countywide (YBH)

3. CONSENT AGENDA APPROVAL

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

9. Staff recommends motion to receive and file: a fully executed Adopt-A-Road Agreement with Royal Palm Beach Rotary Club, Inc. (Group) for litter removal on Okeechobee Boulevard from Ponce De Leon Street to State Road 7 (SR7). **SUMMARY:** In accordance with Countywide PPM CW-O-051, all delegated contracts, agreements, and grants must be submitted by the initiating Department as a receive and file agenda item. This agreement was executed by the County Engineer on October 19, 2023, per Resolution R2021-0852. The Adopt-A-Road Program allows the Group to perform litter removal along the Palm Beach County (County) maintained road rights-of-way. The Group is expected to conduct litter removal activities at least four times a year. The County provides recognition signs for the Group at the beginning and end of its adopted road segment and picks up the litter bags. The Group must pay a fee to offset the County's costs to install the signs and remove the collected litter bags. The fee is waived for non-profit groups. District 6 (YBH)

10. Staff recommends motion to approve: Work Order 2021050-69 in the amount of \$1,031,000 to mill and resurface SW 18th Street from Boca Rio Road to Military Trail utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2021-0984 (Contract) with Ranger Construction Industries, Inc. (Ranger). **SUMMARY:** Per County PPM CW-F-050, this work order exceeds the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners (BCC). Approval of this work order will allow the contractual services necessary to construct the improvements. Prior to this meeting date, approximately \$21 million of the \$50 million Contract that was approved on August 17, 2021, by the BCC, has been spent or encumbered. This Contract is one of three contracts with an available cumulative total of \$50 million for the annual asphalt milling and resurfacing program. The Affirmative Procurement Initiative selected for this Contract on September 16, 2020 by the Goal Setting Committee is a 15% minimum mandatory Small Business Enterprise (SBE) participation. Ranger agreed to 15% SBE participation for the Contract and 13.52% for this work order. Their cumulative SBE participation, including this work order is 13%. **This project is included in the infrastructure sales tax.** District 4 (YBH)

3. CONSENT AGENDA APPROVAL

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

11. Staff recommends motion to approve: Work Order 2021050-70 in the amount of \$725,000 to mill and resurface the Palm Beach County (County) maintained residential streets within the Lakes at Boca Raton Subdivision utilizing the County's annual milling and resurfacing contract R2021-0984 (Contract) with Ranger Construction Industries, Inc. (Ranger). **SUMMARY:** Per County PPM CW-F-050, this work order exceeds the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners (BCC). Approval of this work order will allow the contractual services necessary to construct the improvements. Prior to this meeting date, approximately \$21 million of the \$50 million Contract that was approved on August 17, 2021, by the BCC, has been spent or encumbered. This Contract is one of three contracts with an available cumulative total of \$50 million for the annual asphalt milling and resurfacing program. The Affirmative Procurement Initiative selected for this Contract on September 16, 2020 by the Goal Setting Committee is a 15% minimum mandatory Small Business Enterprise (SBE) participation. Ranger agreed to 15% SBE participation for the Contract and 15.18% for this work order. Their cumulative SBE participation, including this work order is 13%. **This project is included in the infrastructure sales tax. District 5 (YBH)**

D. COUNTY ATTORNEY

1. Staff recommends motion to approve: a Settlement Agreement, inclusive of attorney's fees and costs, in the total amount of \$100,000 in the personal injury action styled VERONICA RAMIREZ V. PALM BEACH COUNTY, CASE NO. 502020CA0006980XXXMB AH. **SUMMARY:** This is a personal injury lawsuit arising from a motor vehicle accident that occurred on Lantana Road in Atlantis. While approaching the intersection with Congress Avenue, Plaintiff Veronica Ramirez's Mazda sedan was struck from behind by a County owned Ford F-350 driven by an Environmental Resources Management employee. This accident resulted in personal injuries to Ms. Ramirez and medical bills in excess of \$200,000. Palm Beach County has entered into an agreement to settle the lawsuit with Ms. Ramirez in the total amount of \$100,000, inclusive of attorney's fees and costs, pending approval by the Palm Beach County Board of County Commissioners. Countywide (TSB).

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY (cont'd.)

2. Staff recommends motion to approve: a Settlement Agreement, inclusive of attorney's fees and costs, in the total amount of \$120,000 in the personal injury action styled AMBER MCMILLIAN v. PALM BEACH COUNTY, CASE No. 502018CA009991XXXXMBAG. **Summary:** This is a personal injury lawsuit for damages arising from an automobile incident that occurred on November 11, 2016 at N.E. First Street and Railroad Avenue in Delray Beach, Florida. Plaintiff, Amber McMillian, was a passenger on a Palm Tran bus when the bus came to a sudden stop causing her to be propelled out of her seat. This incident resulted in permanent injuries to Plaintiff. Plaintiff has incurred \$205,331.22 in medical bills. Palm Beach County has entered into an agreement to settle the lawsuit with Mrs. McMillian in the total amount of \$120,000, inclusive of attorney's fees and costs, pending approval by the Pam Beach County Board of County Commissioners. Countywide (AMC)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to receive and file:

A) a Notice of Award (NOA) No. 6 UT8HA33954-04-06 from the U.S Department of Health and Human Services (HHS), for the budget period March 1, 2023 through February 29, 2024, for carryover funds in the amount of \$1,707,570 for Grant Year (GY) 2023, for a total grant award amount of \$5,738,461, for the project period March 1, 2020 through February 28, 2025, for Ending the HIV Epidemic (EHE): A Plan for America federal grant program focused on reducing new HIV infection in the United States by 90% by 2030; and

B) a NOA No.6 UT8HA33954-04-05 from HHS, for the budget period March 1, 2023 through February 29, 2024, to authorize prior approval request of capital purchases for the project period March 1, 2020 through February 28, 2025, with no change to the overall award amount of \$5,738,461, for EHE: A Plan for America federal grant program focused on reducing new HIV infection in the United States by 90% by 2030.

SUMMARY: On December 17, 2019, the Board of County Commissioners ratified the Mayor's signature on the EHE: A Plan for America federal grant application (R2019-1875). The EHE grant focuses on reducing HIV infections by 90% in the United States by the year 2030 by providing Rapid Entry to Care (REC) services. On October 11, 2023, HHS issued EHE GY 2021 carryover funding. Carryover amounts vary from year to year based on funds that were left over from the prior grant year. This NOA authorizes the carryover of an unobligated balance in the amount of \$1,707,570 from the budget period March 1, 2021 through February 28, 2022 into the current budget period. In GY 2022, the total number of clients served was 380 Palm Beach County residents with HIV across all programs and initiatives. Under this grant, the program will serve approximately 300 Palm Beach County residents with HIV and advance our goal to end HIV by 2030. **These are federal grant funds, no County match is required.** (Ryan White Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

2. Staff recommends motion to:

A) receive and file a Notice of Award (NOA) No. 6 H89HA00034-30-04 from the U.S Department of Health and Human Services (HHS), dated October 18, 2023, for the budget period March 1, 2023 through February 29, 2024, for carryover funding in unobligated funds in the amount of \$420,692, for the project period March 1, 2022 through February 28, 2025, for new and existing programs to continue improving health outcomes for clients with HIV/AIDS; and

B) approve an upward Budget Amendment in the amount of \$420,692 in the Ryan White Care Program fund to align the budget to the actual grant award.

SUMMARY: On November 21, 2023, the Board of County Commissioners (BCC) approved the Grant Year (GY) 2024 Ryan White Part A HIV Emergency Relief Grant Program Application (R2023-1677). The grant allows the Community Services Department (CSD) to continue providing needed medical and support services to Palm Beach County residents living with HIV/AIDS. Some of the services provided under the grant are medical case management, medical care, pharmaceutical assistance, oral health care, legal support services, outpatient ambulatory services, health insurance premium assistance and food bank home delivered meals. On October 18, 2023, HHS issued carryover funding from the prior grant year to the current grant year in the amount of \$420,692. The total grant award for GY 2023 including this NOA is \$7,981,771. In GY 2022, the total number of clients served was 2,853 Palm Beach County residents with HIV across all programs and initiatives. Under this grant, the program will serve approximately 3,600 Palm Beach County residents with HIV and advance our goal to end HIV by 2030. These are Ryan White Part A grant funds, which require no local match. **No County match is required.** (Ryan White Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

3. Staff recommends motion to ratify: the signature of the Mayor on the Phase 41 Emergency Food and Shelter Program (EFSP) Grant Application, for a period to be determined upon receipt of funding, in the amount of \$100,000, for the provision of rental and mortgage assistance to individuals and families in need. **SUMMARY:** The Emergency Food and Shelter National Board Program is a restricted federal grant that provides EFSP funds. The United Way of Palm Beach County, Inc. (United Way) administers the award locally. The Palm Beach County Community Services Department has a long history with United Way and EFSP. The Division of Human Services and Community Action Program (HSCAP) has received EFSP funding for the past 29 years. HSCAP will target families with children, individual households, the elderly, and residents who are facing eviction or may be experiencing a financial crisis. Payment assistance may also be provided to the at-risk and homeless population to allow those persons the opportunity to be rapidly rehoused from the streets or emergency shelters. In FY 2022, under the EFSP Phase 39 grant, was awarded \$175,000 in EFSP funds, and 26 unduplicated households were served with rental/mortgage assistance. In FY 2022, under the American Rescue Plan Act of 2021 – Regular (ARPA-R), 96 unduplicated households were served rental/mortgage assistance. HSCAP is applying for funds in the amount of \$100,000 to provide rental and mortgage assistance to approximately 50 households. **EFSP funds are non-recurring funds and no County match is required.** The emergency signature process was utilized because there was not sufficient time to submit the grant application through the regular BCC agenda process. (Division of Human Services and Community Action Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

4. Staff recommends motion to approve: Subrecipient Agreements with the below-listed agencies, for the period October 1, 2023 through September 30, 2024, in an amount totaling \$382,817 in Emergency Solutions Grant (ESG) Program funds:
- A) Adopt-A-Family of the Palm Beaches, Inc. (AAF), in an amount not-to-exceed \$181,127, to provide rapid-rehousing services to families experiencing homelessness;
 - B) Aid to Victims of Domestic Abuse, Inc. (AVDA), in an amount not-to-exceed \$150,000, to provide emergency shelter to individuals fleeing domestic violence;
 - C) The Children's Home Society of Florida (CHS), in an amount not-to exceed \$25,845, to provide emergency shelter to youth ages 15 to 17 years old who meet the HUD definition of homelessness; and
 - D) YWCA of Palm Beach County, Inc. (YWCA), in an amount not-to-exceed \$25,845, to provide emergency shelter to individuals fleeing domestic violence.

SUMMARY: On July 11, 2023, the Board of County Commissioners (BCC) approved the Palm Beach County Action Plan for Fiscal Year 2023-2024, which allocated \$452,817 in ESG Program funds for nonprofit agencies to assist people experiencing homelessness, or are at risk of homelessness, including those fleeing domestic violence. These agreements will fund homeless services, including the operation and maintenance of emergency shelters, and financial assistance to rapidly rehouse families. Activities include case management, rental assistance, food, maintenance, utility assistance, security, equipment, insurance, and supplies for emergency shelters. In FY 2023, AAF received \$183,762 and served 31 family households and expended 100% of its ESG award. Under this new agreement, AAF is estimated to serve 20 family households in its rapid rehousing program. In FY 2023, AVDA received \$135,000 and served 210 individual and family households, and expended 100% of its ESG award. Under this new agreement, AVDA is expected to serve 70 individual and family households at its emergency shelters. This is CHS's first year providing emergency shelter services for the ESG program. Under this new agreement, CHS is estimated to serve 15 youth ages 15-17 years old in its emergency shelter program. In FY 2023, YWCA received \$40,642 and served 402 individual and family households, and expended 100% of its ESG award. Under this new agreement, YWCA is expected to serve 120 individual and family households at its emergency shelter. The reduction in the estimated number of clients served under the new agreements is due to the increase of cost per client from FY 2021 to FY 2024. These federal ESG funds require a matching contribution, which will be provided by the funded agencies. **No County funding is required.** (Division of Human Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

5. Staff recommends motion to approve: the Fifth Amendment to the Services and Activity Management Information System (SAMIS) Collaborative Agreement with the Florida Alliance of Children's Councils and Trusts, Inc. (FACCT), for the period October 1, 2023 through September 30, 2028, in an amount not-to-exceed \$32,000, for the utilization of the SAMIS database. **SUMMARY:** The Community Services Department (CSD) has utilized the SAMIS since 2010 as a local funding partner through the Children's Services Council of Palm Beach County's (CSCPBC) membership in the Statewide SAMIS Management Committee (SMC) to manage contracts with nonprofit agencies. The SMC consisted of various Children's Services Councils and other governmental entities across Florida to share in the cost of the system. CSD remitted payment to CSCPBC for their use of SAMIS. In 2021, the SMC executed a new SAMIS Collaborative Agreement to manage the SAMIS system. CSD was able to maintain access to the SAMIS system through an MOU with CSCPBC through December 31, 2023, but the SAMIS collaborative agreement was amended to name FACCT as fiscal agent, requiring payment from participating agencies to be remitted to FACCT. In order to continue using SAMIS, CSD is entering into this agreement to be a full collaborative partner with voting rights. Although this is the fifth amendment to the agreement, CSD was not a party to the original agreement, nor the first four (4) amendments. In FY 2023, CSD managed agreements with nonprofit agencies for 128 unique programs totaling \$47,241,755. SAMIS allows for streamlined, paperless invoice processing as well as contract creation and monitoring. Both Public Safety and Youth Services Departments utilize SAMIS and share in the costs. (Community Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

6. [Staff recommends motion to approve:](#) the appointments of four (4) new members to the Veteran Services Advisory Board (VSAB), effective January 23, 2024:

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Term Expires</u>	<u>Nominated By</u>
8	Raul Leon	Public Safety Representative	09/30/2025	Vice Mayor Marino Comm. Weiss Comm. Woodward Comm. Bernard
9	John Schrey	At-Large Representative	09/30/2025	Vice Mayor Marino Comm. Weiss Comm. Woodward Comm. Bernard
10	Thomas Turkin	At-Large Representative	09/30/2024	Vice Mayor Marino Comm. Woodward Comm. Baxter Comm. Bernard
11	Henry Angulo	At-Large Representative	09/30/2024	Vice Mayor Marino Comm. Weiss Comm. Woodward Comm. Bernard

SUMMARY: The VSAB shall advise the Board of County Commissioners (BCC) on needs of local Veterans while increasing the coordination and interactions between organizations, agencies, and institutions whose mission it is to assist Veterans and their families in Palm Beach County. On August 22, 2023, the BCC established the VSAB. Per Resolution No. R2023-1162, the total membership for the VSAB shall be no more than 11 at-large members, comprised of public sector and private sector members. Membership shall be representative of the racial, ethnic and geographic diversity of Palm Beach County (PBC). Members must have knowledge of at least one (1) component of the support services available to assist Veterans and their dependents. The BCC was requested to provide nominations on December 6, 2023. The nominees meet all applicable guidelines and requirements outlined in the resolution. Mr. Leon is an employee of Palm Beach County. Pursuant to Resolution No. R2023-1162, the VSAB member representing an organization that provides Public Safety services may be an employee of Palm Beach County. Mr. Leon and Mr. Angulo are Hispanic-American. Mr. Schrey and Mr. Turkin are Caucasian. Currently the diversity count is: Caucasians: 6 (55%) and African-American: 1 (9%). The gender ratio (female:male) is 2:5. Staff is addressing the need to increase diversity on the board and will continue to encourage this Board’s diversity. (Division of Senior and Veteran Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

7. Staff recommends motion to approve:

- A) the U.S. Department of Housing and Urban Development (HUD) FY 2022 Continuum of Care Program Grant Agreement No. FL0991L4D052200, for the period December 1, 2023 through November 30, 2024, in an amount not-to-exceed \$482,117, to provide rapid-rehousing and supportive services in conjunction with the City of West Palm Beach (City), to provide housing with 22 beds for chronic, unsheltered and medically fragile homeless individuals; and
- B) a Budget Amendment in the amount of \$482,117 in the HUD Fund to recognize the grant award.

SUMMARY: The Pathways to Independence Program (PIP) will be operated by the City in conjunction with the Palm Beach County Division of Human Services and Community Action Program (HSCAP). Under PIP, 22 beds for chronic, unsheltered and medical fragile homeless individuals will be provided through a Rapid-Rehousing, Housing First Program. The goal of the program is to secure housing for 22 individuals using a shared housing and independent housing model. Individuals will be identified based on the partnerships with the Street Outreach Teams. The City will serve as the subcontractor and will be responsible for providing all direct services. There is a 25% match required. This match will be provided by the City in the amount of \$120,530. HSCAP will receive the funds as the Lead Entity for the Palm Beach County Homeless Continuum of Care pursuant to 420.624 (6), Florida Statutes. The Catalog of Federal Domestic Assistance Number is 14.267. (Human Services and Community Action Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

8. Staff recommends motion to approve: the Florida Power & Light Company (FPL) Care To Share Program Agreement, for the five (5) year period January 1, 2024 through December 31, 2028, for an amount to be determined by FPL, to prevent loss of power for residents of Palm Beach County. **SUMMARY:** The FPL Care To Share Program Agreement enables the Department of Community Services to provide utility assistance to households at risk of having their power disconnected. The Division of Human Services and Community Action Program (HSCAP) has been administering the FPL Care To Share program in Palm Beach County since July 1, 2006. The program is designed to provide emergency assistance funds to customers who are in a crisis situation and unable to pay their electric bill. Since HSCAP has administered the program, FPL Care To Share has provided \$1,621,297 (through November 2023) to assist households in Palm Beach County. The program assists over 100 households per year, with 1,950 households assisted since inception. Voluntary contributions from FPL customers, along with corporate contributions fund the FPL Care To Share program. A standard upper limit payment of \$750 per participant per grant year is provided. **No County match is required.** (Division of Human Services and Community Action Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

9. ~~Staff recommends motion to:~~

~~A) ratify the signature of the Mayor on Modification No. 2 of the Federally Funded Subgrant Agreement No. E2016 dated August 16, 2023 with the Florida Department of Commerce (FDOC) formerly known as Florida Department of Economic Opportunity (DEO) for the Period July 1, 2023 to June 30, 2024 to provide economic mobility and economic stability services to low-income households;~~

~~B) receive and file the following Notice of Grant Award/Fund Availability (NFA) as follows:~~

- ~~1. NFA (Federal Award Identification Number (FAIN) G-2102FLLWC6, Catalog of Federal Domestic Assistance (CFDA) 93.499) dated June 30, 2023 from FDOC, for PY21 allocation, in an amount not to exceed \$433,549 for the program period July 1, 2023 through September 30, 2023, for the Low-Income Household Water Assistance Program- (LIHWAP);~~
- ~~2. NFA #042976 (FAIN G2302FLLIEE, CFDA 93.568) dated September 12, 2023 from the State of Florida, Florida Department of Commerce (FDOC), for its Program Year 2023 (PY23) allocation, in the amount not to exceed \$4,804,793 for the program period July 1, 2023 through September 30, 2024, for the Low-Income Home Energy Assistance Program (LIHEAP);~~
- ~~3. NFA #042948 (FAIN G2302FLLIEA, CFDA 93.568) dated September 12, 2023 from FDOC, for PY23 allocation, in the amount not to exceed \$3,452,994 for the program period July 1, 2023 through September 30, 2024, for LIHEAP;~~
- ~~4. NFA #043005 (FAIN G2302FLLIEI, CFDA 93.568) dated September 12, 2023 from FDOC, for PY23 allocation, in the amount not to exceed \$262,428 for the program period July 1, 2023 through September 30, 2024, for LIHEAP;~~
- ~~5. NFA #042658 (FAIN G-2202DLLIW, CFDA 93.568) dated October 5, 2023 from FDOC, for PY22 allocation, in an amount not to exceed \$4,697,292 for the program period July 1, 2023 through June 30, 2024, for LIHEAP;~~
- ~~6. NFA #042716 (FAIN G-2203FLOSRR, CFDA 93.569) dated November 27, 2023 from FDOC, for PY22 allocation, in an amount not to exceed \$1,192,923 for the program period July 1, 2023 through June 30, 2024, for the Community Services Block Grant (CSBG) program;~~
- ~~7. NFA (FAIN G-2102FLLWC6, CFDA 93.499) dated November 27, 2023; and December 7, 2023 from FDOC, to extend the end date from September 30 2023 to February 29, 2024, and increase amount by \$126,519.38 for PY21 allocation, in an amount not to exceed \$560,068.38 for LIHWAP; and~~

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

9. ~~C) approve a Budget Amendment in the amount of \$8,562,676 in the LIHEAP fund to align the budget to the actual grant award; and~~

~~D) approve a Budget Amendment in the amount of \$97,925 in the CSBG fund to align the budget to the actual grant award.~~

~~**SUMMARY:** On June 15, 2021, the Board of County Commissioners (BCC) ratified the Mayor's signature on the Federally Funded Subgrant Umbrella Agreement #E2016 (R2021-0783) with the FDOC, for the period October 1, 2020 through September 30, 2023, for the LIHEAP, LIHWAP and CSBG programs. This agreement was amended on August 16, 2023, to update the effective date to July 1, 2023 and extend the end date to June 30, 2024, and change the name of the Florida Department of Economic Opportunity to Florida Department of Commerce. Under the terms of the new umbrella agreement, FDOC will issue an NFA for each program award, and issue amendments to NFA's for any changes. These NFAs were issued to add or increase funding. Electric and water bill assistance will be provided to approximately 13,250 low-income individuals and 5,300 families. In Federal Fiscal Year (FFY) 2022, 7,738 households obtained electric bill assistance. **No County match is required.** (Community Action Program) Countywide (HH)~~

F. AIRPORTS

1. Staff recommends motion to receive and file: Four (4) Consent to Sublease (Consent) documents, consenting to the sublease of space by Jet Aviation, Ltd. (JET), at the Palm Beach International Airport (PBI), with the following subtenants:

1. Great Flight, effective as of September 1, 2023;
2. JetEast, effective as of October 1, 2023;
3. Ohio Resources LLC, effective as of August 1, 2023; and
4. Rugby Transit, LLC, effective as of August 1, 2023.

SUMMARY: JET provides fixed based operator services for general aviation aircraft at PBI pursuant to a Lease Agreement dated November 23, 1999 (R99-2239, 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)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

2. Staff recommends motion to:

A) receive and file a Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation (FDOT) in the amount of \$2,800,000 for the Runway 4/22 Rehabilitation at Palm Beach County Park Airport (LNA). Delegation of authority for execution of this PTGA was approved by the BCC on August 25, 2020 (R2020-1017). This PTGA is effective as of November 29, 2023 with an expiration date of December 31, 2026; and

B) approve Budget Amendment of \$2,800,000 in the Airport's Improvement and Development Fund to recognize the receipt of a grant from the FOOT and including a transfer from Reserves in the amount of \$700,000. Total project costs are \$3,500,000.

SUMMARY: The FDOT has issued a PTGA (CSFA No. 55.004) reflecting their commitment of funding to the above referenced project in the amount of \$2,800,000 or 80% of the eligible project costs, whichever is less for the Design & Construct Runway 4/22 Rehabilitation at LNA. This PTGA will provide funding to construct Runway 4/22 Pavement Rehabilitation at LNA. **The required local match for this PTGA is \$700,000.** Countywide (AH)

3. Staff recommends motion to:

A) receive and file a Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation (FDOT) in the amount of \$147,500 for Design & Construct New Taxiway Connector at Taxiway Charlie and Taxiway Mike at Palm Beach International Airport (PBI). Delegation of authority for execution of this PTGA was approved by the BCC on August 25, 2020 (R2020-1017). This PTGA is effective as of December 4, 2023 with an expiration date of December 31, 2026; and

B) approve Budget Amendment of \$147,500 in the Airport's Improvement and Development Fund to recognize the receipt of a grant from the FDOT and including a transfer to Reserves in the amount of \$500. Total project costs are \$295,000.

SUMMARY: The FDOT has issued a PTGA (CSFA No. 55.004) reflecting their commitment of funding to the above referenced project in the amount of \$147,500 or 50% of the eligible project costs, whichever is less to Design & Construct New Taxiway Connector at Taxiway Charlie and Taxiway Mike at PBI. This grant will be used to design the new taxiway connector and future amendments to the grant will provide additional funding for construction. **The required local match for this PTGA is \$147,500.** Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

4. Staff recommends motion to approve:

- A) Change Order No. 1 to Amendment No. 9 (Change Order) 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 \$735,433.53 for Work Order MC 16: Terminal Roof Improvements at Palm Beach International Airport (PBI); and
- B) a Budget Transfer of \$735,434 in the Airport's Improvement and Development Fund to provide budget for the project; including a transfer from Reserves in the amount of \$735,434.

SUMMARY: Amendment No. 9 for Work Order MC 16: Terminal Roof Improvements at PBI (Work Order MC 16) in the amount of \$8,422,400 and 459 Calendar Days was approved by the Board on February 7, 2023 (R2023-0214). The PBI terminal has been experiencing water intrusion from various sources. Work Order MC 16 includes replacement of the existing terminal roof membrane and portions of existing concrete composite roof deck with a new roof system; replacement of the expansion joints; and modifications to the existing mechanical and electrical equipment impacted by the roof replacement. MGI discovered additional sources of water intrusion and damage to roof-top cooling tower supports during construction. Work included in this Change Order includes installation of a moisture barrier on the third level of the terminal and replacement of damaged ductwork; reconstruction of a concrete curb around an expansion joint between the short-term parking garage and terminal roof; and repairs to the supports for the roof-top cooling towers. A Disadvantaged Business Enterprise (DBE) goal of 12% was established for this Contract. The DBE participation for this Change Order is 2.9%. The current DBE participation for Work Order MC 16 is 12.4%. The anticipated DBE participation for the Contract to date is 18%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

5. Staff recommends motion to approve:

- A) Amendment No. 3 to the General Consulting Agreement (Consulting Agreement) with AVCON, Inc. (AVCON) for Consulting/Professional Services in the amount of \$156,049.37 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 \$156,050 in the Airport's Improvement and Development Fund to provide budget for the project; including a transfer from Reserves in the amount of \$156,050.

SUMMARY: The Consulting Agreement with AVCON for general airport planning and design consulting services was approved by the Board on September 13, 2022 (R2022-1029) in the amount of \$796,697.19 in order to carry out the approved Capital Improvement Program for the County's Airport System. Amendment No. 1 was approved by the Board on October 3, 2023 (R2023-1441), increasing the Consulting Agreement by \$449,162.38. Amendment No. 2 was approved by the Board on December 19, 2023, increasing the Consulting Agreement by an additional \$326,772.90. Approval of Amendment No. 3 will provide an additional \$156,049.37 to complete the annual Stormwater Pollution Prevention Plan updates for County-owned airports. AVCON is an Orlando, Florida based firm; however, the majority of the work will be completed through its Boca Raton, Florida office. On September 1, 2021, the Goal Setting Committee established a mandatory SBE goal of 20% and an M/WBE Evaluation Preference up to 15% as the Affirmative Procurement Initiatives for this Consulting Agreement. AVCON is a State of Florida certified MBE firm and has committed to 37.75% SBE participation for this Consulting Agreement. The anticipated SBE participation for the Consulting Agreement, including Amendment No. 3, is 54.6%. The SBE participation for Amendment No. 3 is 84.85%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

6. Staff recommends motion to approve:

- A) Amendment No. 2 to the General Consulting Agreement (Consulting Agreement) with Ricondo & Associates, Inc. (Ricondo) in the amount of \$453,243 for the continued performance of Airport General Consulting Services related to the approved Palm Beach County Airports Capital Improvement Program; and
- B) a Budget Transfer in the amount of \$453,243 in the Airport's Improvement and Development Fund to provide budget for the project contract, including a transfer from Reserves of \$453,243.

SUMMARY: The Consulting Agreement (R2022-0888) with Ricondo for general airport planning services was approved on August 20, 2022, in the amount of \$2,021,165 in order to carry out the approved Capital Improvement Program for the County's Airport System. Amendment No. 1 (R2023-0700) provided an additional \$1,189,895.34 to complete Task I Palm Beach County Park Airport (LNA) Safety Assessment, Task I Palm Beach County Park Airport (LNA) Master Plan Update, and Task III Services. Approval of Amendment No. 2 will provide an additional \$453,243 to complete Task I Cybersecurity Implementation Support Services (Phase 3B), Task I Runway 10L/28R Exit Taxiway Analysis for the Palm Beach International Airport (PBI), and Task III Services. Task III Services will be issued in accordance with PPM CW-F-050 by way of a separate proposal or task authorization. Ricondo is a Chicago, Illinois based firm; however, the majority of the work contained in the Consulting Agreement will be completed and managed through its Miami, Florida office. On September 1, 2021, the Goal Setting Committee established a mandatory SBE Goal of 10% and a M/WBE Evaluation Preference up to 15% as the Affirmative Procurement Initiatives for this Consulting Agreement. Ricondo committed to 11% SBE participation. The anticipated S/M/WBE participation based upon the approved tasks is approximately 14.1%. The S/M/WBE participation for this Amendment No. 2 is 4.3%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

7. Staff recommends motion to approve:

A) Change Order No. 4 to the contract with Alen Construction Group, Inc. (Alen) in the amount of \$89,072.91 and an extension of 221 Calendar Days to the 400Hz Ground Power Unit (GPU) Point of Use (POU) Replacement Project at Palm Beach International Airport (PBI); and

B) a Budget Transfer of \$89,073 in the Airport's Improvement and Development Fund.

SUMMARY: The original contract with Alen for the 400Hz GPU POU Project (Contract) at PBI in the amount of \$6,900,000 and 430 Calendar Days was approved by the Board on March 8, 2022 (R2022-0226). Change Orders No. 1, 2 and 3 in the amount of \$201,533.13 and 310 Calendar Days were approved in accordance with PPM CW-F-050. Approval of Change Order No. 4 in the amount of \$89,072.91 and 221 Calendar Days is required to address site conditions not represented in the original set of construction documents. New transformer units required for the project do not fit into the electrical rooms located on the concourses. When the new transformers were delivered, it was discovered that they are larger than what the manufacturer specified during design, requiring relocation of existing equipment to accommodate installation of the new transformers into the electrical rooms. Relocation of existing mechanical piping serving the fire suppression system in the electrical rooms is also required due to routing requirements to meet current code. Based on the age and condition of electrical infrastructure serving potable water units, it was determined that conduit and light fixtures require replacement. On September 1, 2021, the Goal Setting Committee established a SBE Price Preference as the Affirmative Procurement Initiative for the Contract. The S/M/WBE subcontracting participation for the Contract to date is 35.87%. The S/M/WBE participation for Change Order No. 4 is 15.69%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

8. Staff recommends motion to approve:

- A) Amended and Restated Airport Parking Facilities Management Agreement (Amended Agreement) with SP Plus Corporation, a Delaware corporation (SP+), for the operation and management of the airport parking facilities and shuttle services at the Palm Beach International Airport (PBI), clarifying and amending various provisions, including provisions related to reimbursable expenses, employee wages and benefits, and annual reporting requirements; and
- B) a Budget Transfer of \$350,000 in the Airports Operating Fund.

SUMMARY: SP+ operates and manages the airport parking facilities and economy parking lot shuttle services at PBI pursuant the Airport Parking Facilities Management Agreement (R2023-0981) (Agreement). The initial annual management fee paid to SP+ pursuant to the Agreement is \$261,000 and increases 3% annually thereafter. In addition to the annual management fee, the Department of Airports (DOA) approves an annual operating budget for reimbursement of SP+'s expenses, including employee salaries and benefits and the cost of the economy parking lot shuttle services. The Amended Agreement clarifies and amends various provisions related to reimbursable expenses, including providing for reimbursement of janitorial and pest control supplies in an amount not to exceed \$5,000 per year for administrative offices and toll plazas; clarifying healthcare benefits include dental and vision benefits provided by the SP+ healthcare plan; changing the employee pay periods from semi-annually to biweekly to coincide with the pay periods established for SP+ employees; requiring prior approval of staffing schedules and overtime; and clarifying annual reporting requirements. PBI's parking facilities are staffed 24 hours per day, 7 days per week, including holidays. The current labor market has made it difficult to hire and retain qualified parking and shuttle staff, requiring overtime and temporary staffing during peak periods. In order to hire and retain employees and reduce reliance on overtime, SP+ has requested certain amendments to the Agreement. The Amended Agreement provides for shift differential of 5% of an employee's base rate of pay for employees performing duties during the mid-shift (11:00 p.m. to 7:00 a.m.), increases holiday pay from 5% to 50% of the employee's base rate of pay, and provides for two additional holidays to align with SP+ holiday policy. SP+ current has a staff 44 employees at PBI with an average of 9 employees working on the mid-shift. The budget transfer in the amount of \$350,000 will increase the total budget amount available for the Amended Agreement for the current fiscal year to \$2,853,000 to ensure sufficient budget remains available to pay reimbursable expenses, including overtime and increased staffing costs. 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 \$7,500 for the full satisfaction of a code enforcement lien entered against Corey Michel on November 6, 2019. **SUMMARY:** On March 6, 2019, a Code Enforcement Special Magistrate (CESM) issued an order giving Corey Michel until September 2, 2019 to bring his property located at 22380 Waterside Drive, Boca Raton, FL into full code compliance. The violations imposed against the property were inactive or expired building permits. Compliance with the CESM's order was not timely achieved, and a fine of \$50 per day was imposed. The CESM executed an order imposing a code lien against Corey Michel on November 6, 2019. The Code Enforcement Division (Code Enforcement) issued an affidavit of compliance for the property on October 24, 2023. The total fine amount on November 16, 2023 amounted to \$75,230.32, the date on which settlement discussions began. Mr. Michel has agreed to pay Palm Beach County \$7,500 (10%) for full settlement of his outstanding code enforcement lien. District 5 (SF)

2. Staff recommends motion to approve: a negotiated settlement offer in the amount of \$6,228 for the full satisfaction of two code enforcement liens recorded against Cesar Sanchez on February 19, 2019 and December 27, 2019, respectively. **SUMMARY:** On January 18, 2018, a Code Enforcement Special Magistrate (CESM) entered an order giving Mr. Sanchez 60 days to obtain a permit for a fence installed without a permit on his vacant lot located at Holt Road, West Palm Beach, FL (the "Property") in Case 2017-05310008. On June 5, 2019, the CESM entered an order giving Mr. Sanchez until September 3, 2019 to remove a storm drain installed in the right-of-way adjacent to the Property without a permit in Case No. 2019-03180017. Compliance with the CESM's orders was not timely achieved, resulting in the imposition of fines of \$50 per day for the first case and \$100 per day for the second case. The Code Enforcement Division (Code Enforcement) issued an affidavit of compliance for the first case on May 21, 2019 and for the second case on February 20, 2020. Settlement discussions began on November 8, 2023, when the total accrued fines amounted to \$20,759.38. Cesar Sanchez has agreed to pay Palm Beach County \$6,228 (30%) for full satisfaction of the code enforcement liens. District 3 (SF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve:

- A) Budget Transfer in the amount of \$4 Million within the IST Fund from IST Reserves to appropriate funds to the Gramercy Park Expansion project;
- B) Amendment No. 1 to the Construction Manager (CM) at Risk Services Federally funded project contract (R2022-1193) with Hatcher Construction & Development, Inc. (CM), establishing a Guaranteed Maximum Price (GMP) in the amount of \$11,284,247.68 for the Gramercy Park Neighborhood Center project for a period of 380 calendar days from notice to proceed; and
- C) Irrevocable Letter of Direction submitted by the CM dated December 4, 2023 and requested by its surety directing the establishment of an escrow account for the project.

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **SUMMARY:** On October 18, 2022, the Board of County Commissioners (Board) approved the CM at Risk Services Federally funded project contract (R2022-1193) with the CM for the Gramercy Park Neighborhood Center project. The Gramercy Park Neighborhood Center project includes, but is not limited to, the construction of an approximately 11,000 square feet neighborhood center located at the corner of Park Avenue and 45th Street in West Palm Beach. The center includes a large multi-purpose room, classroom, kitchen, offices and building support spaces. Site amenities include a parking lot, landscaping, a mulch-surfaced walking trail and associated site infrastructure work. Amendment No. 1 establishes a GMP in the amount of \$11,284,247.68 for the construction management services necessary for the construction of the Gramercy Park Neighborhood Center. The CM will have 380 calendar days from notice to proceed to substantially complete the project. Liquidated damages for failure to achieve certification of substantial completion within the contract time or approved time extension thereof are \$550 per day. The surety bonding the project, Indemnity National Insurance Company (Surety), has requested that the CM issue an Irrevocable Letter of Direction to the County for the establishment of a project dedicated escrow account, under which the County will issue all payments directly to the escrow which is managed by a third party escrow agent. The Irrevocable Letter of Direction is a funds management tool commonly used by sureties though not commonly seen on County construction projects. Staff recommends approval of the Irrevocable Letter of Direction since it was requested by the CM and the Surety for this project and staff has identified no detrimental impacts to the use of an escrow arrangement on County projects. A similar arrangement is in place on another County project and the process has been working smoothly. The CM was selected through a competitive solicitation in accordance with the Federal requirements provided by the Department of Housing and Economic Development (DHED). Under the Federal requirements, this project has a 22.4% minority and 6.9% female Equal Employment Opportunity (EEO) participation goal. The CM anticipates EEO utilization of 22.4% Minority and 6.9% Female participation in the construction phase. **Funding for this project is from the Infrastructure Sales Tax, CDBG, and Ad Valorem Funds. (Capital Improvements Division) District 7 (MWJ)**

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to approve: an increase to the maximum cumulative value for the annual electrical contract in the amount of \$5,000,000 for electrical services on an as-needed basis through November 18, 2024. **SUMMARY:** On November 19, 2019, the Board of County Commissioners (Board) approved the annual Electrical contract (R2019-1752 through R2019-1758) for electrical services related to electrical repairs, improvements and renovations to County-owned properties on an as needed basis. To date, the County has awarded work orders in the amount of \$3,764,325.96. In order to accommodate additional anticipated new projects required to be accomplished before this contract expires on November 18, 2024, staff is requesting to increase the maximum cumulative value for the annual electrical contract in the amount of \$5,000,000. This increase will bring the maximum cumulative value of the annual electrical contract to \$11,000,000. Work is to be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors may qualify at any time and be added to this annual electrical contract before the term ends. Projects less than \$100,000 are bid among the pool of certified Small Business Enterprise (SBE) contractors, when three (3) or more small businesses are qualified under the contract. Projects \$100,000 or greater are advertised on the vendor self-service (VSS) website and are bid among the pool of pre-qualified contractors while projects \$200,000 or greater are advertised on the VSS website and additionally advertised in the newspaper. The bidding pool is further expanded, for projects \$100,000 or greater, to include additional bidders responding to the specific project advertisement that submit a qualification application at least ten (10) calendar days before the bid due date. Currently eighteen (18) contractors are prequalified. This annual electrical contract was presented to the Goal Setting Committee on June 5, 2019 and the Committee established Affirmative Procurement Initiatives (APIs) of sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or a SBE contractor will be given a price preference if its bid is within 10% of the lowest non-small business bid. The cumulative Small/Minority/Women Business Enterprise (S/M/WBE) participation for the annual electrical contract is 81.14%. **(Capital Improvements) Countywide** (MWJ)

3. CONSENT AGENDA APPROVAL

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

3. Staff recommends motion to approve: an increase to the maximum cumulative value for the annual fire alarm repair and replacement contract in the amount of \$5,000,000 for fire alarm repair and replacement services on an as-needed basis through June 1, 2025. **SUMMARY:** On June 2, 2020, the Board of County Commissioners (Board) approved fire alarm repair and replacement contracts (R2020-0567 and R2020-0568) for fire alarm repair and replacement services related to repairs, modifications and replacement of existing fire alarm systems as per the Electronic Services and Security (ESS) fire detection and alarm guidelines for county buildings throughout Palm Beach County. To date, the County has awarded work orders in the amount of \$512,583.54. In order to accommodate additional anticipated new projects required to be accomplished before this contract expires on June 1, 2025, staff is requesting to increase the maximum cumulative value for the annual fire alarm repair and replacement contract in the amount of \$5,000,000. This increase will bring the maximum cumulative value of the annual fire alarm repair and replacement contract to \$6,000,000. Work is to be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors may qualify at any time and be added to this annual fire alarm repair and replacement services contract before the term ends. Projects less than \$100,000 are bid among the pool of certified Small Business Enterprise (SBE) contractors, when three (3) or more small businesses are qualified under the contract. Projects \$100,000 or greater are advertised on the vendor self-service (VSS) website and are bid among the pool of pre-qualified contractors while projects \$200,000 or greater are advertised on the VSS website and additionally advertised in the newspaper. The bidding pool is further expanded, for projects \$100,000 or greater, to include additional bidders responding to the specific project advertisement that submit a qualification application at least ten (10) calendar days before the bid due date. Currently two (2) contractors are prequalified. This annual fire alarm repair and replacement contract was presented to the Goal Setting Committee on November 20, 2019 and the Committee established Affirmative Procurement Initiatives (APIs) of sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or SBE contractor will be given a price preference if its bid is within 10% of the lowest non-small business bid. The cumulative Small/Minority/Women Business Enterprise (S/M/WBE) participation for the annual fire alarm repair and replacement contract is 82.09%. **(Capital Improvements) Countywide** (MWJ)

3. CONSENT AGENDA APPROVAL

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

4. Staff recommends motion to approve: an increase to the maximum cumulative value for the annual flooring contract in the amount of \$2,000,000 for flooring services on an as-needed basis through May 17, 2026. **SUMMARY:** On May 18, 2021, the Board of County Commissioners (Board) approved flooring contract (R2021-0633 through R2021-0639) for flooring services related to new installations, replacement and/or repairs of flooring to County-owned properties on an as needed basis. To date, the County has awarded work orders in the amount of \$1,478,670.44. In order to accommodate additional anticipated new projects required to be accomplished before this contract expires on May 17, 2026, staff is requesting to increase the maximum cumulative value for the annual flooring contract in the amount of \$2,000,000. This increase will bring the maximum cumulative value of the annual flooring contract to \$4,000,000. Work is to be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors may qualify at any time and be added to this annual flooring contract before the term ends. Projects less than \$100,000 are bid among the pool of certified Small Business Enterprise (SBE) contractors, when three (3) or more small businesses are qualified under the contract. Projects \$100,000 or greater are advertised on the vendor self-service (VSS) website and are bid among the pool of pre-qualified contractors while projects \$200,000 or greater are advertised on the VSS website and additionally advertised in the newspaper. The bidding pool is further expanded, for projects \$100,000 or greater, to include additional bidders responding to the specific project advertisement that submit a qualification application at least ten (10) calendar days before the bid due date. Currently eleven (11) contractors are prequalified. This annual flooring contract was presented to the Goal Setting Committee on January 20, 2021 and the Committee established Affirmative Procurement Initiatives (APIs) of sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or a SBE contractor will be given a price preference if its bid is within 10% of the lowest non-small business bid. The cumulative Small/Minority/Women Business Enterprise (S/M/WBE) participation for the annual flooring contract is 63.32%. **(Capital Improvements) Countywide (MWJ)**

3. CONSENT AGENDA APPROVAL

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

5. Staff recommends motion to approve: an increase to the maximum cumulative value for the annual demolition contract in the amount of \$2,000,000 for demolition services on an as-needed basis through April 3, 2028. **SUMMARY:** On April 4, 2023, the Board of County Commissioners (Board) approved the annual Demolition contract (R2023-0414 and R2023-0415). The work consists of demolition services to County-owned properties on an as needed basis. To date, the County has awarded work orders in the amount of \$235,990.00. In order to accommodate additional anticipated new projects required to be accomplished before this contract expires on April 3, 2028, staff is requesting to increase the maximum cumulative value for the annual demolition contract in the amount of \$2,000,000. This increase will bring the maximum cumulative value of the annual demolition contract to \$3,000,000. Work is to be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors may qualify at any time and be added to this annual demolition contract before the term ends. Projects less than \$100,000 are bid among the pool of certified Small Business Enterprise (SBE) contractors, when three (3) or more small businesses are qualified under the contract. Projects \$100,000 or greater are advertised on the vendor self-service (VSS) website and are bid among the pool of pre-qualified contractors while projects \$200,000 or greater are advertised on the VSS website and additionally advertised in the newspaper. The bidding pool is further expanded, for projects \$100,000 or greater, to include additional bidders responding to the specific project advertisement that submit a qualification application at least ten (10) calendar days before the bid due date. Currently five (5) contractors are prequalified. This annual demolition contract was presented to the Goal Setting Committee on December 7, 2022 and the Committee established Affirmative Procurement Initiatives (APIs) of sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or a SBE contractor will be given a price preference if its bid is within 10% of the lowest non-small business bid. The cumulative Small/Minority/Women Business Enterprise (S/M/WBE) participation for the annual demolition contract is 19.49%. **(Capital Improvements) Countywide (MWJ)**

3. CONSENT AGENDA APPROVAL

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

6. Staff recommends motion to approve: Work Order No. 23-014 to the annual Heating, Ventilation and Air Conditioning (HVAC) contract (R2020-0021) with Florida Mechanical LLC (Contractor) in the amount of \$772,731 for the Palm Beach County (PBC) Graphics-HVAC Replacement project for a period of 160 calendar days from notice to proceed. **SUMMARY:** The work consists of furnishing all labor, equipment, devices, tools, materials, transportation, professional services, supervision, drawings, permitting and all miscellaneous requirements necessary to remove and replace the HVAC units at the PBC Graphics Facility. The existing equipment is original to the building construction and has outlived its useful life. The new HVAC units will be more efficient and provide years of dependable service. This project was competitively advertised and new contractors were invited to bid on the project by submitting prequalification documents prior to the submission of the bid response. The Contractor will have 160 calendar days from notice to proceed to substantially complete the project. Liquidated damages for failure to achieve certification of substantial completion within the contract time or approved time extension thereof are \$120 per day. This work order was solicited pursuant to the annual HVAC contract and the requirements of the Equal Business Opportunity (EBO) Ordinance. The annual HVAC contract was presented to the Goal Setting Committee on August 21, 2019 and the Committee established Affirmative Procurement Initiatives (APIs) of sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or an SBE contractor will be given a price preference for projects \$100,000 or greater if its bid is within 10% of the lowest non-small business bid. Since this project is over \$100,000, the SBE price preference API was applied. The Contractor is a local firm. The SBE participation on this work order is 14.28%. To date, the overall SBE participation on the annual HVAC contract is 27.51%. Funding for this project is from the Public Building Improvement Fund. **(Capital Improvements Division) District 2** (MWJ)

3. CONSENT AGENDA APPROVAL

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

7. Staff recommends motion to:

A) adopt a Resolution authorizing a Lease Agreement with the Rowing Club of the Palm Beaches Inc., a Florida not-for-profit corporation, to lease approximately 17,630 square feet at the Lake Ida East Park, including the former Jaycees Building, located at 950 NW 9th Street in Delray Beach; and

B) approve a Lease Agreement with the Rowing Club of the Palm Beaches Inc. for a community rowing program for an initial term of five (5) years at an annual rate of \$10.

SUMMARY: The Rowing Club of the Palm Beaches (RCPB) desires to establish a publicly-accessible community recreational and competitive rowing program (Program) with corresponding activities by entering into a Lease Agreement (Lease). The Program would be accessible to youths and adults, including those with disabilities. Corresponding activities may include rowing training sessions, competitions and meetings; and community outreach programs promoting the sport of rowing. The Parks and Recreation Department (Parks) supports the Program as it aligns with Parks' mission and serves a public recreational purpose by providing a rowing club in South County. Parks does not have the resources to provide this Program directly. The initial term of the Lease is for five years, which is effective upon execution by the Board of County Commissioners (Board), with two five-year extension options. The RCPB is solely responsible for maintenance and repairs to the premises including the former Jaycees building. The County has the right to cancel this Lease for any reason upon four (4) months prior written notice to the RCPB. Rent will be \$10 annually. Parks will manage and administer the Lease. **(Property & Real Estate Management) District 4 (HJF)**

3. CONSENT AGENDA APPROVAL

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

8. Staff recommends motion to approve: Work Order No. 24-003 to the annual Heating, Ventilation and Air Conditioning (HVAC) contract (R2020-0019) with Cedars Electro-Mechanical, Inc. (Contractor) in the amount of \$493,975 for the Water Utility Southern Region Water Reclamation Facility (SRWRF), Buildings B, C, D and E HVAC Replacement project for a period of 210 calendar days from notice to proceed. **SUMMARY:** The work consists of furnishing all labor, equipment, devices, tools, materials, transportation, professional services, supervision, drawings, permitting and all miscellaneous requirements necessary to remove and replace HVAC units in Buildings B, C, D and E at the Water Utility (SRWRF) Facility. The existing equipment is original to the building construction and has outlived its useful life. The new HVAC units will be more efficient and provide years of dependable service. This project was competitively advertised and new contractors were invited to bid on the project by submitting prequalification documents prior to the submission of the bid response. The Contractor will have 210 calendar days from notice to proceed to substantially complete the project. Liquidated damages for failure to achieve certification of substantial completion within the contract time or approved time extension thereof are \$180 per day. This work order was solicited pursuant to the annual HVAC contract and the requirements of the Equal Business Opportunity (EBO) Ordinance. The annual HVAC contract was presented to the Goal Setting Committee on August 21, 2019 and the Committee established Affirmative Procurement Initiatives (APIs) of sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or an SBE contractor will be given a price preference for projects \$100,000 or greater if its bid is within 10% of the lowest non-small business bid. Since this project is over \$100,000, the SBE price preference API was applied. The Contractor is a local and SBE certified firm. The SBE participation on this work order is 100%. To date, the overall SBE participation on the annual HVAC contract is 30.59%. Funding for this project is from the WUD Operation & Maintenance Fund. **(Capital Improvements Division) District 5 (MWJ)**

3. CONSENT AGENDA APPROVAL

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

9. Staff recommends motion to approve: an annual contract with the following contractor for Heating, Ventilation and Air Conditioning (HVAC) services on an as-needed basis through January 6, 2025.

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
Carrier Corporation	Local	Non-SBE

SUMMARY: On January 7, 2020, the Board of County Commissioners (Board) approved the annual HVAC contract (R2020-0019 through R2020-0023). The work consists of HVAC services related to system and component installations, upgrades, replacements, modifications and repairs to County-owned properties on an as needed basis. The Contractor now joins the list of twenty-three (23) prequalified contractors for a total of twenty-four (24) prequalified contractors with a contract expiration date of January 6, 2025. The specific requirements of the work will be determined by individual work orders issued against this annual HVAC contract. These contracts are five (5) year indefinite-quantity contracts with a maximum cumulative value of \$23,000,000 across all prequalified contractors. Work will be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors may qualify at any time and be added to this annual HVAC contract before the term ends. Projects less than \$100,000 are bid among the pool of certified Small Business Enterprise (SBE) contractors, when three (3) or more small businesses are qualified under the contract. Projects \$100,000 or greater are advertised on the vendor self-service (VSS) website and are bid among the pool of pre-qualified contractors while projects \$200,000 or greater are advertised on the VSS website and additionally advertised in the newspaper. The bidding pool is further expanded, for projects \$100,000 or greater, to include additional bidders responding to the specific project advertisement that submit a qualification application at least ten (10) calendar days before the bid due date. The annual HVAC contract was presented to the Goal Setting Committee on August 21, 2019 and the Committee established Affirmative Procurement Initiatives (APIs) of sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or an SBE contractor will be given a price preference for projects \$100,000 or greater if its bid is within 10% of the lowest non-small business bid. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for all work orders issued. To date, the cumulative S/M/WBE participation for all work orders under the annual HVAC contract is 27.59%. **(Capital Improvements) Countywide (MWJ)**

3. CONSENT AGENDA APPROVAL

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

10. Staff recommends motion to approve: An Interlocal Agreement (“Agreement”) with the City of Stuart (“City”) allowing for interoperable communications through the countywide common talk groups of the County’s Public Safety Radio System (“System”) from January 23, 2024 through January 22, 2029. **SUMMARY:** This Agreement provides the terms and conditions under which the City can program into its radios and utilize the countywide common talk groups for certain types of inter-agency communications. The County’s System will not be utilized for routine operational communications by the City. The terms of the Agreement are standard and have been offered to all municipalities and local branches of state and federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with this Agreement. The City is required to pay all costs associated with the City’s subscriber units and to comply with the established operating procedures for the County’s System. The agreement provides for an initial term of five (5) years with two (2) renewal options, each for a period of five (5) years. This Agreement may be terminated by either party, with or without cause, upon ten (10) days prior written notice to the other party. **(ESS) Countywide (MWJ)**

11. Staff recommends motion to approve: an Interlocal Agreement (“Agreement”) with the Town of Palm Beach (“Participant”), allowing for direct access to the County’s Public Safety Radio System (“System”) from January 23, 2024 through January 22, 2029, with revenue fees totaling \$630,363.46 for fiscal year 2024. **SUMMARY:** This Agreement provides the terms and conditions under which the Participant can directly access the System. The terms of this Agreement are standard and have been offered to all municipalities and local branches of state and federal agencies where connection through an established municipal hub is not technically feasible. The Participant has been interoperable with the County’s System through the countywide common talk groups since 2003. The Participant currently operates under the Municipal Public Service Communications Consortium’s (MPSCC) Open Sky Radio System. The Agreement will provide the Participant direct access for operability to the County’s radio system and dispatch console talk groups. The Agreement requires that the Participant pay a one-time \$3,000/unit access or capacity charge as well as annual fees of \$300/unit towards the renewal and replacement fund and \$163.53/unit towards maintenance and operation of the system infrastructure. The annual fees are consistent with those being charged to the County departments. In addition, the Participant is required to pay all costs associated with Participant’s subscriber units and to comply with the established operating procedures for the System. The Participant will assign representatives to participate in user committee meetings to discuss system maintenance and administration issues. The term of the Agreement provides for an initial term of five (5) years with two (2) renewal options, each for a period of five (5) years. This Agreement may be terminated by either party, with or without cause, on October 1st of any year, with a minimum of six months’ notice. **(ESS) Countywide (MWJ)**

3. CONSENT AGENDA APPROVAL

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

12. Staff recommends motion to approve: First Amendment to the Amended and Restated Interlocal Agreement (R2019-0207) (“Agreement”) with the City of Pahokee (“City”), to extend the term of the Agreement for fleet management services from February 5, 2024 through February 4, 2029. **SUMMARY:** The Agreement provided the terms and conditions under which the County provides fleet management services. Fleet management services generally include: 1) preventative maintenance and corrective repairs to vehicles and equipment, 2) the management and operation of fueling sites; 3) the sale of fuel; and 4) the management of the Vehicle Replacement Policy Fund. There is no fiscal impact associated with this item, as the expenses offset the revenues. The Agreement provided for one renewal option for five (5) years. The City has approved a renewal to extend the term of the Agreement to February 4, 2029, and the renewal now requires approval from the Board of County Commissioners. This amendment extends the term of the agreement, updates and adds standard County contract provisions. Other than the changes set forth herein, all other terms remain the same. **(FDO – Admin)** Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

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

13. Staff recommends motion to approve: Work Order No. 24-005 to the annual minor construction services contract (R2020-0143) with Andrea Construction, Inc. (Contractor) in the amount of \$270,490 for the Coconut Cove Waterpark-Pool Deck Resurfacing (Re-bid) project for a period of 90 calendar days from notice to proceed. **SUMMARY:** The project consists of the resurfacing of the entire pool deck. The existing cool deck around the pool is delaminating and needs to be replaced. Work Order No. 24-005 authorizes the construction services necessary to furnish all labor, equipment, devices, tools, materials, transportation, supervision, drawings, permitting and all miscellaneous requirements necessary to resurface the entire pool deck at the Coconut Cove Waterpark Facility while the pool is closed for the winter season. The resurfaced pool deck will create a stable walking surface and will better serve the users of the Coconut Cove Waterpark. This project was competitively advertised and new contractors were invited to bid by submitting prequalification documents prior to the submission of the bid response. The Contractor will have 90 calendar days from notice to proceed to substantially complete the project. Liquidated damages for failure to achieve certification of substantial completion within the contract time or approved time extension thereof are \$120 per day. This work order was solicited pursuant to the annual minor construction services contract and the requirements of the Equal Business Opportunity (EBO) Ordinance. The annual minor construction services contract was presented to the Goal Setting Committee on August 21, 2019. The Committee applied the following three Affirmative Procurement Initiatives (APIs): 1) sheltered market for projects under \$100,000; or 2) a small business enterprise (SBE) contractor will be given a price preference if its bid is within 10% of the lowest non-small business bid on a single trade project \$100,000 or greater; or 3) a mandatory 25% SBE subcontracting goal for a multi-trade project \$100,000 or greater. Since this is a single-trade project greater than \$100,000, the price preference API was applied. SBE participation for this Work Order is 24.27%. Cumulative SBE participation on the annual minor construction services contract is 62.28%. The Contractor is a Palm Beach County business and an SBE certified firm. Funding for this project is from the Park Improvement Fund. **(Capital Improvements Division) District 5 (MWJ)**

3. CONSENT AGENDA APPROVAL

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

14. Staff recommends motion to approve: First Amendment to Amended and Restated Agreement (R2019-0211) (“Agreement”) with the Town of Highland Beach (“Town”) to extend the term of the Agreement for interoperable communications through the countywide common talk groups of the County’s Public Safety Radio System (“System”) from February 5, 2024 to February 4, 2029. **SUMMARY:** The Agreement provided the terms and conditions under which the Town can program into its radios and utilize the countywide common talk groups for certain types of inter-agency communications, expires on February 4, 2024. The Agreement provided for three (3) renewal options, each for a period of five (5) years. The Town has approved a renewal to extend the term of the Agreement to February 4, 2029, and the renewal now requires Board approval. The terms of the Agreement are standard and have been offered to all municipalities and local branches of state and federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with this Agreement. The Town is required to pay all costs associated with the Town’s subscriber units and to comply with the established operating procedures for the County’s System. This Agreement may be terminated by either party, with or without cause, upon ten (10) days prior written notice to the other party. The First Renewal extends the term of the agreement, adds the county’s standard E-verify and Insurance provisions. Other than the changes set forth herein, all other terms remain the same. **(ESS) Countywide** (MWJ)

15. Staff recommends motion to approve: First Amendment to the License Agreement (R2019-0050) (“Agreement”) with the School Board of Palm Beach County (“School Board”) to extend the term of the Agreement for use of the County’s courthouse facilities for Youth Court programming retroactively from January 15, 2024 through January 14, 2029. **SUMMARY:** The Agreement allows the School Board to utilize the County’s courthouse facilities for Youth Court. The Agreement provided for two (2) renewal options, each for a period of five (5) years. The School Board has approved a renewal to extend the term of the Agreement to January 14, 2029, and the renewal now requires approval of the Board of County Commissioners. The First Renewal extends the term of the Agreement, adds the county’s standard E-verify provision, and updates the Notice section. Other than the changes set forth herein, all other terms remain the same. **(FDO) Countywide** (MWJ)

3. CONSENT AGENDA APPROVAL

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

16. Staff recommends motion to approve: an annual contract with the following contractor for roofing services on an as-needed basis through November 16, 2025.

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
T & G Corporation dba Bowhead Roofing	Non-Local	Non-SBE

SUMMARY: On November 17, 2020, the Board of County Commissioners (Board) approved the annual roofing contract (R2020-1693 through R2020-1700). The work consists of roof repair and replacement services to County-owned properties on an as needed basis. The contractor now joins the list of fourteen (14) prequalified contractors for a total of fifteen (15) prequalified contractors with a contract expiration date of November 16, 2025. The specific requirements of the work will be determined by individual work orders issued against this annual roofing contract. These contracts are five (5) year indefinite-quantity contracts with a maximum cumulative value of \$6,000,000 across all prequalified contractors. Work will be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors may qualify at any time and be added to this annual roofing contract before the term ends. Projects less than \$100,000 are bid among the pool of certified Small Business Enterprise (SBE) contractors, when three (3) or more small businesses are qualified under the contract. Projects \$100,000 or greater are advertised on the vendor self-service (VSS) website and are bid among the pool of pre-qualified contractors while projects \$200,000 or greater are advertised on the VSS website and additionally advertised in the newspaper. The bidding pool is further expanded, for projects \$100,000 or greater, to include additional bidders responding to the specific project advertisement that submit a qualification application at least ten (10) calendar days before the bid due date. The annual roofing contract was presented to the Goal Setting Committee on July 15, 2020 and the Committee established Affirmative Procurement Initiatives (APIs) of sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or an SBE contractor will be given a price preference if its bid is within 10% of the lowest non-small business bid. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for all work orders issued. To date, the cumulative S/M/WBE participation for all work orders under the annual roofing contract is 31.47%. **(Capital Improvements) Countywide (MWJ)**

3. CONSENT AGENDA APPROVAL

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

17. Staff recommends motion to approve: An Interlocal Agreement (“Agreement”) with the United States Department of Homeland Security, U.S. Seventh Coast Guard District (“Coast Guard”) allowing for interoperable communications through the countywide common talk groups of the County’s Public Safety Radio System (“System”) from February 5, 2024 through February 4, 2029. **SUMMARY:** This Agreement provides the terms and conditions under which the Coast Guard can program into its radios and utilize the countywide common talk groups for certain types of inter-agency communications. The County’s System will not be utilized for routine operational communications by the Coast Guard. The terms of the Agreement are standard and have been offered to all municipalities and local branches of state and federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with this Agreement. The Coast Guard is required to pay all costs associated with the Coast Guard’s subscriber units and to comply with the established operating procedures for the County’s System. This agreement provides for an initial term of five (5) years with two (2) renewal options, each for a period of five (5) years. This Agreement may be terminated by either party, with or without cause, upon ten (10) days prior written notice to the other party. This Agreement when effective terminates and replaces the Agreement between County and Coast Guard R2019-0208. **(ESS) Countywide** (MWJ)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, approving the issuance of one or more series of Revenue Bonds for Palm Beach Atlantic University, Inc. by the Palm Beach County Educational Facilities Authority in an aggregate principal amount not to exceed \$60,000,000. **SUMMARY:** Palm Beach Atlantic University, Inc. (the "Borrower") has requested the Palm Beach County Educational Facilities Authority ("Authority") to issue tax-exempt Revenue Bonds (Palm Beach Atlantic University, Inc.) (the "Bonds"), in one or more series and in an aggregate principal amount not to exceed \$60,000,000 pursuant to a TEFRA public hearing held on November 14, 2023 by the Authority. The bonds are to be issued by the Authority for the purpose of providing funds to the Borrower for the purposes of financing, including through reimbursement: (i) a new classroom/office building consisting of six stories and approximately 125,000 square feet to be built on the Borrower's main campus to be used primarily for the existing Rinker School of Business located at 901 South Flagler Drive, West Palm Beach, Florida, and any other capital improvements to its educational facilities located on such campus; (ii) any necessary reserves for the Bonds and capitalized interest, if any; and (iii) certain costs of issuance of the Bonds (collectively, the "Project"). All facilities to be financed by the Bonds are owned and operated by the Borrower. Approval by an elected body is required by the Internal Revenue Code; however, adoption of this Resolution does not in any way obligate the County. One or more documents approved by the Authority in the resolution authorizing the issuance of the Bonds will include language creating a contractual obligation of the borrower 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 organization. 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 shall be pledged to pay the principal, redemption premium, if any, or interest on the Bonds.** District 7 (DB)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to:

A) receive and file a Cooperative Agreement with the U.S. Environmental Protection Agency (EPA) for a Brownfields Assessment Grant in the amount of \$500,000, for the project period of July 1, 2023 to September 30, 2027;

B) approve a Budget Amendment of \$500,000 in the U.S. EPA Revolving Loan Fund Program grant fund to recognize grant revenue and to establish the grant appropriation budget; 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 the U.S. EPA Brownfields Assessment Grants program, that do not substantially change the scope of work, terms or conditions of the agreement.

SUMMARY: On November 21, 2022, the Department of Housing and Economic Development (DHED) submitted an application to the U.S. Environmental Protection Agency (EPA) for a Community-wide Brownfields Assessment Grant. EPA Assessment Grants provide funding for assessments related to brownfields sites. On May 25, 2023, the EPA notified the County that it had been selected for a \$500,000 grant. EPA finalized the award to the County on October 18, 2023 with the above Cooperative Agreement (Grant No. BF-02D60823-0). **No local match is required and the EPA allows up to ten-percent (10%) of the grant to be used for programmatic costs for managing this program.** Countywide (DB)

3. CONSENT AGENDA APPROVAL

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

3. Staff recommends motion to:

- A) **approve** an Impact Fee Affordable Housing Assistance Program (IFAHAP) funding award in the total amount of \$8,569 to R.A. Ransom & Associates, Inc.;
- B) **authorize** the Mayor to execute a Certificate of Award to be released to R.A. Ransom & Associates, Inc. pursuant to IFAHAP Guidelines;
- C) **approve** a Budget Transfer of \$7,257 in Impact Fee Assistance Program – Roads Zone 2 to appropriate funds for R.A. Ransom & Associates, Inc.;
- D) **approve** a Budget Transfer of \$942 in Impact Fee Assistance Program – Parks Zone 2 to appropriate funds for R.A. Ransom & Associates, Inc.; and
- E) **approve** a Budget Transfer of \$370 in Impact Fee Assistance Program – Public Building to appropriate funds for R.A. Ransom & Associates, Inc.

SUMMARY: On October 6, 2023, the Department of Housing and Economic Development issued a Notice of Funding Availability (NOFA) making \$1,372,640 in IFAHAP funding available from Palm Beach County's Fiscal Year 2023 allotment funding cycle. R.A. Ransom & Associates, Inc. submitted an application for \$8,569.91 in response to the NOFA. Staff recommends that up to \$8,569 be provided as a credit for impact fees associated with the construction of two (2) dwellings consisting of a single-family home (4bed/2bath), and a rental apartment (2bed/1.5 bath) located at 1126 9th Street, in West Palm Beach (the Project). R.A. Ransom & Associates, Inc. will be given credits for Roads Zone 2 Impact Fees (\$7,257), Parks Zone 2 (\$942), and Public Building Impact Fees (\$370) for the construction of the Project. R.A. Ransom & Associates, Inc. will pay impact fees above the allocated \$8,569. The Certificate of Award and related documents will be issued to R.A. Ransom & Associates, Inc. and its successors and/or assigns. According to IFAHAP requirements, the units will be rented to persons with income at or below 140% of Area Median Income. The assisted units will be restricted to remain affordable for 30 years. **These funds are from interest earned by the Impact Fee Fund.** District 7 (HJF)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING, & BUILDING

1. Staff recommends a motion to approve: the appointment of three (3) new members to the Construction Industry Licensing Board (Board).

<u>Appointment</u>	<u>Seat #</u>	<u>Requirement</u>	<u>Term</u>	<u>Recommended by</u>
James W. Stevens	10	Swimming Pool Contractor	01/23/2024-09/30/2026	Commissioner Bernard Vice Mayor Marino Commissioner Weiss Commissioner Woodward
Naomi Stevenson	14	Consumer Representative	01/23/2024-09/30/2027	Commissioner Bernard Vice Mayor Marino Commissioner Weiss Commissioner Woodward
Robert D. Shorr	15	Consumer Representative	01/23/2024-09/30/2028	Commissioner Bernard Vice Mayor Marino Commissioner Weiss Commissioner Woodward

SUMMARY: The Board establishes the qualifications and competency of contractors that work within the County. The Board also provides for the testing and licensing of these contractors and is empowered to discipline licenses and hear citation appeals. The Board was established by Special Act, Laws of Florida, Chapter 67-1876, as amended. The Special Act and, subsequently, Section 489.131, Florida Statutes (F.S.) sets forth the membership of the Board, which consists of 15 members. This Board shall be comprised of fifteen (15) members as follows: two (2) general contractors, one (1) building contractor, one (1) residential contractor; one (1) electrical contractor; one (1) plumbing contractor; one (1) HARV contractor; one (1) roofing contractor; one (1) swimming pool contractor; one (1) architect; one (1) engineer and one (1) full-time building official employed by a local government within Palm Beach County, who meets the requirements of the Building Officials Association of FL; and three (3) consumer representatives. A memorandum was sent to the Board of County Commissioners (BCC) on November 09, 2023, requesting support for three (3) new board members, no other nominations were received. The Board currently has 10 seats filled. The agenda herein requesting approval to fill three (3) new members will bring the membership up to 13 members. The Board currently has 10 seats filled, with a diversity count of eight (8) Caucasians (75%); and two (2) Hispanic Americans (25%). The gender ratio is (female: male) is 2:8. The agenda herein requesting approval to fill three (3) seats will bring the membership up to 13 members. Staff is addressing the need to increase diversity within our Board and will continue to encourage this to expand this Board's diversity. Countywide (RM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. **Staff recommends motion to approve:** a non-standard Utility Easement (Easement) granted by The School District of Palm Beach County (TSDPBC) to Palm Beach County (County) on property located at 425 West Canal Street, Belle Glade, Florida. **SUMMARY:** The proposed alignment of an 8-inch water distribution main designed by the Palm Beach County Water Utilities Department (PBCWUD) extends along the west and south side of a private property owned by TSDPBC. The TSDPBC is granting PBCWUD a 20-foot wide easement for the construction, maintenance and repair of the proposed water main that will interconnect to the existing water main along NW H Street and West Canal Street North in Belle Glade. The easement property serves a middle school. Under the non-standard provisions of the Easement, the County acknowledges that the affected area will be restored to equal or better condition and that any construction, maintenance or repair work needs to be coordinated with the TSDPBC. (PBCWUD Project No. 18-002) District 6 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

2. Staff recommends motion to approve: Change Order (CO) No. 3 with R. J. Sullivan Corp. (RJS) for the Southern Region Water Reclamation Facility (SRWRF) Secondary Clarifier and Effluent Filtration Improvements (Project) in the amount of \$1,221,785.72 and for a Project time extension of 110 calendar days. **SUMMARY:** On November 19, 2019, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract for the Project (R2019-1776). The Project includes rehabilitation of eight (8) secondary clarifiers and the construction of two (2) new effluent filters, four (4) filtered effluent transfer pump stations, sludge digester hot water boilers, and bulk sodium hypochlorite storage at SRWRF. CO No. 3 will add a total of one hundred and ten (110) calendar days to the contract for the work associated with the concrete repairs of clarifier 2-2 and an additional cost of \$489,870.56 for the associated construction overhead costs for 66 of the 110 days. CO No. 3 also includes an increase of \$600,000 to the Owner controlled allowance (Bid Item No. 13) for concrete and structural repairs for the remaining four (4) secondary clarifiers and three (3) filtered effluent pump station clearwells. This CO also includes twenty (20) additional items that were required to accommodate differing site conditions, owner initiated changes and one errors and omissions change which are individually specified on Attachment 1. This Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On April 3, 2019, the Goal Setting Committee applied an Affirmative Procurement Initiative of a minimum mandatory 10% Small Business Enterprise (SBE) subcontracting goal and a 3% Minority Business Enterprise (MBE) subcontracting goal among certified African American and/or Hispanic American owned firms. The Contract provides for 13.26% SBE participation which includes 3.85% MBE participation, 0.64% MBE (H) and 3.21% MBE (B). CO No. 3 includes 4.85% SBE participation which includes 3.30% MBE participation, 3.30% MBE (B). The cumulative SBE participation including CO No. 3 is 12.63% which includes 3.8% MBE participation, 0.58% MBE (H) and 3.23% MBE (B). RJS is headquartered in Pompano Beach, Florida, but maintains an office in Palm Beach County from which the majority of the work will be undertaken. The Project is included in the PBCWUD FY24 budget. (PBCWUD Project No. 17-022) District 5 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

3. Staff recommends motion to approve: Two (2) executed Standard Potable Water and Wastewater Development Agreements, one (1) Amendment to Standard (Potable Water, Wastewater, and/or Reclaimed Water) Development Agreement, and one (1) Memorandum of Understanding Regarding Water and Wastewater Service for the month of September 2023.
- A) Standard Potable Water and Wastewater Development Agreement with Spilan Parcel, LLC, SDA #02-01173-000 (District 3), Recorded in OR BK 34571 PG 1967.
 - B) Standard Potable Water and Wastewater Development Agreement with The Hangar Bravo LLC, SDA #01-01280-000 (District 2), Recorded in OR BK 34571 PG 1958.
 - C) Amendment to Standard (Potable Water, Wastewater, and/or Reclaimed Water) Development Agreement with Boynton Beach Marketplace, LLC, SDA #05-11133-000 (District 5), Recorded in OR BK 34571 PG 1976.
 - D) Memorandum of Understanding Regarding Water and Wastewater Service with Palm Beach County Facilities Development and Operations Department, MOU #02-01175-000 (District 6).

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 2, 3, 5 & 6 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

4. **Staff recommends motion to approve:** Contract for Professional Consulting Services for three (3) year terms with Black & Veatch Corporation (B&V) for the Utility Hydrogeologic Engineering Services (Hydrogeologic Contract). **SUMMARY:** The Hydrogeologic Contract will provide professional engineering and consulting services for PBCWUD projects including improvement and expansion of wellfield systems. The Hydrogeologic Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On April 5, 2023, the Goal Setting Committee applied an Affirmative Procurement Initiative 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 African American owned firms. B&V has met the established API for this Hydrogeologic Contract. The Hydrogeologic Contract with B&V provides for 25% SBE participation, which includes 25% MBE, 25% MBE (B). B&V is headquartered in Overland Park, Kansas, but maintains an office in Palm Beach County from which the majority of the work will be performed. (PBCWUD Project No. 23-026) Countywide (MWJ)

5. **Staff recommends motion to approve:** a 2023 Lift Station Rehabilitation Continuing Construction Contract (Contract) with Hinterland Group Inc. (Hinterland) for a not to exceed amount of \$13,686,110.10 for a two (2) year term with an optional one (1) year renewal. **SUMMARY:** On August 2, 2023, the Palm Beach County Water Utilities Department (PBCWUD) received one (1) bid for the Contract. The Contract will be used to expedite utility capital improvement projects, facilitate the completion of much needed rehabilitation work and reduce the response time for corrective action/repairs for any necessary lift station projects throughout PBCWUD's service area where timing is critical. The Contract award is for the unit bid prices received and overall bid dollar amount of \$13,686,110.10 from Hinterland, which was utilized to establish the unit prices for work under this Contract. The Contract does not guarantee or authorize Contractor to perform any work. Work will be assigned during a two (2) year period with an optional one (1) year renewal by Work Orders drawn against the Contract, subject to approval pursuant to the requirements of PPM CW-F-050. The unit prices contained in the Contract will be used to determine the amount of each Work Order. This Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On June 7, 2023, the Goal Setting Committee applied an Affirmative Procurement Initiative (API) of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting participation of which 3% shall be among certified African American and/or Hispanic American owned firms. The Contractor has met the established API. Contract provides for 26% SBE participation, which includes 26% MBE participation, 26 MBE (B). The Hinterland is a Palm Beach County based company. The Contract is included in the PBCWUD FY24 and FY25 budgets. (PBCWUD Project No. 23-031) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

A) approve State of Florida Department of Environmental Protection (FDEP) Standard Grant Agreement No. LPA0716 (Agreement) for an amount not to exceed \$150,000 providing, for mechanical fuel reduction for the Loxahatchee Slough Habitat Restoration Project (Project) beginning upon Agreement execution and expiring December 31, 2025;

B) approve a Budget Amendment of \$150,000 in the Natural Areas Fund to recognize the grant revenue from FDEP and a transfer of \$150,000 to the Project to provide for the County cost share; and

C) authorize the County Administrator, or designee, to sign all future time extensions, task assignments, certifications, and other forms associated with the Agreement, and any necessary minor amendments that do not substantially change the scope of work, terms or conditions of the Agreement.

SUMMARY: The Agreement provides 50% of the cost share and reimburses the County up to \$150,000 for mechanical fuel reduction for the Project. The County will utilize specialized equipment to reduce overgrown vegetation to mitigate the risk of wildfire and lower fire intensity during prescribed burns, to achieve habitat restoration. The County will provide up to \$150,000 for the Project, using available funds in the Natural Areas Fund, for a total Project cost of \$300,000. The Agreement contains indemnification/liability and termination provisions that differ from that adopted for use by the County under PPM CW-F-049. In accordance with PPM CW-F-049, Risk Management and the County Attorney's Office have reviewed the language and advised the Department of the associated risks. Due to business needs and the benefits to be derived from the Agreement, Risk Management and the County Attorney's Office have agreed to allow the Department to move the Agreement forward for Board of County Commissioners' approval. District 1 (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (cont'd.)

2. Staff recommends motion to receive and file: Amendment to the Agreement and License for Property Access to Trim Vegetation (Agreement) with the Seaview at Juno Beach Property Owner's Association, Inc., for trimming of native vegetation on a County-owned property in Juno Beach, to extend the term of the Agreement from January 15, 2024 to November 1, 2027. **SUMMARY:** On January 15, 2019, the Board of County Commissioners approved the Agreement (R2019-0106) and authorized the County Administrator, or designee, to sign all future time extensions, task assignments, certifications and other forms associated with this Agreement, and any necessary minor amendments that do not significantly change the scope of work or terms and conditions of this Agreement. The Amendment revises certain standard County provisions, updates Exhibit B with minor modifications that do not affect the location or scope of the License Premises, and extends the current Agreement termination from January 15, 2024 to November 1, 2027. In accordance with County PPM CW-O-051, all delegated contracts, agreements, and grants must be submitted by the initiating department as a receive and file agenda item. **There is no cost to the County.** District 1 (SS)

3. Staff recommends motion to approve: the Annual Certified Budget for Mosquito Control (Form 13617) with the Florida Department of Agriculture and Consumer Services (FDACS) for Mosquito Control activities performed during the fiscal year period beginning October 1, 2023 through September 30, 2024. **SUMMARY:** On July 11, 2023, the Board of County Commissioners (BCC) approved the Detailed Work Plan Budget – Arthropod Control (Budget) and Operational Work Plan for Mosquito Control (Work Plan) for the State Financial Assistance Recipient Agreement (Agreement) (R2023-0943) or State Mosquito Control Memorandum of Understanding (MOU) with FDACS for fiscal year beginning October 1, 2023 and ending September 30, 2024. The Budget and Work Plan outlines the tentative use of state and local funds in the upcoming fiscal year necessary to implement or maintain an integrated mosquito management program. As part of the FDACS routine agency review of Florida mosquito control programs participating in the “State Approved” mosquito control program, FDACS requests financial information from the mosquito control programs participating to determine what, if any, grant funding is allocated to each mosquito control program. As the total State grant is a finite amount, and is divided amongst the programs based on the tier they fall under, as determined by FDACS Form 13617, it is necessary that the County provide this financial report in order to maintain its participation in the “State Approved” mosquito control program. Since the Palm Beach County's Mosquito Control Division's budget exceeds \$3M, it places the program in the State's Tier I, which does not qualify for additional funding under Florida Administrative Code (F.A.C) 5E-13. **There is no cost to the County.** Countywide (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (cont'd.)

4. Staff recommends motion to:

A) receive and file Amendment No. 04 (Amendment) to Grant No. L22AC00513 under Cooperative Agreement (Agreement) (R2022-1540) with the U.S. Bureau of Land Management (BLM) which provides funds for year-two of the Agreement in the amount of \$32,945.06 for the management of the Jupiter Inlet Lighthouse Outstanding Natural Area (JILONA), for the period commencing September 14, 2023 and ending September 13, 2024; and

B) approve Budget Amendment of \$32,945 in the Natural Areas Fund to recognize the award for FY2024.

SUMMARY: On December 20, 2022, the Board of County Commissioners (BCC) approved the BLM Agreement (R2022-1540) for management services at JILONA for a 5-year project period commencing September 14, 2022 and ending September 13, 2027. The approval included funding in the amount of \$32,072.87 for the first year of the Agreement. Delegated authority to execute all future time extensions, task assignments, certifications and other forms associated with the Agreement and any necessary minor amendments that do not substantially change the scope of work or terms and conditions of the Agreement was approved at that time. This Amendment is labeled as Amendment No. 4 because Amendment No. 1, No. 2 and No. 3 were all draft amendments from BLM that contained errors, and therefore were not presented to or executed by the BCC. Amendment No. 04 corrects all those errors and is therefore the first Amendment being presented to Board. This Amendment provides for reimbursement to the County up to the amount of \$32,945.06 for managing JILONA for FY2024 with no County match required. The budget outlined in Amendment No. 04 shows the total awarded amount to date, which includes FY2023 (\$32,072.87) and FY2024 (\$32,945.06) totaling \$65,017.93. **There is no cost to the County.** District 1 (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (cont'd.)

5. Staff recommends motion to:

A) ratify Singer Island Emergency Dune Restoration Contract No. 2023ERM05 (Contract) with Eastman Aggregate Enterprises, LLC (Contractor) in the amount of \$2,530,586.50 to provide dune restoration services for the Singer Island Dune Restoration Project (Project), for a term beginning November 20, 2023 and expiring 90 calendar days from the Notice to Proceed; and

B) accept a Temporary Construction Easement (Easement) with Eastpointe II Condominium Association, Inc. to provide an expanded construction access area for a term beginning December 1, 2023 and expiring no later than May 29, 2024.

SUMMARY: The Contract provides for emergency dune restoration within the Project area, which suffered exceptional erosion damage in October and November 2023 due to waves generated by a combination of prolonged severe weather and king tides. Restoration of the dune was most recently completed in February 2023, but the area had been eroded to pre-restoration conditions by recent wind and waves, leaving adjacent upland infrastructure and a construction access easement utilized by the County for beach management efforts, vulnerable to direct impacts. Because of this, and the fact that dune and beach construction is not authorized during marine turtle nesting season (March 1 through October 31), it became necessary to complete an immediate restoration of the Project on an emergency basis. The Florida Department of Environmental Protection (FDEP) provides funding assistance where critical erosion impacts shore protection projects. In order to qualify for potential FDEP funding, the County inquired about dune construction rates from other local governments with existing competitively bid contracts including state and federal requirements; the Town of Jupiter Island (Town) has an existing contract for these services where the Contractor is willing to accept additional work at existing rates. Pursuant to Sections 2-53 (f) and 2-54 (f)(4) of the Palm Beach County Purchasing Code, and based on these emergency circumstances where approval by the Board of County Commissioners could not be obtained in a timely manner, the Environmental Resources Management Department Director executed the Contract on November 20, 2023. The Contract allowed an immediate start to emergency restoration work. The Easement provides the Contractor with required access to complete the Project, and is necessary due to erosion of a portion of the existing construction access easement area. The Project will utilize a combination of available project-specific and emergency response budget within the Beach Improvement Fund, and will be submitted for consideration of supplemental funding through the FDEP Beach Management Funding Assistance Program. District 1 (YBH)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (cont'd.)

6. Staff recommends motion to receive and file:

A) Interlocal Agreement with the City of Riviera Beach for manatee law enforcement services from November 15, 2023 to March 31, 2028; and

B) Interlocal Agreement with the City of West Palm Beach 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, & 7 (SS)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: an executed Entertainment Contractor Agreement with Louise J McKinnon-White in an amount of \$500 for the Planet Lulu concert at Canyon Amphitheater, on November 18, 2023. **SUMMARY:** The Parks and Recreation Department produces cultural activities to promote the quality of life in the communities it serves. A sponsorship received on FY2023 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 Amphitheater Rental Agreement with the Alzheimer's Disease and Related Disorders Association, Inc., for the Walk to End Alzheimer's Event at Sunset Cove Amphitheater, for the period of November 10, 2023 through November 12, 2023. This event generated \$4,069 in revenue, with \$1,342 in direct expenses; thus providing a net fiscal impact of \$2,727. **SUMMARY:** This Amphitheater Rental Agreement has been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution 2009-0335, amended by Resolutions 2009-1807, 2012-1715, and 2014-0166. The Department is now submitting this Agreement in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a Receive and File agenda item. District 5 (AH)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to receive and file:

- A) First Amendment to Contract for Consulting/Professional Services (R2022-0988) with Southeast Florida Behavioral Health Network, Inc. (SEFBHN) to extend the term of the contract from September 13, 2023 through November 13, 2023; and
- B) Second Amendment to Contract for Consulting/Professional Services (R2022-0988) with SEFBHN to extend the term of the contract from November 13, 2023 through January 13, 2024.

SUMMARY: The First and Second Amendments to the contract with SEFBHN extended the funding period from September 13, 2023 through January 13, 2024, for the Frequent Utilizer “Next Steps” pilot project to provide continued access to behavioral health support services, case management, care coordination, peer support, and assistance applying for various public benefits. On September 13, 2022, R2022-0988 authorized the County Administrator or designee to execute any amendments, reports, or documents relating to this agreement after approval of legal sufficiency by the County Attorney’s Office and within budgeted allocations. 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. Countywide (HH)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

1. Staff recommends motion to approve: an Interlocal Agreement for Fire Vehicle Maintenance and Repair Services (Agreement) with the Town of Palm Beach Shores (Town), for Palm Beach County Fire Rescue (PBCFR) to provide fire vehicle maintenance and repair services to the Town retroactively from May 21, 2023 through May 20, 2028. **SUMMARY:** The Agreement provides the terms and conditions under which PBCFR Support Services personnel will provide maintenance and repair services for the Town's Fire-Rescue emergency response vehicles and apparatus. The parties desire for the County to continue to provide such services to the Town for five (5) years. Countywide (SB)

2. Staff recommends motion to:

A) **authorize** the County Administrator, or designee, to sign the State FY 2023-2024 annual Emergency Medical Services (EMS) Matching Grant Application requesting \$216,674, to fund 75% of the purchase of 13 Hamilton-T1 ventilators; and

B) **authorize** the County Administrator, or designee, to accept, approve, execute and submit, on County's behalf the grant award, representations, certifications, acknowledgments, assurances, standard forms and documents, reimbursement requests, amendments, time frame changes, EMS Grant program change requests, and any other necessary documents, that do not materially change the general scope of terms and conditions of the grant.

SUMMARY: The EMS Matching grant is a grant from the Florida Department of Health, Bureau of EMS. This grant application requests \$216,674 from the Emergency Trust Fund for the purchase of 13 Hamilton-T1 ventilators. The total project cost identified in the grant application is \$288,899. **The required match for this grant is \$72,225 (25% of the State approved grant amount)**, which will be funded from Fire Rescue's contingency reserve. Countywide (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (cont'd.)

3. Staff recommends motion to approve: a Budget Transfer of \$575,000 within the Fire Rescue Improvement Fund (Fund 3700) to account for unforeseen increase in costs for Fire Stations No.17 and 49. **SUMMARY:** The additional funds for Fire Station No.17 will cover the necessary city permits for Change Order No.3 for alterations to the modular building, including mechanical, electrical, plumbing and roofing modifications. Change Order No.3 can be approved by the Facilities Development & Operations Director under the authority granted by the Purchasing Code. The funds for Fire Station No. 49 will help address additional costs in the development of the station, including installation of a canopy cover, and underground connection for power to Florida Power and Light Company. These upgrades are essential for safe and operational efficiency during the construction of the permanent station. Countywide (SB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to:

A) receive and file a federally-funded executed Grant Agreement (G0459) for FY2023-24 in the amount of \$290,710 for the Emergency Management Performance Grant (EMPG) with the State of Florida, Division of Emergency Management (FDEM) to receive grant funding for the period October 1, 2023, through March 31, 2025, to improve and enhance emergency management plans and programs and provide operational support to maintain state required programs; and

B) approve a Budget Amendment of \$9,591 in the Emergency Management Preparedness & Assistance Fund to adjust the budget to the actual award of \$290,710.

SUMMARY: The EMPG grant (CFDA #97.042) is federally funded and recurs annually. The grant will be used to further enhance emergency planning, response, mitigation, and recovery in the County. R2012-1731 dated November 20, 2012, gave authority to the County Administrator, or designee, to execute these agreements on behalf of the Board of County Commissioners. **County matching funds of \$290,710 (100%) are required and included in the County budget.** Countywide (DB)

2. Staff recommends motion to receive and file: executed Florida Department of Health Emergency Medical Services (EMS) Program, Grants Section Change Request in the amount of \$78,222.04 for EMS Grant ID Code C1050 to improve and expand EMS systems for the period of March 1, 2023 through February 29, 2024. **SUMMARY:** The County was awarded \$174,438 (CSFA #64.005) during the FY 2022-23 grant cycle from the State of Florida Department of Health, EMS Section, to improve and expand EMS systems. There was an unspent balance of \$76,566.17 due to purchasing bids coming in lower than expected and supply chain delays from the FY 2021-22 grant cycle, Grant ID Code C0050, and interest earned of \$1,655.87. This combined sum total of \$78,222.04 will roll over into the FY 2022-23 grant cycle, Grant ID Code C1050 bringing the total to \$252,660.04. On January 10, 2023, R2023-0023 authorized the County Administrator to sign change request forms related to the EMS County Grant Award. The Grants Section Change Request form was signed by State on December 5, 2023. **There is no ad valorem funding required.** Countywide (SB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (cont'd.)

3. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners authorizing the County Administrator or designee to sign the FY 2023-2024 annual Florida Department of Health Emergency Medical Services (FL-EMS) County Grant Application for \$183,816.99 and sign EMS Grant program change request forms related to the grant after the approval of the application by the Florida Department of Health, Bureau of EMS and forward same to the State of Florida Department of Health, Bureau of EMS. **SUMMARY:** The EMS County Grant (CSFA# 64.005) is an annual grant provided to Palm Beach County from the Florida Department of Health, Bureau of EMS, to improve and expand the EMS system. The funds are used to purchase EMS equipment which is distributed to EMS providers and other agencies that are eligible for EMS grant funding. **No County matching funds are required for this grant.** Countywide (SB)

4. Staff recommends motion to approve: First Amendment to Interlocal Agreement with City of Riviera Beach to provide temporary medical staff to the disaster shelter located in their municipal boundary for the duration of the shelter activation for a term of five (5) years through August 8, 2028 and allow for future extensions in five year increments. **SUMMARY:** The County operates disaster shelters all across Palm Beach County. Emergency Activations have shown the need for emergency medical services (EMS) to be present at all times at all disaster shelter locations. Currently, there are fifteen (15) emergency shelters, with seven (7) of them serviced by their respective municipal Fire Rescue Department. Interlocal Agreements with the six (6) municipalities were originally executed in 2018 with an initial term of five (5) years. The original Interlocal Agreements provide that the parties may mutually agree to renew for another term of five (5) years, which must be documented in a written amendment executed by both parties. The First Amendment to Interlocal Agreements will allow the municipal fire rescue departments to staff and assign EMS prior to a disaster to ensure that the shelter has EMS present at all times. The County and the Cities wish to extend the term of the Interlocal Agreement for an additional five (5) years, extending the term to 2028. Three (3) First Amendments to Interlocal Agreements were approved by the Board on December 5, 2023. The remaining two (2) Interlocal Agreements will be brought to the Board at a later date. The County will reimburse government agencies for eligible costs and request reimbursement from the Federal Emergency Management Agency. Countywide (DB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (cont'd.)

5. Staff recommends motion to:

- A) **receive and file** the executed subcontract 23SAS26 with the Florida Council Against Sexual Violence (FCASV) for the period retroactive to October 1, 2023 through July 31, 2026 in the amount of \$120,000 for the first year period to provide sexual assault services;
- B) **approve** the addition of one (1) full-time Project Coordinator (pay grade 30) to the Victim Services Complement; and
- C) **approve** a Budget Amendment of \$120,000 in the Public Safety Grants Fund to recognize the grant award.

SUMMARY: Palm Beach County, Department of Public Safety, Division of Victim Services (DVS) was awarded a Sexual Assault Services Program (SASP) Formula Grant, Assistance Listing Number (ALN)16.017 from the FCASV in the amount of \$120,000 for the first year of a three-year funding cycle ending in July 2026. This grant will expand advocacy services, accessibility of victim services and outreach to the Hispanic/Latino/a populations by creating Partnerships with El Sol and the Guatemala Maya Center. The SASP Project Coordinator Position (pay grade 30) will coordinate all activities associated with this project including direct services, outreach, strategic planning and project evaluation. The Project Coordinator position will be approved for the length of the grant funding and will be deleted from the DVS complement when the funding is discontinued. For the previous grant period of July 1, 2022 to July 31, 2023, DVS assisted 1,340 new and ongoing primary and secondary victims with 14,479 units of service for the period July 1, 2022 to July 31, 2023. On January 10, 2006, R2006-0095 authorized the County Administrator or designee to execute FCASV grant contracts on behalf of the County. **No County matching funds are required for this grant.** Countywide (RS)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

1. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, a Subgrant Agreement from the State of Florida Department of Transportation (FDOT) for the Palm Beach County Sheriff's Office, Palm Beach County Occupant Protection Project, in the amount of \$200,000, for the period of November 15, 2023 through September 30, 2024; and

B) approve a Budget Amendment of \$200,000, increasing the Sheriff's Grants Fund.

SUMMARY: On October 13, 2023, the Florida Department of Transportation awarded a grant to the Palm Beach County Sheriff's Office in the amount of \$200,000, to support an Occupant Protection Project in Palm Beach County. Funds will be used to support overtime costs and training associated with the Occupant Protection Project. There is no match requirement associated with this award. The Catalog of Federal Domestic Assistance (CFDA) number is 20.600, the project number is OP-2024-00274, and the FDOT Contract number is G2R02. Countywide (RS).

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

2. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office a Department of Homeland Security, FY2023 Targeted Violence and Terrorism Prevention Grant Program grant award in the amount of \$610,000 for the period of October 1, 2023 through September 30, 2025; and

B) approve a Budget Amendment of \$610,000 in the Sheriff's Grants Fund.

SUMMARY: On October 1, 2023, the Palm Beach County Sheriff's Office (PBSO) received a federal grant award in the amount of \$610,000 to enhance our Palm Beach County School and Community Violence Prevention Project and corresponding comprehensive implementation strategy which addresses threats of mass violence in the community. Funding will be used to support the hire of one full time Sergeant position, contractual services, training, supplies, and community awareness. An increase in funding from the County may be requested through our annual budget process once the grant ends to support the (1) newly added position. There is no match requirement associated with this award. The OAG Catalog of Federal Domestic Assistance (CFDA) Number for this program is 97.132. The Agreement number is EMW-2023-GR-00059-S01. Countywide (RS)

3. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, a Bureau of Justice Assistance (BJA) State Criminal Alien Assistance Program FY 2023 Grant in the amount of \$58,870 for the period of November 21, 2023 through the date all funds have been spent; and

B) approve a Budget Amendment of \$58,870 increasing the Sheriff's Grants Fund.

SUMMARY: The Bureau of Justice Assistance (BJA) has made funds available to be used for correctional purposes. These funds will be used in accordance with the Department of Justice Reauthorization Act of 2005. **There is no match requirement associated with this award.** The Catalog of Federal Domestic Assistance (CFDA) number is 16.606 and the contract number is 15PBJA-23-RR-05603-SCAA. Countywide (RS)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

4. Staff recommends motion to:

A) receive & file Grant Modification #2 with the Office of National Drug Control Policy to provide supplemental funds in the amount of \$29,124.50 for the Palm Beach County Sheriff's Office, effective on December 7, 2023; and

B) approve a Budget Amendment of \$29,125 in the Sheriff's Grant Fund.

SUMMARY: On April 4, 2023, the Board of County Commissioners (BCC) accepted a grant award on behalf of the Palm Beach County Sheriff's Office (PBSO) from the Office of National Drug Control Policy (ONDCP) in the amount of \$105,154 for the period of January 1, 2023 through December 31, 2024 (R2023-0444), to provide overtime support for the Palm Beach County Narcotics Task Force (PBCNTF). On November 21, 2023, the BCC accepted supplemental funds in the amount of \$18,791.23 to continue to support the PBCNTF (R2023-1727). This agenda item will provide an additional \$29,125 in grants funds for the PBCNTF, which brings the total grant award to \$153,069.73. There is **no match requirement** associated with this award. The Catalog of Federal Domestic Assistance (CFDA) number is 95.001 and the contract number is G23MI0011A. Countywide (RS)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

5. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, an Agreement between Palm Beach County's Office of Community Revitalization (PBCOCR) and the Palm Beach County Sheriff's Office in the amount of \$10,997, for the period of November 7, 2023 through November 6, 2024 for a neighborhood outreach project previously approved by the Board of County Commissioners on 11/07/23;

B) approve a Budget Transfer in the amount of \$10,997 from CCRT Special Projects & Initiatives Fund to the Sheriff's Grants Fund; and

C) approve a Budget Amendment in the amount of \$10,997 in the Sheriff's Grant Fund.

SUMMARY: On November 7, 2023, the Board of County Commissioners (BCC) approved a Neighborhood Engagement and Transformation (NEAT) grant agreement with the Palm Beach County Sheriff's Office (PBSO) in the amount of \$10,997 for the period of November 7, 2023 through November 6, 2024 (R2023-1647). The NEAT grant will support PBSO's Community Policing Unit implement a Neighborhood Outreach Project within Countywide Community Revitalization Team (CCRT) neighborhoods, through the purchase of items and equipment for community events, community clean-ups and community gatherings. **There is no cash match associated with this award.** There is no contract number associated with this grant and no CFDA #. Countywide (RS)

3. CONSENT AGENDA APPROVAL

DD. TOURIST DEVELOPMENT COUNCIL

1. Staff recommends motion to receive and file: two (2) 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) Caribbean Baseball Organization, Inc., for the promotion of World Comes to the Palm Beaches, held from October 25 -29, 2023, for the term May 25, 2023 – January 29, 2024. This grant was approved on May 11, 2023, in the amount of \$17,500, and
 - B) Boca Raton Champions Golf Charities, Inc., for the promotion of the TimberTech Championship PGA TOUR Champions, held from October 30 – November 5, 2023, for the term May 30, 2023 – February 5, 2024. This grant was approved on May 11, 2023, in the amount of \$50,000.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File agenda item. On June 7, 1994, the Board of County Commissioners adopted Resolution R94-702, as amended, authorizing the County Administrator and/or the Executive Director of the TDC to enter into grant agreements with Category G (Sports) grantees after they have been approved by the TDC. Room nights generated for Caribbean Baseball Organization, Inc./World Comes to the Palm Beaches were 1,801, and room nights generated for Boca Raton Champions Golf Charities, Inc./TimberTech Championship PGA TOUR Champions were 2,500. Districts 1,4, & 7 (YBH)

3. CONSENT AGENDA APPROVAL

DD. TOURIST DEVELOPMENT COUNCIL (cont'd.)

2. Staff recommends motion to receive and file: two (2) 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) Men's Senior Baseball League, Inc., for the promotion of Men's Senior Baseball League (MSBL) Fall Classic, held from November 4 - 18, 2023, for the term April 4, 2023 – February 18, 2024. This grant was approved on May 11, 2023, in the amount of \$68,000, and

B) Miracle League of Delray Beach, Inc. dba Miracle League of Palm Beach County, for the promotion of the Miracle League All-Star Weekend, held from November 3 – 5, 2023, for the term April 3, 2023 – February 5, 2024. This grantee was approved by the TDC on February 9, 2023, in the amount of \$30,000.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File agenda item. On June 7, 1994, the Board of County Commissioners adopted Resolution R94-702, as amended, authorizing the County Administrator and/or the Executive Director of the TDC to enter into grant agreements with Category G (Sports) grantees after they have been approved by the TDC. Room nights generated for Men's Senior Baseball League, Inc./Men's Senior Baseball League (MSBL) Fall Classic were 8,295 room nights generated for Miracle League of Delray Beach, Inc. dba Miracle League of Palm Beach County/Miracle League All-Star Weekend were 1,347. Districts 1 & 7 (YBH)

3. CONSENT AGENDA APPROVAL

DD. TOURIST DEVELOPMENT COUNCIL (cont'd.)

3. Staff recommends motion to approve:

- A) an Agreement between Palm Beach County and Ann Norton Sculpture Gardens, Inc. for the Cultural Capital Fund Grant, in the amount of \$400,000, to repair, restore, and renovate the existing historic building;
- B) an Agreement between Palm Beach County and Boca Raton Museum of Art, Inc. for the Cultural Capital Fund Grant, in the amount of \$242,000, to renovate six (6) restrooms and upgrade each with artistic tile;
- C) an Agreement between Palm Beach County and Busch Wildlife Sanctuary, Inc. for the Cultural Capital Fund Grant, in the amount of \$283,000, to construct a shell for five (5) flight cages;
- D) an Agreement between Palm Beach County and Cox Science Center and Aquarium, Inc. for the Cultural Capital Fund Grant in the amount of \$865,000, to upgrade the fire safety system;
- E) an Agreement between Palm Beach County and Maltz Jupiter Theatre, Inc. for the Cultural Capital Fund Grant, in the amount of \$405,000, to construct a black box theater;
- F) an Agreement between Palm Beach County and Raymond F. Kravis Center for the Performing Arts, Inc. for the Cultural Capital Fund Grant, in the amount of \$300,000, to design and construct an outdoor performance venue;
- G) an Agreement between Palm Beach County and Friends of Sandoway House Nature Center, Inc. for the Cultural Capital Fund Grant, in the amount of \$130,000, to renovate the Sandoway Discovery Center entrance; and
- H) an Agreement between Palm Beach County and Cultural Council of Palm Beach County, Inc. for administration of Cultural Capital Fund Grants, in the amount of \$25,000, to monitor and evaluate the activities of grant recipients for compliance with the grant program.

3. CONSENT AGENDA APPROVAL

DD. TOURIST DEVELOPMENT COUNCIL (cont'd.)

3. **SUMMARY:** On July 12, 2022, the Board of County Commissioners (BCC) designated \$4,000,000 of ARPA Response Replacement funds for Cultural activities. The Cultural Council was designated to administer a grant process for \$3,000,000 of the \$4,000,000 funding. These funds will be expended between September 1, 2023 and December 31, 2026 to support cultural infrastructure projects of various local non-profit cultural organizations. The Agreement with the Cultural Council requires the Cultural Council to monitor and evaluate the activities of each grantee for compliance with each grant agreement. The Cultural Council Agreement is retroactive to September 1, 2023, the date on which the Cultural Council began work to convene the grant panel to review grantee applications. The grant agreements will fund capital improvements, which will expand and improve resident and visitor experiences in Palm Beach County. The total amount of the grant agreements and the Cultural Council agreement is \$2,650,000. There is one additional agreement, which will be brought before the BCC for capital improvements at Florida Atlantic University in the amount of \$350,000. This agreement remains in contract negotiations and is anticipated to be brought to the BCC for approval during a future Board meeting. The remaining \$1,000,000 in project(s) will be submitted to the BCC at a later date. **These are County ARPA Response Replacement funds that do not require a local match.** Districts 1, 2, 3, & 4 (YBH)

EE. MEDICAL EXAMINER

1. Staff recommends motion to approve: Contract for Consulting and Professional Services with AXIS Forensic Toxicology, Inc. (AXIS) to provide forensic toxicology testing for the period retroactive to January 1, 2024 through December 31, 2026 in an amount not to exceed \$1,200,000. **SUMMARY:** The AXIS contract includes various drug detection panels that provide statutorily required and necessary complex toxicology testing as economically as possible. Each panel detects and quantifies a group of pre-determined drugs on the submitted body fluids/tissues that are collected at the time of examination. The group of drugs tested on each panel is determined by the laboratory based on their analytical capabilities. Other tests requested include carbon monoxide, volatiles (alcohols) and electrolyte testing. One or more panels may be requested on a particular case by the Medical Examiner; the requests are based on the information available through the Medicolegal death investigation. The cost of the panels range from \$84 to \$472.50 per panel. AXIS costs include the shipment to the laboratory, scheduled destruction of specimens, and professional consultation with their staff toxicologists. If return of some specimens to the Medical Examiner Office is necessary, it requires an additional fee. The type of services provided in the contract are exempt from the Purchasing Code. Countywide (SF)

3. CONSENT AGENDA APPROVAL

FF. INTERNAL AUDITOR

1. Staff recommends motion to receive and file:

A) Audit report reviewed by the Audit Committee at its December 13, 2023 meeting as follows: Report #2024-01 Environmental Resources Management-Contract Management (Audit Work Plan #2023-02); and

B) Audit Recommendation Follow-up Status Report as of November 15, 2023.

SUMMARY: The County Code requires the County Internal Auditor to submit copies of final audit reports to the Board of County Commissioners and the Internal Audit Committee. The County Code also requires the County Internal Auditor to issue semi-annual audit recommendation status reports to the Board of County Commissioners and the Internal Audit Committee. At its meeting on December 13, 2023 the Internal Audit Committee reviewed the attached audit report and the semi-annual audit recommendation status report. We are submitting these reports to the Board of County Commissioners as required by the County Code. Countywide (DB)

3. CONSENT AGENDA APPROVAL

GG. OFFICE EQUAL OPPORTUNITY

1. **Staff recommends motion to approve:** Amendment No. 1 to Contract for Consulting/Professional Services with the Legal Aid Society of Palm Beach County, Inc. (R2023-0038) dated January 10, 2023 for the period January 1, 2024 through December 30, 2024 for the Wage Dispute Project which updates/adds certain contract language and replaces certain exhibits. **SUMMARY:** On January 10, 2023, the County and the Legal Aid Society of Palm Beach County, Inc. (Legal Aid Society) entered into a Contract (R2023-0038) for a three (3) year period, January 10, 2023 through December 31, 2025, for a total of \$435,999 of which \$145,333 is budgeted in contract year 2024 with an anticipated annual allocation of \$145,333 in each subsequent contract year, contingent upon a budgetary appropriation by the Board of County Commissioners. The contract covers the salary and benefits of the staff attorney assigned to the Wage Dispute Project, and the support, investigative, court processing services and other actual costs of the project. In 2022, 130 individuals were provided service under the contract. For the current year, the number served to date is 138 (from January 1, 2023 through October 31, 2023). Countywide (DO)

2. **Staff recommends motion to approve:** Contracts for the Handicap Accessibility and Awareness Grant Program with the non-profit agencies listed below, as of the date of approval of the contract by the Palm Beach County Board of County Commissioners (BCC) through September 30, 2024, in the amount not to exceed \$11,750:
 - A) a Contract with CareerSource Palm Beach County, to provide funding to purchase assistive technology to increase access to their services to persons with disabilities to find and obtain employment, in an amount not to exceed \$6,500; and
 - B) a Contract with Lighthouse for the Blind of the Palm Beaches, to provide funding to present sensitivity and public awareness programs to increase the public awareness as to the rights and abilities of persons with disabilities, in an amount not to exceed \$6,500.

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

3. CONSENT AGENDA APPROVAL

HH. WATER RESOURCE TASK FORCE

~~1. Staff recommends motion to approve: appointments to the Water Resources Task Force (WRTF) for the remainder of a three (3) year term ending September 30, 2024, approve one (1) new appointment; and reappoint four (4) primary and two (2) alternate members with expired terms. The new appointments are as follows:~~

~~A) The League of Cities appointed for Seats 2 and 3 for remainder of three (3) year term:
- Vice Mayor Joaquin Almazan of the City of Belle Glade;
- Commissioner Reinaldo Diaz of the Town of Lake Worth Beach;~~

~~B) Mr. Robert Shorr has applied to change from seat 2 to vacant seat 13 to represent agricultural interests;~~

~~C) The four (4) primary seats requiring reappointment are
- Poonam Kalkat (Seat 8 - Water/Wastewater Provider);
- Tommy Strowd (Seat 9 - LWDD);
- Jay Steinle (Seat 11 - SFWMD);
- Michael Johnson (Seat 14 - ITID); and~~

~~D) The two (2) alternate seats requiring reappointment are:
- Julie Parham (Seat 8A - Water/Wastewater Provider); and
- Greg Shafer (Seat 14A - ITID).~~

SUMMARY: ~~The WRTF was established to identify and evaluate opportunities and impediments to providing future water supply, conservation, wastewater treatment and reuse or reclaimed water opportunities that are most efficient and cost effective. The WRTF meets 4 to 6 times per year. The WRTF is comprised of a total of 28 representatives (14 members and 14 designated alternates for each seat). The 14 seats are as follows: six (6) City elected officials; one (1) County Commissioner (or their appointee); one (1) water and/or wastewater provider or utility official; one Lake Worth Drainage District representative; one drainage/ water control district elected official; one (1) South Florida Water Management District Governing Board member; one (1) environmental representative; one (1) land owner in Palm Beach County actively farming that land to represent agricultural interests; and one (1) Indian Trail Improvement District (ITID) representative. The current terms for the League of Cities appointments are from October 1, 2021 through September 30, 2024. The terms for the PBC BCC appointments are from October 1, 2022 through September 30, 2025. With the recent resignations the diversity count of the 9 current WRTF members and 3 alternates is as follows: 11 Caucasian (91.7%) and 1 Asian American (8.3%). The gender ratio (female:male) is 6:6. Staff is addressing the need to increase diversity within our Board and will continue to encourage this to expand this Board's diversity. Countywide (MJ)~~

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4. SPECIAL PRESENTATIONS – 9:30 A.M.

- A)** Proclamation declaring January 2024 as Mentoring Month. (District 7)
- B)** Proclamation declaring January 25 – 26, 2024 as the 24-Hour Homeless Point-In-Time Count Day. (District 4)
- C)** Certificate of recognition presented to Dr. Annette M. Gilbert for her nearly 35 years of service to the School District of Palm Beach County. (District 7)
- D)** Proclamation recognizing the 75th Anniversary of Boca Raton Airport. (District 4)
- E)** Proclamation declaring February 10 – March 4, 2024 as 8th Annual Judy Levis Krug Boca Raton Jewish Film Festival Days. (District 5)
- F)** Proclamation declaring January 2024 as Florida Jewish History Month. (District 6)
- G)** Proclamation declaring January 27, 2024 as the Susan G. Komen More Than Pink Walk Day. (District 5)
- H)** Proclamation declaring January 2024 as Human Trafficking Prevention Month. (District 6)
- I)** Proclamation recognizing the 100th Anniversary of Jones Foster. (District 3)

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

A. PALM TRAN

1. Staff recommends motion to:

- A) **adopt** a resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, authorizing the signing and submission of the FFY2024_SF2025 Section 5310 grant application in the amount of \$1,840,568 with a required local match of \$204,508 for a total project cost of \$2,045,076, and the submission of supporting documents, and assurances to the Florida Department of Transportation (FDOT);
- B) **authorize** the County Administrator or Designee to sign and accept the resulting grant award letter with terms consistent with the grant application and resolution authorizing the grant application’s signing and submission;
- C) **approve** the purchase of paratransit vehicles from the FDOT TRIPS Contract, pursuant to the terms and conditions of the application and resulting Notice of Grant Award allotted funds; and
- D) **authorize** the County Administrator or Designee to submit the Order Form for the FDOT TRIPS Contract to request purchase of the vehicles and expenditure of grant funds and local match pursuant to the resulting Notice of Grant Award.

SUMMARY: Palm Tran is submitting an application for the acquisition of replacement paratransit vehicles at a total cost of \$2,045,076. The vehicles being replaced were purchased in 2018 with Public Improvement Revenue Bond funds and have reached the end of their useful life. The grant requires a **local match of \$204,508 (10%)**. The required match is included in Palm Tran’s FY 2024 budget. The application amount will cover the estimated cost to replace eleven (11) vehicles. The actual award amount will be determined by funds available under Section 5310 after all applications have been reviewed by FDOT. 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)

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6. REGULAR AGENDA

A. AIRPORTS

1. Staff recommends motion to approve:

- A) Amendment No. 2 to the General Consulting Agreement with AECOM Technical Services, Inc. (AECOM) for Consulting/Professional Services (Consulting Agreement) in the amount of \$1,897,269.66 for the continued performance of professional planning and design services related to the approved Palm Beach County Department of Airports Capital Improvement Program; and
- B) a Budget Transfer in the amount of \$1,357,023 in the Airport's Improvement and Development Fund to provide budget for Amendment No. 2; including a transfer from Reserves in the amount of \$1,357,023.

SUMMARY: The Consulting Agreement with AECOM for general engineering consultant services was approved by the Board on July 11, 2023 (R2023-0980) in the amount of \$2,126,629.78 to carry out the approved Capital Improvement Program for the County's Airport System. Amendment No. 1 was approved by the Board on November 7, 2023 (R2023-1654) increasing the Consulting Agreement by \$1,396,545.04. Approval of Amendment No. 2 will provide an additional \$1,897,269.66 to complete the following tasks: Task I Services – Design Palm Beach International Airport (PBI) Holding Apron at Taxiway A and C; Design PBI Taxiway M, M1, and M2 Reconstruction; PBI Stormwater Master Plan Update; Additional Services for PBI Garage Improvements; Design Palm Beach County Park Airport (LNA) Rotating Beacon Replacement; Disadvantaged Business Enterprise Outreach Services; and Task III Services. Work to be completed under Task III Services will be issued per the level of authority contained in PPM CW-F-050 by way of a separate proposal or task authorization. AECOM is a Dallas, Texas based firm; however, the majority of the work will be completed through its West Palm Beach and Tampa, Florida offices. A Disadvantaged Business Enterprise (DBE) goal of 20.9% was established for this Consulting Agreement. AECOM committed to 16.04% DBE participation for this Amendment No. 2. The total DBE participation for the Consulting Agreement to date is 23.57%. Pursuant to changes to Chapter 332, Florida Statutes, effective July 1, 2023, a governing body of a medium hub commercial service airport may not approve purchases of contractual services in excess of \$1,000,000 on a consent agenda. This Amendment No. 2 exceeds the threshold amount and must be approved on the regular agenda. Countywide (AH)

6. REGULAR AGENDA

A. AIRPORTS

2. Staff recommends motion to approve:

- A) The renewal of a Term Contract for Maintenance of Airport Facilities and Systems (Contract) with ERMC Aviation LLC (ERMC) for an amount not to exceed \$1,188,815.40 providing for improvements to the passenger boarding bridges (PBB) and purchase of a mobile loading bridge for use at Palm Beach International Airport (PBI), per Master Agreement #21-070/CC, commencing on February 6, 2024, and expiring on December 5, 2024, with the option to renew for two additional 12-month periods; and
- B) a Budget Transfer in the amount of \$476,842 in the Airport's Improvement and Development Fund to provide budget for the improvements, including a transfer from Reserves in the amount of \$476,842. The improvements are partially funded under the current year's budget.

SUMMARY: The Contract provides for the maintenance, repair, and improvement of PBBs, 400 Hertz ground power, cabin air systems, and facility systems at PBI. The Contract expires on February 5, 2024, with the option to renew for two additional 12-month periods. ERMC Aviation LLC is located in Atlanta, Georgia. The PBBs, ancillary equipment, and facilities are critical to on-going airport operations and require specialized technical knowledge for their maintenance, repair and improvement. Following Board approval of the Contract, the Purchasing Department will issue an award notice to ERMC for the renewal term. The total not-to-exceed amount for the renewal term is \$1,188,815.40. Improvements include the replacement of boarding bridge canopies and potable water cabinets and the purchase of a mobile PBB for Concourse A for use during the next phase of the Concourse B construction. Airlines utilizing the PBBs at PBI pay for the full cost of the equipment through rates and charges established annually in accordance with the Signatory Airline Agreement (R-2019-1155). The Office of Equal Business Opportunity issued a waiver of Affirmative Procurement Initiatives (API) on July 14, 2021 due to the lack of availability of qualified Small/Minority/Women Owned Business Enterprises providing services required by this Contract. Pursuant to changes to Chapter 332, Florida Statutes, effective as of July 1, 2023, a governing body of a medium hub commercial service airport may not approve purchases of contractual services in excess of \$1,000,000 provided in Section 287.017, Florida Statutes, on a consent agenda. This Contract exceeds the threshold amount and must be approved on the regular agenda. Countywide (AH)

6. REGULAR AGENDA

B. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve:

- A) Contract with 34ED, LLC d/b/a Centegix (“Centegix”) for the installation, implementation and maintenance of an emergency notification system (“ENS”) at various County buildings on an as needed basis for a period of 1 year with 3 optional renewals of 3 years each (the “Contract”); work will be requested through individual consultant service authorizations (“CSAs”);
- B) CSA No. 1 under the Contract with Centegix for the installation, implementation and maintenance of an ENS at the Vista Center building (2300 N. Jog Road) in the amount of \$66,900; and
- C) CSA No. 2 under the Contract with Centegix for the installation, implementation and maintenance of an ENS at the Governmental Center building (301 N. Olive Ave.) in the amount of \$77,400.

SUMMARY: The Contract with Centegix provides for the installation, implementation and maintenance of an emergency notification system (“ENS”) at various County buildings on an as needed basis; work will be requested through individual consultant service authorizations (“CSAs”). The initial term of the contract is for 1 year with the option of three renewals of 3 years each. The Contract provides for a pilot program at two County buildings for up to a year. If the pilot program is successful the County may implement the system at additional County buildings as funding allows. If the one year pilot is not successful, the Contract provides that the County may extend the testing period or terminate the Contract with Centegix and select an alternate ENS from one of the other proposals it received. The two buildings selected for the pilot program are the Vista Center and the Governmental Center. CSA No. 1 provides for the installation, implementation and maintenance of the Centegix ENS at the Vista Center for the lump sum amount of \$66,900. CSA No. 2 provides for the installation, implementation and maintenance of the Centegix ENS at the Governmental Center for the lump sum amount of \$77,400. Facilities Development and Operations (FDO) advertised the solicitation for an ENS on October 17, 2022. FDO received five proposals in response to the competitive solicitation. The final selection committee met on March 31, 2023, and recommended award to Centegix. An unsuccessful proposer protested the award recommendation, which protest the Purchasing Director denied. The unsuccessful proposer then requested a special master hearing which was held on July 28, 2023. The Special Master also denied the protest and recommended contract award to Centegix. The County’s Office of Equal Business Opportunity (EBO) granted a waiver of EBO program requirements for this Contract based on a determination that sufficient qualified Small, Minority, Women Business Enterprises were unavailable to provide these services. Funding for this project is from the General Fund. (FDO) Countywide (MWJ)

6. REGULAR AGENDA

B. FACILITIES DEVELOPMENT & OPERATIONS

2. Staff recommends motion to:

A) adopt a Resolution authorizing the conveyance of the County's interest lying within a 3-foot-wide strip of land located north of the Blue Heron Bridge to the State of Florida Department of Transportation pursuant to Section 125.38, Florida Statutes, at no cost and without reservation of mineral and petroleum rights; and

B) approve a County Deed in favor of State of Florida Department of Transportation.

SUMMARY: In November 1972, the County and the Florida Department of Transportation (FDOT) jointly acquired interest within a 3-foot-wide bulkhead area lying under the Blue Heron Bridge and adjacent to the Lake Worth Lagoon (Bulkhead Parcel) pursuant to an Order of Taking recorded in ORB 2081, Page 63 of the Public Records of Palm Beach County, Florida. Maintenance responsibilities of the Bulkhead Parcel have always been provided by FDOT. The Bulkhead Parcel is not needed for County purposes. As such, the County's Engineering and Public Works Department concurs with the conveyance. The Bulkhead Parcel is being conveyed to FDOT pursuant to Section 125.38, Florida Statutes, at no cost and without reservation of mineral and petroleum rights. There are no closing costs associated with this conveyance. **This conveyance must be approved by a Supermajority Vote (5 Commissioners). (Property & Real Estate Management) District 7 (HJF)**

6. REGULAR AGENDA

B. FACILITIES DEVELOPMENT & OPERATIONS

3. Staff recommends motion to approve: Amendment No. 2 to the Construction Manager (CM) at Risk Services contract (R2021-0750) with Kaufman Lynn Construction, Inc. (CM), establishing a Guaranteed Maximum Price (GMP) in the amount of \$8,978,522 for the Lake Lytal Aquatic Complex-Phase 2 Site Development project for a period of 365 calendar days from notice to proceed. **SUMMARY:** On June 8, 2021, the Board of County Commissioners (Board) approved the CM at Risk Services contract (R2021-0750) with the Construction Manager for the Lake Lytal Aquatic Complex project. The Lake Lytal Aquatic Complex project includes the construction of a new aquatic complex which will be located on county-owned park land in the western portion of Lake Lytal Park. The new aquatic complex features being considered through the design process include: a main entrance/ticketing building, concession/party room building, 70-meter pool, 25-yard teaching pool, family play area, locker/restrooms building, an active water feature area, parking areas and all associated infrastructure to support the project requirements. Amendment No. 2 establishes a GMP in the amount of \$8,978,522 for the construction management services necessary for the Phase 2 Site Development of the Lake Lytal Aquatic Complex project. The Phase 2 Site Development includes, but is not limited to, the demolition of the existing site/civil infrastructure and landscaping and installation of new site/civil infrastructure in preparation for the final phase of the project (i.e., Phase 3) which is the construction of the Aquatic Complex. Implementation of Phase 2 is required to allow for development of the YMCA facility to be constructed on site as per the terms of Lease Agreement R2021-0147. The Construction Manager will have 365 calendar days from notice to proceed to substantially complete Phase 2. Liquidated damages for failure to achieve certification of substantial completion within the contract time or approved time extension thereof are \$210 per day. The approved budget for the Lake Lytal Aquatic Complex is \$12,152,500. Implementation of Phase 1 (currently underway) and Phase 2 will essentially deplete the available funds. Construction drawings for Phase 3 are yet to be developed but current estimates based on 100% design development drawings dictate the need for a revised project budget of \$30.5M. During its workshop meeting on November 28, 2023, the Board directed staff to bring at a later time an item addressing a proposed funding plan for the budget shortfall identified in the implementation of the County's capital improvements program. Said funding plan will be presented to this Board during its January 30, 2024 workshop meeting.

6. REGULAR AGENDA

B. FACILITIES DEVELOPMENT & OPERATIONS

3. **SUMMARY (cont'd.):** The solicitation for the CM at Risk Services contract was advertised on April 8, 2018 according to the prior Small Business Enterprise (SBE) Ordinance in place at the time. This GMP is under the Equal Business Opportunity (EBO) Ordinance. On August 16, 2023, the Goal Setting Committee (GSC) established an Affirmative Procurement Initiative (API) of an SBE subcontracting goal of 20% participation, of which 5% must be African American and/or Hispanic American. SBE participation on the construction trade contracts for this GMP is 27.63%, of which 26.10% is African American and/or Hispanic American. In accordance with Attachment 3 of Policy and Procedure 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 35.72%. The CM is not a certified SBE, but has partnered with M.C.O. Construction and Services, Inc., a Small/Minority/Woman-Owned Business Enterprise (S/M/WBE), for construction management services. The CM has an office located in Palm Beach County. **Funding for this project is from the Infrastructure Sales Tax Fund. (Capital Improvements Division) District 3 (MWJ)**

6. REGULAR AGENDA

C. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to approve: Community Development Block Grant Coronavirus (CDBG-CV) allocation of \$452,000 to the Facilities Development and Operations Department (FDO) for the rehabilitation of the Senator Philip D. Lewis Homeless Resource Center. **SUMMARY:** FDO will undertake rehabilitation of the Senator Philip D. Lewis Homeless Resource Center complex located at 1000 45th Street, West Palm Beach for the Community Services Department (CSD). The rehabilitation will result in a medical respite facility providing six (6) beds for medical care for people experiencing homelessness or HIV/AIDS who are too ill or frail to recover independently from a physical illness or injury, but not ill enough to be in a hospital. The total cost of the project is \$1,451,828. On March 14, 2023 (R2023-0273), the Board of County Commissioners ratified a successful application from CSD to the U.S. Department of Housing and Urban Development (HUD) FY2022 Community Project Funding/Congressional Directed Spending (Representative Lois Frankel) that resulted in a \$1,000,000 award for the project. The CDBG-CV allocation will provide the balance of funding needed to allow FDO to move forward with the rehabilitation. **These are Federal CDBG-CV grant funds that do not require a local match.**
Countywide (HJF)

6. REGULAR AGENDA

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

2. Staff recommends motion to:

A) approve Community Development Block Grant Coronavirus (CDBG-CV) funding of up to \$1,611,797 to Harper Court Housing LLC;

B) direct staff to negotiate the funding agreement; and

C) authorize the County Administrator, or designee, to execute the funding 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 funding award.

SUMMARY: Harper Court Housing LLC, an endeavor of New Urban Development LLC (an affiliate of the Urban League of Greater Miami, Inc.) will acquire and rehabilitate a vacant motel located at 308 N. Main Street, Belle Glade. The property will be converted into 18 studio apartments for low-income renters, including those at risk of homelessness or experiencing housing instability. Staff recommends a CDBG-CV loan of \$1,611,797 to fund the cost of acquisition and partially fund the cost of rehabilitation. Total development cost of the project is \$2,249,000. The County funding contribution equates to \$89,544 per affordable housing unit. The County loan will be in first lien position. All housing units will be restricted for affordable rental to tenants with incomes no greater than 80% of Area Median Income for no less than 50 years. The funding agreement and related documents pursuant to these County funds will be between the County and Harper Court Housing LLC or its respective successors and/or assigns. To facilitate project implementation, staff requests authorization for the County Administrator, or designee, to execute the funding agreement and related documents. **These are federal CDBG-CV grant funds that do not require a local match.** District 6 (HJF)

6. REGULAR AGENDA

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

3. Staff recommends motion to adopt: a Resolution endorsing and supporting the “HOUSING FOR ALL” Palm Beach County’s Housing Action Plan (Plan) prepared by the Housing Leadership Council of Palm Beach County (HLC). **SUMMARY:** The HLC is a non-for-profit organization founded in 2006 by community and business leaders to address workforce/affordable housing issues. The HLC led a Countywide effort to study the housing crisis in Palm Beach County and to develop a Plan to serve as a blueprint to achieve a significant increase in workforce and affordable housing. The goal of the HLC’s Plan is to produce, rehabilitate and preserve 20,000 units of workforce and affordable housing by 2032. The Plan focuses on four areas of opportunity: Funding & Financing, Planning & Regulatory Reform, Neighborhood Revitalization & Community Development, and Racial Equity. County Departments including the Housing & Economic Development, Planning Zoning & Building, Community Services and Office of Community Revitalization worked with the HLC to provide comments and analysis. On April 25, 2023, HLC presented a draft of the Plan to the Board of County Commissioners (BCC). The BCC requested continued review of the Plan. The Plan is now in its final form and staff has reviewed and commented on each action item. Staff comments, which are incorporated in the document, consider whether the County has implemented the action, the action is under review, additional discussion is needed with the BCC or the action is not applicable to the BCC. Countywide (HJF)

6. REGULAR AGENDA

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

4. Staff requests Board direction: regarding authorization of a voter referendum for the Economic Development Ad Valorem Tax Exemption Program. **SUMMARY:** The Economic Development Ad Valorem Tax Exemption (AVTE) program is a local economic development tool enabled under Section 3, Art. VII, of the State Constitution (§196.1995, Florida Statutes), that empowers any county or municipality to grant community and economic development ad valorem tax exemptions to new businesses or expansions of existing businesses. Exemptions may be granted only by ordinance following authorization by the electors of a county or municipality. The County's authority to grant exemptions expires after 10-years unless renewed for another 10-year period by referendum and adopting Ordinance. Established in 1994, the PBC AVTE program has twice been reauthorized by voter referendum for 10-year periods in 2004 and 2014, and will sunset on August 31, 2024, unless renewed. All ad valorem tax exemptions are contingent upon proof that the applicant is a new business or an expansion of an existing business as defined in FS. §196.012, approval by the Board of County Commissioners on a case-by-case basis, and the Palm Beach County Property Appraiser's determination of the property improvements, with exemptions limited to improvements to real property and/or tangible personal property not already on the tax rolls. From 2013 to 2023, the County provided \$6,250,000 million dollars in AVTE to 6 businesses. In addition to the AVTE program, Palm Beach County has also contributed cash incentives totaling \$3,948,100. Combined incentive amounts for these companies during this period from various sources including municipalities, the County and state totaled \$35,912,600. Those investments have resulted in 2,246 jobs retained, 2,800 jobs created and a capital investment of \$428,190,000. This influx of capital has resulted in a total estimated 5-year economic impact of \$5,721,193,876. Eligible businesses must have a positive economic impact on the County's economy, including creating and maintaining a minimum of ten new full-time jobs, increasing the County's tax base, and strengthening and diversifying the local economy. Staff is recommending that if the program is approved by the Board of County Commissioners and subsequently by the voters, that the program criteria provide a preference for businesses locating or expanding in low-income census tracts where a majority of households have a median income of 80% or less or a poverty rate of 20% or higher. Countywide (DB)

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7. BOARD APPOINTMENTS

A. ADMINISTRATION

1. Staff recommends motion to approve: the appointment of one (1) member to the Health Care District of Palm Beach County Board of Commissioners for a two (2) year term beginning January 23, 2024 and ending September 30, 2025, to complete the unexpired term of Erica Whitfield who resigned from seat 1:

<u>Appoint</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
John McGovern	Elected Official, Councilman Village of Wellington	Commissioner Weiss
Or		
Shalonda Warren	Elected Official, City of West Palm Beach Commissioner	Commissioner Barnett Commissioner Woodward Commissioner Bernard
Or		
Cathleen Ward	Elected Official, City of West Palm Beach Commissioner	Commissioner Baxter

7. BOARD APPOINTMENTS

A. ADMINISTRATION (cont'd.)

1. **SUMMARY:** The Health Care District of Palm Beach County was created to provide a source of funding for indigent and medically needy residents of Palm Beach County and to maximize the health and well-being of residents by providing comprehensive planning, funding and coordination of health care service delivery. Per Chapter 2003-326, Laws of Florida, the Health Care District of Palm Beach County Board of Commissioners is comprised of seven (7) members. The appointing authority shall consider the diverse geographic areas of Palm Beach County in selecting individuals to serve on the Board of Commissioners, and at least one person, but not more than two shall reside in the Glades Area. The Governor shall appoint three members; the Board of County Commissioners shall appoint three members, one of which must be an elected official at the time of appointment; and one member shall be the Director of the Palm Beach County Health Department. Members may serve two, four-year terms. Currently, due to a resignation, there exists a vacancy for seat 1. The main requirement for this seat is that the individual must be an elected official. A memo dated November 28, 2023 was circulated to the Board of County Commissioners requesting support for the applications of Mr. McGovern (Caucasian male) and Ms. Warren (African-American female), or requesting additional nominations. An additional nomination for Ms. Ward (Caucasian female) was received from District 6 Commissioner Baxter. The diversity of the Health Care District of Palm Beach County Board of Commissioners consists of: Caucasian: 3 (42.86%), African-American: 1 (14.29%), Hispanic-American: 1 (14.29%), Other: 1 (14.29%). The gender ratio (female:male) is 3:3. Countywide (HH)

B. COMMISSION DISTRICT APPOINTMENTS

8. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

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

B. COUNTY ATTORNEY

JANUARY 23, 2024

9. COMMISSIONER COMMENTS

District 1 – COMMISSIONER MARIA G. MARINO

District 2 – COMMISSIONER GREGG K. WEISS

~~Requesting off-site approval for Proclamation recognizing the Ann Norton Sculpture Gardens for Inspiring the Conservation of Local Biodiversity.~~

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

JANUARY 23, 2024

10. MATTERS BY THE PUBLIC – 2:00 P.M.

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JANUARY 23, 2024

11. ADJOURNMENT

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