

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

SEPTEMBER 10, 2024

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

**COMMISSION
CHAMBERS**

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

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

- 3. CONSENT AGENDA (Pages 9 - 56)**

- 4. SPECIAL PRESENTATIONS (Page 57)**

- 5. REGULAR AGENDA (Pages 58 - 64)**

- 6. BOARD APPOINTMENTS (Page 65)**

- 7. STAFF COMMENTS (Page 66)**

- 8. BCC COMMENTS (Page 67)**

- 9. MATTERS BY THE PUBLIC – 2:00 P.M. (Page 68)**

- 10. ADJOURNMENT (Page 69)**

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TABLE OF CONTENTS

CONSENT AGENDA

B. CLERK & COMPTROLLER

Page 9

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

C. ENGINEERING & PUBLIC WORKS

Page 9

- 3C-1 Resolutions declaring the acquisition of fee simple rights-of-way for intersection improvements at Clint Moore Road and Military Trail project.

Page 10

- 3C-2 Interlocal Agreement with City of Greenacres for construction of roadway improvements for Chickasaw Road project.

Page 11

- 3C-3 Agreement with Lakes at Polo Trace Homeowners Association, Inc. for traffic laws enforcement.
- 3C-4 Consultant Service Authorization No. 5 with HSQ Group, LLC for the Orange Grove Blvd. and Persimmon Blvd. project.

D. COUNTY ATTORNEY

Page 12

- 3D-1 Amendment 2 with Fowler White Burnett, P.A. to increase the contract amount.
- 3D-2 Settlement Agreement in the employment litigation with Carmen Krowel.

E. COMMUNITY SERVICES

Page 13 - 15

- 3E-1 Second Amendments to Agreements for the Provision of Financial Assistance with agencies to amend the contract terms to extend the date and increase the funding.

Page 16

- 3E-2 Amendment No. 1 to contract for the Ryan White Program HIV/AIDS Part A with Broward Regional Health Planning Council.

Page 17 - 18

- 3E-3 Ratify the Mayor's signature on the First Amended and Reinstated Federally Funded Subgrant Agreement with FDOC to provide economic mobility and stability services to low-income households.

TABLE OF CONTENTS

CONSENT AGENDA

F. AIRPORTS

Page 19

- 3F-1 Donation Agreement with PBSO transferring a T3 Motion Electric Standup Vehicle.
- 3F-2 Amendment No. 1 with ARINC Incorporated exercising the first one year renewal option.

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

Page 20

- 3G-1 Financial Statements for the Fiscal Year Ending September 30, 2023 from the City of Belle Glade Community Redevelopment Agency.
- 3G-2 Resolution changing the membership of the Contract Review Committee.

H. FACILITIES DEVELOPMENT & OPERATIONS

Page 21

- 3H-1 Roger Dean Stadium Renovation Project development report No. 6.
- 3H-2 Agreement with Hatzalah South Florida Emergency Medical Services, Inc. allowing for interoperable communications.

Page 22

- 3H-3 First Amendment to the Amended and Restated Interlocal Agreement with U.S. Dept. of Homeland Security to extend the term; and First Amendment to the Amended and Restated Interlocal Agreement with U.S. Marshals Service to extend the term.

Page 23

- 3H-4 First Amendment to the Interlocal Agreement with the Village of North Palm Beach to extend the term of the interoperable communications agreement.

Page 24

- 3H-5 First Amendment with JFK Medical Center Limited Partnership to extend the term for interoperable communications agreement.

Page 25

- 3H-6 License Agreement in favor of Hotware Communications Ltd. to use the County-owned property known as Roger Dean Stadium.

Page 26

- 3H-7 License Agreement in favor of FDEM for the purpose of allowing temporary use of the County's Stockade Parking Lot as an emergency staging site.

Page 27

- 3H-8 Reappointment of one member to the Palm Beach County Property Review Committee.

TABLE OF CONTENTS

CONSENT AGENDA

H. FACILITIES DEVELOPMENT & OPERATIONS

Page 28

3H-9 Work Order No. 24-013 with Cedars Electro-Mechanical, Inc. for the South County Civic Center-Chiller Replacement project.

Page 29

3H-10 Amendment No. 1 with Leo A. Daly LLC for the Judicial Facilities project to extend the term.

K. WATER UTILITIES

Page 30

3K-1 Contract for the improvements to Lift Stations with B&B Underground Construction Inc.

Page 31

3K-2 Work Order No. 2 with Rangeline Tapping Services for the 2024 Pipeline Wet Tap and Line Stops.

Page 32

3K-3 Six Standard Potable Water and Wastewater Development Agreements.

L. ENVIRONMENTAL RESOURCES MANAGEMENT

Page 33

3L-1 Reappointments of 3 members, and appointment of one new member to the Natural Areas Management Advisory Committee.

Page 34

3L-2 Task Assignment No. 9 to the FDEP for ongoing site management activities for cleanup of petroleum contamination sites.

3L-3 Task Assignment No. 8 to the FDEP for routine compliance inspection at petroleum storage tank facilities.

Page 35

3L-4 Resolution request FDEP support appropriation of funds for Shore Protection Projects.

Page 36

3L-5 Law Enforcement Agreement for Conservation Lands and Natural Areas with PBSO.

3L-6 Task Assignment No. PM4 with FWC to provide aquatic vegetation control services.

TABLE OF CONTENTS

CONSENT AGENDA

M. PARKS & RECREATION

Page 37

- 3M-1 Entertainment Contract Agreements with Nathan Mercado and Gary Frost.
- 3M-2 Sound and Light Production Service Agreement with Sanderford Sound, Inc.

Page 38

- 3M-3 Special Events Rental Agreement with Battle Bros LLC.
- 3M-4 Interlocal Grant Agreement with Solid Waste Authority for the demolition and removal of the Calcosa park Racquetball Courts.

Page 39

- 3M-5 Interlocal Grant Agreement with Solid Waste Authority for the demolition and removal of the Haverhill Park Racquetball Courts.

Page 40

- 3M-6 Interlocal Grant Agreement with Solid Waste Authority for the demolition and removal of the Lake Lytal Park Racquetball Courts.

P. COOPERATIVE EXTENSION SERVICE

Page 41

- 3P-1 Agreement with Friends of Mounts Botanical Garden, Inc. for a horticulturist position to assist with care and maintenance.
- 3P-2 Agreement with Friends of Mounts Botanical Garden, Inc. for a gardener position to assist with care and maintenance.

Q. CRIMINAL JUSTICE COMMISSION

Page 42

- 3Q-1 Fourth Amendment with Southeast Florida Behavioral Health Network, Inc. to amend the monthly reimbursement request form and budget line amounts.

U. INFORMATION SYSTEMS SERVICES

Page 42

- 3U-1 Termination Agreement with Community of Hope Church for the provision of network services.

Page 43

- 3U-2 Interlocal Agreement with Town of Lake Clarke Shores to provide network services and basic telephone services.
- 3U-3 Second Amendment with the Town of Hypoluxo removing network services.

Page 44

- 3U-4 Task Order #e with GPI Geospatial, Inc. for the 2024 Palm Beach Coastal Orthophotography Program.

TABLE OF CONTENTS

CONSENT AGENDA

X. PUBLIC SAFETY

Page 45

3X-1 Contract for Adult Reentry Services with the City of Riviera Beach.

Page 46 - 47

3X-2 Contractual Purchase Order for adult reentry services from FDC.

AA. PALM TRAN

Page 48 - 49

3AA-1 FDOT Grant Agreements.

Page 50

3AA-2 Interlocal Agreement with St. Lucie County for support and emergency management public transportation services for the Port St. Lucie Express Regional Transit pilot program.

CC. SHERIFF

Page 51

3CC-1 Grant Adjustment Notice with FDLE for FY23-24 Drone Replacement Program.

DD. TOURIST DEVELOPMENT COUNCIL

Page 52

3DD-1 Category "G" Grant Agreements with Prospect Wire 2, LLC, and with First Responder Sorts, Inc.

3DD-2 Category "G" Grant Agreement with The National Junior Tour, LLC.

EE. OFFICE OF RESILIENCE

Page 53

3EE-1 Ratify the Mayor's signature on the application to EPA seeking funding to collaborate on creating a sustainable landscaping program.

Page 54

3EE-2 Ratify the Mayor's signature on the application to EPA to fund the Climate Resilient Communities project.

FF. INTERNAL AUDITOR

Page 55

3FF-1 Audit report by the Audit Committee with recommendations.

Page 56

3FF-2 Reappointment of two members to the Internal Audit Committee.

TABLE OF CONTENTS

SPECIAL PRESENTATIONS - 9:30 A.M.

Page 57

- 4A National Women’s Small Business Month
- 4B Workforce Development Month
- 4C Constitution Week
- 4D Pollinators Month
- 4E Hispanic Heritage Month
- 4F Falls Prevention Awareness Week
- 4G Palm Beach Partners Business Matchmaker Conf. & Expo Day
- 4H Feeding South Florida Hunger Action Month
- 4I Soup Kitchen
- 4J National Recovery Month

REGULAR AGENDA

A. ADMINISTRATION

Page 58

- 5A-1 Resolution amending the Palm Beach County Administrative Code for purpose of updating provisions related to construction, engineering and architectural.

B. AIRPORTS

Page 59 - 60

- 5B-1 Amended and Restated Aeronautical Development Site Lease Agreement with Ferrovia Vertiports.

C. PALM TRAN

Page 61

- 5C-1 Resolution for the grant agreement with Florida Commission for Transportation Disadvantaged.

D. PLANNING, ZONING & BUILDING

Page 62

- 5D-1 Establishment of capital project and funding for the purpose of storm water and flood studies.

Page 63

- 5D-2 Interlocal Agreement with the Town of Haverhill to the voluntary annexation of five parcels.

E. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

Page 64

- 5E-1 Ordinance on amending the living wage ordinance.

SEPTEMBER 10, 2024

TABLE OF CONTENTS

BOARD APPOINTMENTS (Page 65)

BCC COMMENTS (Page 66)

STAFF COMMENTS (Page 67)

MATTERS BY THE PUBLIC – 2:00 P.M. (Page 68)

ADJOURNMENT (Page 69)

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>
June 11, 2024	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 July 2024. Countywide

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to adopt:** two (2) resolutions declaring the acquisition of fee simple rights-of-way designated as Parcels 101 and 102, and a permanent easement designated as Parcel 201 necessary for the construction of intersection improvements at Clint Moore Road and Military Trail (Project). **SUMMARY:** Adoption of these resolutions will initiate eminent domain proceedings pursuant to Chapters 73, 74, 127, and Section 337.27, Florida Statutes, as amended, against three (3) parcels having a total appraised value of \$242,750. The parcels are necessary to construct a third left turn lane on each approach of Military Trail for the Project. The property owners have not accepted the offers to purchase made by Palm Beach County (County) and attempts to negotiate the purchases have been unsuccessful. Eminent domain proceedings are necessary to acquire the parcels at this time in order to expedite construction of the Project. **This Project is included in the Five Year Road Program.** District 4 (DO)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to approve:

- A) an Interlocal Agreement (Agreement) with the City of Greenacres (City) for joint funding of the construction of roadway improvements for Chickasaw Road (Project) and transferring ownership, operation, and maintenance of Wry Road north of Chickasaw Road to the City;
- B) a Palm Beach County (County) deed to convey the County's interest in Wry Road to the City; and
- C) a County deed to release any County interests in Chickasaw Road to the City.

SUMMARY: Approval of this Agreement will allow the County and the City to share the costs for construction of the Project, which includes paving, related drainage improvements, and the addition of a sidewalk. The Project is located within the incorporated limits of the City and serves as the only access for certain properties in the area. Properties accessing Chickasaw Road via Chickasaw Circle and Wry Road south of Chickasaw Road are currently under City jurisdiction. Properties accessing Chickasaw Road via Wry Road north of Chickasaw Road and the properties with direct access from the north side of Chickasaw Road east of Chickasaw Circle are under County jurisdiction. Wry Road, north of Chickasaw Road, is a County maintained road with access only by Chickasaw Road. The City agrees to annex the enclave surrounding Wry Road. The County agrees to transfer the ownership, operation, and maintenance responsibility of Wry Road north of Chickasaw Road, inclusive of all related rights-of-way and roadway drainage easement rights to the City, and the City agrees to accept ownership and maintenance responsibility. At the City's request for the County to participate in joint funding for the Project, the County agrees to pay the City \$340,000 toward the Project's construction costs. The City agrees to fund all costs of the Project in excess of the funding provided by the County. The County agrees to convey a quitclaim deed to the City to convey Wry Road, and release any interests in Chickasaw Road 30 days after the effective date of the Agreement. The City shall be responsible for maintaining the Project in perpetuity upon completion of the Project. **In accordance with County Ordinance 2019-038, a supermajority (5 votes) is required by the Board of County Commissioners (BCC) for all transfers of real property that require BCC approval.** Existing Chickasaw Road falls partially within the Lake Worth Drainage District's (LWDD) right-of-way. The LWDD agreed to give the City a deed for portions of Chickasaw Road right-of-way required to construct the Project. District 3 (YBH)

3. CONSENT AGENDA APPROVAL

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

3. **Staff recommends motion to approve:** an agreement with Lakes at Polo Trace Homeowners Association, Inc. (Community) for enforcement of the traffic laws of the state to be performed by the Palm Beach County Sheriff's Office (PBSO). **SUMMARY:** Approval of this agreement will authorize PBSO to provide enforcement of the traffic laws of the state upon the private roadways during normal patrol hours within the Community. The Community certifies that all traffic control devices installed on the Community's streets are compliant with the Manual on Uniform Traffic Control Devices (MUTCD). The Traffic Division will be able to perform field inspections to verify compliance with the MUTCD during the term of the agreement. Should the Community require enforcement by PBSO at times outside of normal patrol hours, the Community understands that a separate contract must be executed with PBSO for additional services and that the Community will be invoiced by PBSO for those additional services. District 5 (YBH)

4. **Staff recommends motion to approve:** Consultant Service Authorization No. 5 (CSA) to the Intersection Improvements Annual Design Services Contract (R2023-0476) dated April 18, 2023 (Contract) with HSQ Group, LLC (HSQ) in the amount of \$216,723.07 for the Orange Grove Boulevard and Persimmon Boulevard Right Turn Lanes at SR 7 (Project). **SUMMARY:** Approval of this CSA will provide the professional services necessary for the design of free-flow right turn lanes on Orange Grove Boulevard and Persimmon Boulevard at SR 7. The Contract was presented to the Goal Setting Committee on January 5, 2022, and the Committee established Affirmative Procurement Initiatives (API) of a 20% minimum mandatory Small Business Enterprise (SBE) participation and an SBE evaluation preference. HSQ committed to 80% SBE participation and received 12 Evaluation Preference Points. The proposed SBE participation for this CSA is 4.17%. To date, the overall SBE participation achieved on this Contract is 82.46%. HSQ has an office located in Palm Beach County (County). **The Project is included in the Five-Year Road Program.** District 6 (YBH)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. **Staff recommends motion to approve:** Amendment 2 to the Agreement with the law firm of Fowler White Burnett, P.A. (Firm), increasing the contract not-to-exceed cap from \$200,000 to \$300,000. **SUMMARY:** The County, through its department of Housing and Economic Development (HED), processes a variety of loan programs, including, but not limited to, U.S. Department of Housing and Urban Development Section 108 loan program; U.S. Department of Agriculture Intermediary Relending Program; U.S. Environmental Protections Agency Revolving Loan Program; U.S. Department of Energy Revolving Loan Program; and the County's Micro Loan Program funded under the HUD Community Development Block Grant. The requirements associated with the unique funding sources of these loans requires specialized knowledge and, as such, HED currently utilizes the services of the Firm to assist in loan closings, the handling of foreclosure matters on defaulted loans, and other related services. As a result of unanticipated foreclosure services, the Firm has accrued approximately \$45,000 in costs over the current not-to-exceed cap of \$200,000. This Amendment allows for HED to continue utilizing the Firm for such specialized services, increases the not-to-exceed cap by \$100,000 to pay the accrued costs that are in excess of the current not-to-exceed cap as well as future costs, and allow flexibility in bringing pending foreclosure actions to conclusion. Countywide (DB)

2. **Staff recommends motion to approve:** a Settlement Agreement, inclusive of attorney's fees and costs, in the total amount of \$95,000, in the employment litigation styled *Carmen Krowel v. Palm Beach County*, Case No. 9:22-cv-81958-DMM. **SUMMARY:** On November 29, 2021, the Director of Community Services terminated Ms. Krowel's employment for unsatisfactory completion of her probationary period. Ms. Krowel subsequently filed a lawsuit against Palm Beach County in federal court, alleging that she was subjected to a hostile working environment because of her gender, race, color, and national origin. Ms. Krowel alleges that she suffered damages as a result of the hostile working environment and is seeking to recover damages for emotional pain and mental anguish as well as attorney's fees. After engaging in voluminous discovery, the parties have agreed to a resolution of the lawsuit subject to Board of County Commission (BCC) review and approval. Countywide (AMP)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. **Staff recommends motion to approve:** Second Amendments to Agreements for the Provision of Financial Assistance with the below listed agencies, to amend the contract terms from October 19, 2021 through September 30, 2024, by extending one year to September 30, 2025, and to increase the total funding of the Agreements by \$6,241,692, contingent on budgetary appropriation by the Board of County Commissioners (BCC), for the term of these agreements, to continue improving behavioral health outcomes for residents with mental, substance use and co-occurring disorders:
 - A) Amendment No. 2 with American Association of Caregiving Youth, Inc. (AACY) (R2021-1475), for the provision of behavioral health support services for caregiving youth, to increase the funding by \$37,000 for a new total amount not to exceed \$148,000;
 - B) Amendment No. 2 with Boys Town South Florida, Inc. (BTSF) (R2021-1476), for the provision of behavioral health support services for children, youth, young adults, and their families, to increase the funding by \$399,901 for a new total amount not to exceed \$1,599,604;
 - C) Amendment No. 2 with Center for Child Counseling (CCC) (R2021-1477), for the provision of community-based treatment and services to children, youth, and young adults, to increase the funding amount by \$207,958 for a new total amount not to exceed \$831,832;
 - D) Amendment No. 2 with Children's Case Management Organization, Inc., dba Families First of Palm Beach County (R2021-1478), for the provision of behavioral health services to children, youth and young adults, to increase the funding amount by \$175,054 for a new total amount not to exceed \$700,216;
 - E) Amendment No. 2 with Drug Abuse Foundation of Palm Beach County, Inc. (DAF) (R2021-1479), for the provision of medical detox services and intense residential treatment services to residents, to increase the funding amount by \$1,305,000 for a new total amount not to exceed \$5,220,000;
 - F) Amendment No. 2 with Drug Abuse Treatment Association, Inc. (DATA) (R2021-1480), for the provision of behavioral health services to children and youth in residential treatment and non-residential treatment, to increase the funding amount by \$255,000 for a new total amount not to exceed \$1,020,000;

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

1. **G)** Amendment No. 2 with For the Children, Inc. (FTC) (R2021-1481), for the provision of community-based treatment and services to children and youth, to increase the funding amount by \$245,366 for a new total amount not to exceed \$981,464;
- H)** Amendment No. 2 with Housing Partnership (HP), Inc. dba Community Partners of South Florida (CP) (R2021-1482), for the provision of behavioral health support services, including supportive housing, to increase the funding amount by \$411,275 for a new total amount not to exceed \$1,645,100;
- I)** Amendment No. 2 with Jeff Industries, Inc. (JI) (R2021-1483), for the provision of supportive employment services to low-income adults with severe and persistent mental illness, to increase the funding amount by \$165,000 for a new total amount not to exceed \$660,000;
- J)** Amendment No. 2 with South County Mental Health Center, Inc. (SCMHC) (R2021-1484), for the provision of behavioral health services, to increase the funding amount by \$2,560,138 for a new total amount not to exceed \$10,240,552; and
- K)** Amendment No. 2 with Wayside House, Inc. (WH) (R2021-1485), for the provision of a partial hospitalization program on-site community-based day treatment and services, to increase the funding amount by \$480,000 for a new total amount not to exceed \$1,920,000.

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

1. **SUMMARY:** The amendments are needed to continue behavioral health services currently in place. The Office of Behavioral Health and Substance Use Disorders (OBHSUD) is amending each of the Financial Assisted Agency (FAA) agreements for one additional year, without which they will all expire on September 30, 2024. Services under the amendments are provided to Palm Beach County (PBC) residents. In the behavioral health service category, 6,766 clients were served in FY 2023, 5,381 clients (81%) of the projected 6,623 clients were served through the second quarter of FY 2024, and the current amendments will provide services to the same number of clients at the same funding level as FY 2024. Community Service Department (CSD) monitors the agencies' performance annually and publishes annual performances reports, which are available to the public on CSD's website. Dr. Connie Siskowski, an employee of AACY is a member of the Citizen Advisory Committee on Health & Human Services (CAC/HHS). The CAC/HHS provides no regulation, oversight, management, or policy-setting recommendations regarding the subject Agreement or transaction. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Section 2-443 of the Palm Beach County Code of Ethics. Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

2. Staff recommends motion to receive and file: Amendment No. 1 to Contract for Provision of Services (R2023-1853) for the Ryan White Program HIV/AIDS Part A (RWHAP) and Ending the HIV Epidemic (EHE) Initiative Program in Palm Beach County with Broward Regional Health Planning Council (BRHPC), for the period November 1, 2023 through February 28, 2025, to increase funding by \$500,000 for a new amount not-to-exceed \$1,000,000, for the provision of health insurance premiums and cost-sharing assistance for RWHAP and EHE clients. **SUMMARY:** This amendment is necessary due to several major changes regarding health insurance eligibility. Under Medicaid unwinding, clients who are no longer eligible for Medicaid have the opportunity through the state to enroll in an Affordable Care Act (ACA) Health Insurance plan and receive assistance with their premium payments regardless of their Federal Poverty Level (FPL). The Florida Department of Health (FDOH) is lowering the eligibility for RWHAP clients to receive premium assistance to 50% FPL for the upcoming open enrollment period. FDOH does not provide Health Insurance Navigation and Premium Assistance directly and instead has entered into a contract with BRHPC as the sole provider of this service in Florida. This amended contract will supplement current services in RWHAP funded contracts using EHE funding once all RWHAP funds are exhausted. The benefit of this increase will allow the program to serve approximately 100 additional clients through February 28, 2025. RWHAP has approximately 242 clients who are currently enrolled and receiving ongoing health insurance assistance through this partnership. The amendment allows the agency to continue improving health outcomes for clients by increasing the number of clients retained in HIV medical care. This amendment was executed by delegated authority. All delegated contracts, agreements and grants must be submitted by the initiating department as a receive and file in accordance with PPM CW-O-051. **No County match is required.** Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

3. Staff recommends motion to:

A) **ratify** the signature of the Mayor on the First Amended and Reinstated Federally Funded Sub-grant Agreement No. E2016 with the Florida Department of Commerce (FDOC) for the Period July 1, 2024 to June 30, 2025, to provide economic mobility and economic stability services to low-income households;

B) **receive and file** the following Notices of Grant Award/Fund Availability (NFA) from FDOC:

1. NFA #042658 Federal Award Identification Number (FAIN) G-2202FLLIEA, Catalog of Federal Domestic Assistance (CFDA) 93.568 dated June 4, 2024, for Program Year 2022 (PY22) allocation, in an amount not-to-exceed \$4,697,292, to extend the end date for the program period from July 1, 2023 to September 30, 2024, with no change to overall funding, for the Low-Income Home Energy Assistance Program (LIHEAP);
2. NFA #042042 (FAIN G-2202FLLIEI, CFDA 93.568) dated May 30, 2024, for PY22 allocation, in the amount not-to-exceed \$335,869, to extend the end date for the program period from October 1, 2021 to September 30, 2024, for LIHEAP;
3. NFA #041247 (FAIN G-2202FLLIEA, CFDA 93.568) dated June 4, 2024, for PY22 allocation, in the amount not-to-exceed \$517,607, to extend the end date for the program period from July 1, 2023 to September 30, 2024, for LIHEAP;
4. NFA #042948 (FAIN G-2302FLLIEA, CFDA 93.568) dated June 6, 2024, for Program Year 2023 (PY23) allocation, in the amount not-to-exceed \$3,452,994, with a release of \$971,349, and to extend the end date for the program period from July 1, 2023 to June 30, 2025, for LIHEAP;
5. NFA #042976 (FAIN G-2302FLLIEE, CFDA 93.568) dated July 25, 2024, for PY23 allocation, in the amount not-to-exceed \$4,804,793, with a release of \$2,215,647, and to extend the end date for the program period from July 1, 2023 to September 30, 2025, for LIHEAP;
6. NFA #042948 (FAIN G-2302FLLIEA, CFDA 93.568) dated July 25, 2024, for PY23 allocation, in the amount not-to-exceed \$3,452,994, with a release of \$3,452,994, and to extend the end date for the program period from June 30, 2025 to September 30, 2025, for LIHEAP;

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

3. 7. NFA #043962 (FAIN G-2401FLCOSR, CFDA 93.569) dated July 25, 2024, for Program Year 2024 (PY24) allocation, in the amount not-to-exceed \$1,236,452, with a release of \$962,230, to release award for the program period from July 1, 2024 to September 30, 2025, for the Community Services Block Grant (CSBG); and
8. NFA #042716 (FAIN G-2301FLCOSR, CFDA 93.569) dated July 25, 2024, for PY23 allocation, in the amount not-to-exceed \$1,274,058.49, to extend the end date for the program period from July 1, 2023 to September 30, 2024 and increase funding by \$230,693 for CSBG; and

C) approve Budget Amendment in the amount of \$853,476 in the LIHEAP fund to align the budget to the actual grant award; and

D) approve Budget Amendment in the amount of \$372,147 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) (CFDA No.93.568 and 93.569) with the FDOC, for the period October 1, 2020 through September 30, 2023, for the LIHEAP and CSBG programs. The Umbrella Agreement was subsequently amended on February 25, 2022 and August 16, 2023. The parties wish to amend and reinstate the Umbrella Agreement as set forth herein as part of a joint effort to align Community Action Agency (CAA) spending with legislatively appropriated state budget authority. This is a process required annually by state law; state budget authority is not determined by the total federal award received by the state. This amendment memorializes the alignment of CAA spending with legislatively appropriated state budget authority and aligns the Period of Agreement with the state fiscal year for the period of July 1, 2024 through June 30, 2025. These new provisions include LIHEAP. 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 are issued to add or increase funding. Electric bill assistance will be provided to approximately 13,250 low-income individuals and 5,300 families. In Federal Fiscal Year (FFY) 2023, 7,738 households obtained electric bill assistance. CSBG funds are used to provide economic stability and mobility services to approximately 2,300 low-income individuals and 900 families. Economic stability services include rent and utility assistance. Economic mobility services include employment skills training, job placement, resume writing training, financial management training, and case management. In FFY 2023, 31 individuals completed vocational training and 10 became employed. **No County match is required.**
Countywide (HH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. Staff recommends motion to approve: a Donation Agreement (Agreement) with the Palm Beach County Sheriff (Sheriff) transferring one (1) T3 Motion Electric Standup Vehicle (ESV) to the County for use at Palm Beach International Airport (PBI) at no cost to the County. **SUMMARY:** The Agreement transfers ownership of one (1) ESV from the Sheriff to the County at no cost to the County. The Sheriff no longer requires the use of the ESV and has offered to donate it to the County for use at PBI. The ESV is an electric, three-wheeled platform vehicle used for personal transportation both indoors and outdoors. It is typically used in a variety of applications including, but not limited to, law enforcement, private security, parking and commercial operations. The ESV will be used by the Department of Airports (Department) to conduct daily terminal and landside security inspections at PBI. Countywide (AH)

2. Staff recommends motion to approve: Amendment No. 1 (Amendment) to the Master Airport Services Agreement with ARINC Incorporated (ARINC), a part of Collins Aerospace, (R2023-0044) (Agreement), exercising the first one (1) year renewal option, extending the license for the continued use of proprietary software applications necessary for the operation of the common use passenger processing system (CUPPS) at Palm Beach International Airport (PBI), providing for on-going technical support services and providing budget for the purchase of additional equipment and services needed to support the CUPPS during the extended term for an amount not to exceed \$300,304.09. **SUMMARY:** On January 10, 2023, the Agreement was approved with ARINC for one-time hardware updates to the CUPPS, the license required for the continued use of proprietary software applications necessary for the operation of the CUPPS and on-going technical support services in a not to exceed amount of \$1,100,419.37. The initial term of the Agreement commenced on January 10, 2023, and expires on September 30, 2024, with four (4) additional one (1) year renewal options. This Amendment exercises the first one (1) year renewal option, extending the term of the Agreement to September 30, 2025, and increases the not-to exceed amount by \$300,304.09 for a total contract amount of \$1,400,723.46. This Amendment provides for the continuation of the license to use proprietary software applications required for the operation of the CUPPS and on-going technical support. This Amendment also includes a budget of \$100,000 for the purchase of additional equipment and services necessary to support the CUPPS during the extended term, which may include, but is not limited to, the purchase of additional or replacement equipment such as workstations, kiosks and peripherals, and data security improvements and assessments. Airlines utilizing the CUPPS at PBI pay for the full cost of the system through rates and charges established annually in accordance with the Signatory Airline Agreement (R2019-1155). ARINC is the sole source service provider for the CUPPS used at PBI; therefore, the Agreement is not subject to the Affirmative Procurement Initiatives (API) for Small/Minority/Woman-Owned Business Enterprise (S/M/W/BE) participation. Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to receive and file: The Financial Statements for the Fiscal Year ending September 30, 2023 from the City of Belle Glade Community Redevelopment Agency (BG CRA). **SUMMARY:** The BG CRA has submitted its Financial Statements for the Fiscal Year ending September 30, 2023 as per section numbers 163.356 and 163.371, Florida Statutes. Countywide (DB)

2. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida (BCC), affirming the County Administrator's authority to approve changes to Policy and Procedures Manual #CW-F-050 (PPM); changing the membership of the Contract Review Committee (Committee); delegating authority to the County Administrator to approve future changes to the membership of the Committee; rescinding resolutions R89-633, R91-810 and R2011-1912 to the extent of any conflict with this Resolution; and providing for an effective date. **SUMMARY:** In 1989, the BCC established the Committee and its composition through R89-633 and delegated authority to the Committee and to the Directors of the County's construction departments to approve changes and time extensions to BCC-approved design and construction contracts within certain approval limits set out in the PPM. The BCC has revised the membership of the Committee and approval authority limits several times. The County Administrator has also approved changes to the PPM several times under the general powers and responsibilities of her office which include developing and maintaining centralized purchasing procedures. This Resolution: 1) affirmatively restates the County Administrator's authority to approve changes to the PPM; 2) revises the membership of the Committee; and 3) delegates authority to the County Administrator to make changes to the membership of the Committee – all of which are consistent with the County Procurement Code and the County Administrative Code. The Resolution will be effective on November 16, 2024 (the date the recent changes to the Procurement Code will become effective). Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to receive and file:** the Roger Dean Chevrolet Stadium (RDCS) Renovation Project (Project) development period report no. 6 (Development Report No.6), for the period from April 23, 2024 through July 21, 2024, to the Department of Economic Opportunity (DEO). **SUMMARY:** On August 22, 2023, the Board of County Commissioners (BCC) authorized the Mayor (R2023-1105) to execute future Development Reports and annual reports as required under the Spring Training Facility Funding Agreement (R2023-0367) (State Funding Agreement). On March 14, 2023, the BCC approved the State Funding Agreement with the DEO for the RDCS Renovation Project. The State Funding Agreement provides \$50,000,000 of State Funding under Florida Statutes 288.11631 over a 25 year period for the RDCS Renovation Project. Under the terms of the State Funding Agreement, the County must furnish annual reports and, during the development period, must submit periodic Development Reports every 90 days to the DEO. The Development Reports detail the status of the RDCS Renovation Project and the funds expended to date on the same. For the annual reports and the Development Reports, the Mayor must certify that all information and documentation contained in the reports are true and correct. In accordance with R2023-1105, the Mayor executed the attached Development Report No. 6 on behalf of the BCC, which was submitted to the DEO. This executed document is now being submitted to the BCC to receive and file. (FDO ADMIN) District 1/Countywide (MWJ)

2. **Staff recommends motion to approve:** an Agreement with Hatzalah South Florida Emergency Medical Services, Inc., (Participant) allowing for interoperable communications through the countywide emergency medical services (EMS) and common talk groups of the County's Public Safety Radio System (System) from September 10, 2024 through September 9, 2029. **SUMMARY:** This Agreement provides the terms and conditions under which the Participant can program into its radios and utilize the countywide and EMS common talk groups for certain inter-agency communications. The County's System will not be utilized for routine operational communications by the Participant. The terms of the Agreement are standard and have been offered to all municipalities, local branches of state and federal agencies and ambulance service providers with 800 MHz trunked radio capabilities. There are no charges associated with this Agreement. The Participant is required to pay all costs associated with Participant's subscriber units and to comply with the established operating procedures for the County's System. The Agreement may be terminated by either party, with or without cause. The term of the Agreement is for five (5) years with two (2) renewal options, each for a term of five (5) years. This Agreement may be terminated by either party, with or without cause, upon ten (10) days prior notice to the other party. There is no fiscal impact associated with this Agreement. (ESS) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

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

3. Staff recommends motion to approve:

- A) First Amendment to the Amended and Restated Interlocal Agreement (R2019-1299) with the United States Department of Homeland Security, Immigration and Customs Enforcement (ICE), to extend the term of the Agreement for interoperable communications through the countywide common talk groups of the County's Public Safety Radio System (County's System) from September 10, 2024 through September 9, 2029; and
- B) First Amendment to the Amended and Restated Interlocal Agreement (R2019-1300) with the United States Marshals Service (U.S. Marshals), to extend the term of the Agreement for interoperable communications through the countywide common talk groups of the County's System from September 10, 2024 through September 9, 2029.

SUMMARY: The agreements (R2019-1299 and R2019-1300) set forth the terms and conditions under which each agency can program its radios into and utilize the countywide common talk groups for certain types of inter-agency communications. These agreements are set to expire on September 9, 2024. Each agreement includes two (2) renewal options, each extending the term by five (5) years. Each agency has approved an amendment to extend the term of the Agreement to September 9, 2029, and the renewals now require approval by the Board of County Commissioners (BCC). The terms of these Agreements 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 these Agreements. Each agency is required to pay all costs associated with its subscriber units and to comply with the established operating procedures for the County's System. Either party may terminate its agreement, with or without cause, upon ten (10) days' prior written notice to the other party. The first amendments to the respective agreements with ICE and U.S. Marshals extend the term of the Agreements, update standard operational provisions, and add the E-verify provision. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

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

4. **Staff recommends motion to approve:** First Amendment to the Interlocal Agreement (R2019-1625) (Agreement) with the Village of North Palm Beach (Village) to extend the term of the Agreement for interoperable communications through the countywide common groups of the County's Public Safety Radio System from October 6, 2024 to October 5, 2029. **SUMMARY:** The Agreement, which provides the terms and conditions under which the Village can program its radios to utilize the countywide common talk groups for certain inter-agency communications through the Municipal Public Safety Communication Consortium (MPSCC) radio system, expires on October 5, 2024. The Agreement provides for two (2) renewal options, each for a period of five (5) years. The Village has approved the amendment to renew the Agreement to October 6, 2024 and the renewal now requires approval by the Board of County Commissioners (BCC). The terms of the Agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies with Project 25 (P25) radio capabilities in the 800 MHz spectrum. There are no charges associated with the Agreement. The Agreement may be terminated by either party, with or without cause with ten (10) days' notice. This First Amendment extends the term of the Agreement, updates the standard operational provisions, and adds the E-verify provisions. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

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

5. Staff recommends motion to approve: First Amendment to the Amended and Restated Agreement (R2019-1298) (Agreement) with JFK Medical Center Limited Partnership (Hospital), to extend the term of the Agreement for interoperable communications through the countywide emergency medical services (EMS) and common talk groups of the County's Public Safety Radio System (County's System) from September 10, 2024 through September 9, 2029. **SUMMARY:** The Agreement (R2019-1298), which provides the terms and conditions under which the Hospital can program into its radios and utilize the countywide EMS and common talk groups for certain types of interagency communications, expired on September 9, 2024. The Agreement provided for two (2) renewal options, each for a period of five (5) years. Hospital has approved the amendment to extend the term of the Agreement to September 9, 2029, and the renewal now requires approval by the Board of County Commissioners (BCC). The terms of the Agreement are standard and have been offered to all hospitals and ambulance service providers with 800 MHz trunked radio capabilities. There are no charges associated with this Agreement. The Hospital is required to pay all costs associated with the Hospital'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. This First Amendment extends the term of the Agreement, updates the standard operational provisions, adds the E-verify, Disclosure of Foreign Gifts and Contracts with Foreign Countries of Concern provisions, as well as Human Trafficking Affidavit. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

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

6. Staff recommends motion to approve: a License Agreement (License) in favor of Hotwire Communications, Ltd., to use County-owned property known as Roger Dean Chevrolet Stadium for the installation of fiber-optic cable and for the placement of appurtenant equipment on the property located at 4751 Main Street in Jupiter. **SUMMARY:** The Roger Dean Stadium Sports Complex (Complex), is located within the Abacoa planned residential development, North of Donald Ross Road on University Boulevard. Construction of the Complex was completed in 1998, so the facility is now over 25 years old. On March 12, 2024, the Board of County Commissioners approved a License Agreement with Hotwire for fiber optic or wireless telecommunication services to both of the Marlins and Cardinals Teams. The St. Louis Cardinals, LLC have requested that the County grant an additional non-exclusive License Agreement to Hotwire for the construction and installation of communication equipment, including but not limited to underground fiber-optic cable and appurtenant equipment to provide fiber-optic or wireless telecommunication capabilities to the Cardinals facilities located north of the Stadium. The Term of the License Agreement expires simultaneously with the expiration or termination of either: i) Sports Facility Use Agreement or ii) the Hotwire Communications, Ltd. Agreement with St. Louis Cardinals, LLC, whichever occurs sooner. Either party has the right to terminate the License with a ninety (90) day written notice to the other party. This License is being granted at no charge as it will provide fiber-optic communications service to the County-owned Complex. There is no fiscal impact associated with this License. (Property & Real Estate Management) District 1 (HJF)

3. CONSENT AGENDA APPROVAL

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

7. Staff recommends motion to receive and file: a Standard License Agreement in favor of Florida Division of Emergency Management (FDEM) for the purpose of allowing FDEM to temporarily use a portion of the County's Stockade Parking Lot (Property) as an emergency staging site in response to a State of Florida declared weather emergency. **SUMMARY:** On June 13, 2024, FDEM submitted an Application for License to Use County-Owned Property to use the property to store equipment in response to a State-declared weather emergency resulting from major flooding in the South Florida area. Given the emergency circumstances surrounding the request, FDEM was granted immediate access to the Property on June 13, 2024 for a period of fifteen (15) days. The proposed Standard License Agreement (SLA) was fully executed on July 3, 2024, and applied retroactively to FDEM's emergency use of the Premises from June 13, 2024, through June 27, 2024. The proposed SLA expired on June 27, 2024, and FDEM has since removed the equipment and terminated its use of the Property. In accordance with County PPM CW-O-051, all delegated contracts, agreements, and grants must be submitted by the initiating Department as a receive and file agenda item. The current standard form license agreement was approved by the Board of County Commissioners (BCC) on October 1, 2013. The attached Standard License Agreement has been fully executed on behalf of the BCC by the County Administrator's designee, who in this case was the Director of the Facilities Development and Operations Department. The executed Standard License Agreement is now being submitted to the BCC to receive and file. There is no fiscal impact associated with approval of this item. (Property & Real Estate Management) District 6 (HJF)

3. CONSENT AGENDA APPROVAL

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

8. Staff recommends motion to approve: the reappointment of one (1) member to the Palm Beach County Property Review Committee (PRC) for a term of three (3) years beginning October 1, 2024 to September 30, 2027:

<u>Reappointment Nominee</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Term</u>
Irma Qureshi, Esq.	3	Licensed attorney with expertise in land planning, eminent domain, and/or real estate law and with offices in Palm Beach County	October 1, 2024 – September 30, 2027

SUMMARY: The PRC is an Advisory Board that is charged with reviewing, evaluating, and advising the Board of County Commissioners (BCC) regarding real estate transactions involving the purchase (including eminent domain), sale or exchange of real property upon certain triggers being met or value thresholds exceeded. On October 8, 2019, the BCC adopted Palm Beach County Resolution No. 2019-1585, which re-established the PRC comprised of three (3) members appointed at-large by the BCC and its term limits. Each member must meet specific seat requirements. Each seat is for a term of three (3) years. Seat No. 3 must be filled by a licensed attorney with expertise in land planning, eminent domain, and/or real estate law and with offices in Palm Beach County. On August 22, 2023, the BCC approved Ms. Qureshi to serve on the PRC for the duration of an initial one (1) year term, which expires on September 30, 2024. Ms. Qureshi has agreed, if reappointed, to continue to serve on the PRC for an additional term of three (3) years ending on September 30, 2027. The PRC has two (2) seats currently filled with a diversity breakdown of 1 (34%) African-American, 1 (33%) Caucasian, with a gender ratio of (female:male) 0:2. Staff is addressing the need to increase diversity within our boards and will continue to encourage this to expand this Advisory Board’s diversity. (Property & Real Estate Management) Countywide (HJF)

3. CONSENT AGENDA APPROVAL

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

9. Staff recommends motion to approve: Work Order No. 24-013 (Work Order) to the annual heating, ventilation and air conditioning (HVAC) contract (R2020-0019) with Cedars Electro-Mechanical, Inc. (Contractor) in the amount of \$299,332 for the South County Civic Center-Chiller Replacement project for a period of 210 calendar days from notice to proceed. **SUMMARY:** The project consists of the removal and replacement of one (1) 70-ton air cooled chiller including associated accessories at the South County Civic Center located at 16700 South Jog Road, Delray Beach. The Work Order authorizes the construction services necessary to furnish all labor, equipment, devices, tools, materials, transportation, professional services, supervision, drawings, permitting and all miscellaneous requirements necessary for the South County Civic Center-Chiller Replacement project. The existing equipment has outlived its useful life. The new chiller 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 an SBE certified firm. To date, the Contractor has achieved 87.58% SBE participation on this contract. The SBE participation on this work order is 98.35%. To date, the overall SBE participation on the annual HVAC contract is 31.82%. **Funding for this project is from the ARPA Response Replacement funds that do not require a local match.** (Capital Improvements Division) District 5 (MWJ)

3. CONSENT AGENDA APPROVAL

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

10. Staff recommends motion to approve: Amendment No. 1 to the contract (R2018-0917) with Leo A. Daly LLC (Leo A. Daly) for the Judicial Facilities project (Project), to extend the term of the contract retroactively from June 18, 2023 until the completion of all project phases and to update the County's standard contract terms. **SUMMARY:** On June 19, 2018, the Board of County Commissioners (BCC) approved the design contract with Leo A. Daly for the Project. The purpose of this contract is to have a consultant pre-selected and under contract to provide architectural services for planned/or potential future renovations, expansions, modifications, and/or additions to existing Judicial Facilities including the South County Courthouse, Main County Courthouse, West County Courthouse, North County Courthouse, and court facilities at the Main Detention Center and State Attorney/Public Defenders offices. The County was unable to complete the improvements to the Judicial Facilities within the contract's five (5) year term as approval of the Judicial Facilities Master Plan was protracted and did not materialize until June 7, 2022. The improvements at County Judicial Facilities are currently ongoing and it is both cost and time effective to continue to retain the Consultant to complete the Project; therefore, the Facilities Development and Operations Department is requesting authorization to extend the contract with Leo A. Daly retroactively from June 18, 2023 until completion of all Project phases. Submission of this Amendment No.1 for consideration by the BCC was delayed while staff worked with Leo A. Daly on the assignment of multiple professional services contracts (this one included) from Leo A. Daly Company. The BCC approved the contract assignment on August 20, 2024. Amendment No. 1 extends the contract term and adds or updates standard County terms on periods of service, criminal history records check, non-discrimination, compliance with the public records law, compliance with laws and regulations regarding e-verify, disclosure of foreign gifts and contracts with foreign countries of concern, and human trafficking affidavit, among others. The existing contract was awarded under the prior Small Business Enterprise (SBE) Ordinance, and the SBE participation goal was 15%. Leo A. Daly has committed to 25% SBE participation. Leo A. Daly is a local business. The Office of Equal Business Opportunity (OEBO) has reviewed the existing SBE participation and approved this extension request under the existing contract terms. To date, the overall Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation for the contract is 36.32%. (Capital Improvements Division) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. Staff recommends motion to approve: a Contract for the Improvements to Lift Stations 980, 981, and 1051; Lift Station (LS) Rehabilitation Bid Package 1, LS 0637 (Project) with B & B Underground Construction Inc. (Contractor) in the amount of \$4,845,427. **SUMMARY:** On May 1, 2024, the Palm Beach County Water Utilities Department (PBCWUD) received five (5) bids for the Project. Contractor was determined to be the lowest responsive and responsible bidder in the amount of \$4,845,427. The Project provides for furnishing all materials, labor, supervision, equipment, supplies, fees, expertise, and services necessary to provide new or improved LS at four (4) locations. The major Project components include mechanical, electrical, and civil improvements including new pumps, control panels and appurtenances, discharge piping, wet well and manhole coating, new potable water services, and includes temporary bypass pumping. The Project is partially funded in the amount of \$250,000 by the State of Florida Department of Environmental Protection (FDEP) with funds from the U.S. Department of Treasury. On February 7, 2023, the Board of County Commissioners (BCC) approved the Standard Grant Agreement (R2023-0170) with FDEP for the LS 0637 hardening improvements. The Contract is exempt from Sections 2-80-.20-2-80.40 of Palm Beach County Code, the Equal Business Opportunity (EBO) program because it is funded by federal or state funds. Contractor is a Palm Beach County based company. The Project is included in the PBCWUD FY24 budget. (PBCWUD Project No. 21-059R) Districts 3 and 5 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

2. Staff recommends motion to approve: Work Order (WO) No. 2 to the 2024 Pipeline Wet Tap and Line Stops Continuing Construction Contract (Continuing Contract) with Rangeline Tapping Services, Inc. (Contractor) for the Line Stop Fittings for Emergency Services Part 2 (Project) in the amount of \$258,680. **SUMMARY:** On March 5, 2024, the Board of County Commissioners (BCC) approved the Palm Beach County Water Utilities Department (PBCWUD) Continuing Contract (R2024-0255) with Contractor. WO No. 2 provides for furnishing of all the materials necessary for future emergency installation of line stops on pressurized pipes within the PBCWUD service area. The Project includes the supply of epoxy coated line stop fittings with 304 Stainless Steel (SS) hardware and epoxy coated Ductile Iron carbon steel blow down saddles with 304 SS dual straps/hardware for 24-inch through 54-inch DI Pipe and Prestressed Concrete Pressure Pipe. The Continuing Contract was presented to the Goal Setting Committee (Committee) on October 4, 2023 and the Committee established an Affirmative Procurement Initiative(s) of a Small Business Enterprise (SBE) Price Preference. Contractor committed to 0% SBE participation. The SBE proposed participation for this WO No. 2 is 0% SBE participation. To date, the overall participation achieved on this Continuing Contract is 0%. Contractor is a Palm Beach County based company. The Project is included in the PBCWUD FY24 budget. (PBCWUD Project No. 24-022) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

3. Staff recommends motion to receive and file: Six (6) executed Standard Potable Water and Wastewater Development Agreements for the month of April and May 2024.
- A) Standard Potable Water and Wastewater Development Agreement with Pulte Home Company, LLC, SDA #05-11 137-000 (District 6), Recorded in OR BK 34988 PG 1609.
 - B) Standard Potable Water and Wastewater Development Agreement with Arroyo Cap III-2, LLC, SDA #09-01106-000 (District 5), Recorded in OR BK 34988 PG 1618.
 - C) Standard Potable Water and Wastewater Development Agreement with Mattamy Palm Beach LLC and Grillo Golf Management LLC, SDA #02-01177-000 (District 3), Recorded in OR BK 35007 PG 1572.
 - D) Standard Potable Water and Wastewater Development Agreement with Forestar (USA) Real Estate Group Inc., SDA #02-01178-000 (District 3), Recorded in OR BK 35007 PG 1584.
 - E) Standard Potable Water and Wastewater Development Agreement with Civic Hypoluxo Holding LLC, SDA #05-11138-000 (District 6), Recorded in OR BK 35030 PG 1783.
 - F) Standard Potable Water and Wastewater Development Agreement with Delray Logistics Park Owner, LLC, SDA #03-01055-000 (District 5), Recorded in OR BK 35053 PG 1302.

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 3, 5 & 6 (MWJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to approve: reappointments of three (3) At-Large members and appointment of one (1) At-large member to the Natural Areas Management Advisory Committee (NAMAC). Seat Nos. 3, 5, 6 and 7 are for a term of three years beginning October 1, 2024 through September 30, 2027.

<u>Seat No.</u>	<u>Reappointment</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
3	Jessica Miles	Professional Educator	Mayor Sachs Vice Mayor Marino Comm. Weiss Comm. Woodward Comm. Bernard
5	Jennifer Cirillo	Palm Beach County Parks & Recreation Department Staff	Mayor Sachs Vice Mayor Marino Comm. Weiss Comm. Woodward Comm. Bernard
7	Andrea McMillan	Citizen with Interest in Preservation & Conservation of Natural Areas	Mayor Sachs Vice Mayor Marino Comm. Weiss Comm. Woodward Comm. Bernard
<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
6	Richard Moyroud	Citizen with Interest in Preservation & Conservation of Natural Areas	Mayor Sachs Vice Mayor Marino Comm. Weiss Comm. Woodward Comm. Bernard

SUMMARY: Resolution No. R2013-1328 provides for a seven (7) - member NAMAC. Membership consists of one (1) member with experience in the management of natural areas, one (1) biological scientist, one (1) professional educator with knowledge of South Florida ecosystems, one (1) representative of a local municipal government parks and recreation program, one (1) member of the Palm Beach County (PBC) Parks and Recreation Department staff, and two (2) citizens having an interest in preservation and conservation of natural areas. With these three (3) reappointments and one (1) appointment, all seven (7) seats will be filled and the diversity count will be Caucasian: 6 (85.7%) and African American: 1 (14.3%). The gender ratio (female:male) is 4:3. Seat No. 3 nominee is a Caucasian female, Seat No. 5 nominee is a Caucasian female, Seat No. 6 nominee is a Caucasian male, and Seat No. 7 is an African American female. Staff continues to address the need for increased diversity within our boards and will encourage expansion of this Board’s diversity. Countywide (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES (cont'd.)

2. **Staff recommends motion to receive and file:** Task Assignment No. 9 to the State of Florida, Department of Environmental Protection (FDEP) Contract No. GC896 (R2016-0787) (Contract) providing for ongoing site management activities for cleanup of petroleum contamination sites for an amount not to exceed \$624,008. The task performance period is from July 1, 2024 through June 30, 2025. **SUMMARY:** On June 21, 2016, the Board of County Commissioners (BCC) approved the FDEP Contract to administer the Petroleum Restoration Program through the Department of Environmental Resources Management (ERM). Delegated authority to sign all future time extensions, task assignments, certifications, and other forms associated with this Contract was approved at that time. On June 21, 2024, Task Assignment No. 9 was executed through delegation of authority. The Task Assignment was executed by FDEP on June 25, 2024. 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.** Countywide (SS)

3. **Staff recommends motion to receive and file:** Task Assignment No. 8, to the State of Florida, Department of Environmental Protection (FDEP) Contract No. GC913 (R2017-0838) (Contract), providing for routine compliance inspections at 637 petroleum storage tank facilities within Palm Beach, Martin, and St. Lucie Counties, and funding in the amount of \$624,415.08, with a performance period of July 1, 2024, through June 30, 2025. **SUMMARY:** Petroleum storage tank compliance services, under a series of contracts with FDEP have been in effect since 1988. On June 20, 2017, the Board of County Commissioners (BCC) approved Contract No. GC913 (R2017-0838) (Contract) with FDEP. Delegated authority to sign all future time extensions, task assignments, certifications, and other forms associated with this Contract was approved at that time. In accordance with 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.** Countywide (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES (cont'd.)

4. Staff recommends motion to adopt: a Resolution requesting the State of Florida Department of Environmental Protection (FDEP) support appropriation of funds for Palm Beach County's Shore Protection Projects (Projects) within its FY2025/2026 Beach Management Funding Assistance Program. **SUMMARY:** The County is requesting that FDEP appropriate \$12,417,777.21 for six (6) shoreline restoration Projects in FY2025/2026. The attached Resolution is a requirement of Florida Administrative Code Rule 62B-36.005, which provides that the local sponsor (i.e., the County) must submit a Resolution by its governing board declaring support for the Projects, willingness to serve as the local sponsor, and ability and willingness to provide the necessary local funding share to implement the Projects. If the Florida Legislature approves funding for all of the Projects, the County's matching share would be \$12,417,777.21. The County is requesting \$2,229,063.14 for the Coral Cove Dune Restoration Project, \$3,162,500 for the North County Comprehensive Shore Protection Project – Segment 1, \$1,060,000 for the North County Comprehensive Shore Protection Project – Segment 2, \$262,500 for the North County Comprehensive Shore Protection Project – Segment 3, \$2,436,477.05 for the Singer Island Dune Restoration Project, and \$3,267,237.02 for the Ocean Ridge Shore Protection Project. Districts 1 and 4 (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES (cont'd.)

5. Staff recommends motion to:

A) approve a Law Enforcement Service Agreement for Conservation Lands and Natural Areas of Palm Beach County (Agreement) with the Palm Beach County Sheriff's Office (PBSO), starting at an annual cost of \$589,070, for a five (5)-year term beginning October 1, 2024 and ending September 30, 2029; and

B) 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: This Agreement is a continuation of 23 years of work completed through a PBSO Agreement, previously approved by the Board of County Commissioners (BCC) (R2001-2048, R2005-1361, R2007-1634, R2010-1287, R2013-1342, R2016-1182, and R2019-1184). This Agreement provides for four (4) full-time PBSO Deputies to patrol the County's conservation lands and natural areas, and is funded by the Agricultural Reserve Land Management Fund, a non-ad valorem source. As a result of the efforts covered in this Agreement, violations of the Natural Areas Ordinance have been prevented or enforced, and have improved public safety and education at the natural areas. Countywide (SS)

6. Staff recommends motion to receive and file: Task Assignment No. PM4 to Contract No. FWC21149 (R2022-0361) (Contract) with Florida Fish and Wildlife Conservation Commission (FWC) to provide aquatic vegetation control services for water bodies within the County and a cost reimbursement of \$50,000, for a term beginning upon execution through April 20, 2025. **SUMMARY:** On April 12, 2022, the Board of County Commissioners (BCC) approved FWC Contract No. FWC21149 (R2022-0361) (Contract) for aquatic vegetation control services in the following lakes: Clarke, Ida, Osborne, and Pine. Delegated authority to execute all future time extensions, task assignments, certifications, and any other forms associated with this Contract was also approved at that time. This Contract facilitates County treatment and control of aquatic exotic plants within the Chain of Lakes. County work is reimbursed by FWC. 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.** Districts 2, 3, and 4 (SS)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

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

A) Nathan Mercado in an amount not to exceed \$600 for the Legends on the Lawn: Spider Cherry concert at Canyon Amphitheater on May 18, 2024; and

B) Gary Frost in an amount not to exceed \$2,000 for the Big Vance and the Phat Cats concert at Sunset Cove Amphitheater on July 4, 2024.

SUMMARY: The Parks and Recreation Department produces cultural activities to promote the quality of life in the communities it serves. A sponsorship received for the Legends on the Lawn events from Nostalgic America offset the expense of the concert at Canyon Amphitheater. These Entertainment Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution 2008-1109, amended by Resolutions 2010-0644, 2014-0168 and 2017-1367. The Department is now submitting these Agreements in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a receive and file agenda item. Districts 1 and 5 (AH)

2. Staff recommends motion to receive and file: an executed Sound and Light Production Service Contractor Agreement with Sanderford Sound, Inc., in an amount not to exceed \$6,340 for the annual 4th of July Celebration Event at Sunset Cove Amphitheater for a period of July 4, 2024 through July 5, 2024. **SUMMARY:** This Sound and Light Production Service Contractor Agreement has been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution 2009-0592, amended by Resolutions 2010-0645, 2014-0167, 2017-1368 and 2018-0179. The Department is now submitting this Agreement in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a receive and file agenda item. District 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (cont'd.)

3. Staff recommends motion to receive and file: an executed Special Events Rental Agreement with Battle Bros LLC, for the South Florida Wing Bash Event at Burt Aaronson South County Regional Park, for the period July 12, 2024 through July 14, 2024. This event generated \$3,703 in revenue, with \$1,103 in direct expenses; thus providing a net fiscal impact of \$2,600. **SUMMARY:** The Parks and Recreation Department assists users in obtaining the necessary permits to hold special events in County Parks. This Special Events Rental Agreement has been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution R2021-1552. The Department is now submitting this Agreement in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a receive and file agenda item. District 5 (AH)

4. Staff recommends motion to receive and file: an Interlocal Grant Agreement Term Extension between Palm Beach County and the Solid Waste Authority (SWA) of Palm Beach County for \$60,000 for the demolition and removal of the Caloosa Park Racquetball Courts, extending the completion date from September 30, 2024 to September 30, 2025. **SUMMARY:** On September 8, 2022, the Parks and Recreation Department submitted a Solid Waste Authority 2022 Blighted and Distressed Property Cleanup and Beautification Grant application. The application requested \$60,000 in funding to cover the cost of demolition of the Caloosa Park racquetball courts. Grant funding was awarded and the Interlocal Grant Agreement (R2023-0192) was presented to the Board of County Commissioners (BCC) on February 7, 2023 for the Mayor's signature and to establish budget. The BCC also granted the Director of the Parks and Recreation Department the authority to execute time extensions, task assignments, certifications, standard forms and amendments to the agreement that do not substantially change the scope of work. The original grant term was from February 7, 2023 to December 31, 2023. Due to project delays, a grant extension was approved by SWA extending the completion date from December 31, 2023 to September 30, 2024 (R2024-0181). Due to additional time delays SWA has granted an additional one-year time extension to September 30, 2025. There are no other changes to the terms of the Agreement as a result of this extension. 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 4 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (cont'd.)

5. **Staff recommends motion to receive and file:** an Interlocal Grant Agreement Term Extension between Palm Beach County and the Solid Waste Authority (SWA) of Palm Beach County for \$50,000 for the demolition and removal of the Haverhill Park Racquetball Courts, extending the completion date from September 30, 2024 to September 30, 2025. **SUMMARY:** On November 23, 2022, the Parks and Recreation Department submitted a Solid Waste Authority 2022 Blighted and Distressed Property Cleanup and Beautification Grant application. The application requested \$50,000 in funding to cover the cost of demolition of the Haverhill Park racquetball courts. Grant funding was awarded and the Interlocal Grant Agreement (R2023-0605) was presented to the Board of County Commissioners (BCC) on May 2, 2023 for the Mayor's signature and to establish budget. The BCC also granted the Director of the Parks and Recreation Department the authority to execute time extensions, task assignments, certifications, standard forms and amendments to the agreement that do not substantially change the scope of work. The original grant term was from May 2, 2023 to February 28, 2024. Due to project delays, a grant extension was approved by SWA extending the completion date from February 28, 2024 to September 30, 2024 (R2024-0183). Due to additional time delays SWA has granted an additional one-year time extension to September 30, 2025. There are no other changes to the terms of the Agreement as a result of this extension. The Department is now submitting this agreement in accordance with County PPM CW-O-O51, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a Receive and File agenda item. District 2 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (cont'd.)

6. **Staff recommends motion to receive and file:** an Interlocal Grant Agreement Term Extension between Palm Beach County and the Solid Waste Authority (SWA) of Palm Beach County for \$50,000 for the demolition and removal of the Lake Lytal Park Racquetball Courts, extending the completion date from September 30, 2024 to September 30, 2025. **SUMMARY:** On November 23, 2022, the Parks and Recreation Department submitted a Solid Waste Authority 2022 Blighted and Distressed Property Cleanup and Beautification Grant application. The application requested \$50,000 in funding to cover the cost of demolition of the Lake Lytal Park racquetball courts. Grant funding was awarded and the Interlocal Grant Agreement (R2023-0606) was presented to the Board of County Commissioners (BCC) on May 2, 2023 for the Mayor's signature and to establish budget. The BCC also granted the Director of the Parks and Recreation Department the authority to execute time extensions, task assignments, certifications, standard forms and amendments to the agreement that do not substantially change the scope of work. The original grant term was from May 2, 2023 to February 28, 2024. Due to project delays, a grant extension was approved by SWA extending the completion date from February 28, 2024 to September 30, 2024 (R2024-0184). Due to additional time delays SWA has granted an additional one-year extension to September 30, 2025. There are no other changes to the terms of the Agreement as a result of this extension. The Department is now submitting this agreement in accordance with County PPM CW-O-O51, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a Receive and File agenda item. District 3 (AH)

3. CONSENT AGENDA APPROVAL

P. COOPERATIVE EXTENSION SERVICE

1. **Staff recommends motion to approve:** An Agreement with the Friends of Mounts Botanical Garden, Inc. (FMBG) from October 1, 2024 through September 30, 2025 for continued partial funding of \$76,841 for a horticulturist position to assist in the care and maintenance of The Mounts Botanical Garden of Palm Beach County (MBG). **SUMMARY:** FMBG will continue to provide funding to the County in an amount not to exceed \$76,841 (\$49,266 for salary and \$27,575 for fringe benefits) to support 65.5% of an existing horticulturist position beginning October 1, 2024 and ending on September 30, 2025. Palm Beach County will be funding the remaining \$40,474 (\$25,949 for salary and \$14,525 for fringe benefits) at a funding level of 34.5% for a total of \$117,315. The total amount of funding increased from last year because there was a 6% salary increase and a 2.4% increase in benefits. The position will continue to support the MBG. District 2 (AH)

2. **Staff recommends motion to approve:** An Agreement with the Friends of Mounts Botanical Garden, Inc. (FMBG) from October 1, 2024 through September 30, 2025 for continued partial funding of \$45,212 for a gardener position to assist in the care and maintenance of The Mounts Botanical Garden of Palm Beach County (MBG). **SUMMARY:** FMBG will continue to provide funding to the County in an amount not to exceed \$45,212 (\$29,332 for salary and \$15,880 for fringe benefits) to support 60% of an existing gardener position beginning October 1, 2024 and ending on September 30, 2025. Palm Beach County will be funding the remaining \$30,143 (\$19,555 for salary and \$10,588 for fringe benefits) at a funding level of 40% for a total of \$75,354. The total amount of funding increased from last year because there was a 6% increase in salary and a 3.1% increase in benefits. The position will continue to support the MBG. District 2 (AH)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. **Staff recommends motion to receive and file:** Fourth Amendment to Contract for Consulting/Professional Services (R2022-0988) with Southeast Florida Behavioral Health Network, Inc. (SEFBHN) to amend the monthly reimbursement request form and the amounts of the budget line items. **SUMMARY:** The Fourth Amendment to the contract with SEFBHN amends the monthly reimbursement request form and the amounts of the budget line items 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. There are currently 65 participants in the program as of June 2024. 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. **No County matching funds are required.** Countywide (HH)

U. INFORMATION SYSTEMS SERVICES

1. **Staff recommends motion to approve:** the termination of Agreement R2018-0932 (Agreement) with Community of Hope Church (Nonprofit), which terminates the provision of network services, as requested by the Nonprofit. **SUMMARY:** The Nonprofit currently contracts with Palm Beach County (R2018-0932) for network services. The Nonprofit has informed the County that it no longer owns the building receiving network services and has requested the termination of the Agreement. This item seeks authorization to terminate the Agreement, as requested by the Nonprofit. District 3 (DB)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES (cont'd.)

2. Staff recommends motion to:

A) **rescind** Interlocal Agreement (IA) R2019-1927;

B) **approve** the replacement IA providing network services and basic telephone services with the Town of Lake Clarke Shores (Town) for an annual revenue total of \$8,520; and

C) **authorize** the County Administrator or designee, Chief Information Officer, to approve and execute Task Orders associated with these services, up to maximum dollar value of \$50,000 per Task Order, that do not substantially change the scope of work, term or conditions of the Task Order(s).

SUMMARY: The Town has an existing IA with Palm Beach County (County) R2019-1927 for network services. The County recommends rescinding the existing agreement and replacing it with a new IA for a period of one (1) year with four (4) automatic one (1)-year renewals unless notice is given by either party. This new IA includes updated contract terms to provide network services and basic telephone services to the Town. The Florida LambdaRail LLC has approved connection of the Town to the Florida LambdaRail Network. District 3 (DB)

3. Staff recommends motion to approve: the Second Amendment to Interlocal Agreement (IA) R2022-0729 with the Town of Hypoluxo (Town), removing network services from Garnett Park, resulting in a decrease in annual revenue of \$1,800.

SUMMARY: The Town currently holds an IA with Palm Beach County (R2022-0729 as amended by R2022-1546) for network services. This Second Amendment proposes the removal of Garnett Park, located at 7210 S Federal Hwy, from the agreement. The Town did not proceed with the installation of services at Garnett Park and has decided not to pursue these services. As a result, this amendment will remove Garnett Park from the agreement, leading to an annual revenue decrease of \$1,800. District 4 (DB)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES (cont'd.)

4. Staff recommends motion to receive and file: fully executed Task Order #3 to Contract R2022-1296 with GPI Geospatial, Inc. (GPI) in the amount of \$71,000 for the 2024 Palm Beach Coastal Orthophotography Program. **SUMMARY:** GPI provides geospatial services such as planimetric mapping, digital orthophotography, LiDAR processing and GPS survey in support of the County's Geographic Information System (GIS). Task Order #3 was initiated by the Environmental Resources Management Department (ERM) for the consultant to provide coastal orthophotography. The Chief Information Officer approved Task Order #3 by delegated authority to approve task orders of less than \$100,000 pursuant to R2022-1296, dated November 1, 2022. The Small Business Enterprise (SBE) overall goal for this contract is 25%, which was awarded under the OEBO ordinance. Task Order #3 includes 0% SBE participation due to the highly specialized nature of the task. The Cumulative SBE Participation including task order #3 is 0%. Countywide (DB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to:

- A) **approve** a Contract for Adult Reentry Services with the City of Riviera Beach in the amount of \$336,911 for period of retroactive to September 1, 2024 through September 30, 2025 utilizing ad valorem funding and Department of Justice (DOJ), Bureau of Justice Assistance (BJA);
- B) **approve** a Budget Transfer of \$100,000 in the General Fund to move budgeted supplemental funds from the Criminal Justice Commission (CJC) to the Justice Service Grant Fund;
- C) **approve** a Budget Amendment of \$100,000 in the Justice Services Grant Fund; to recognize the transfer and appropriate the funds; and
- D) **authorize:** County Administrator or designee to execute amendments and administrative documents associated with the above contracts that do not substantially change the scope of work, terms or conditions of the agreement, on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations.

SUMMARY: Palm Beach County's (PBC) Public Safety Department Division of Justice Services contracts with providers to coordinate reentry services to those returning to PBC from incarceration. On November 9, 2022, PBC Reentry was awarded Grant #15PBJA-22-GK-04898-CSCR) (CFDA#16.812) through BJA in the amount of \$750,000 for FY23-25. The contract with the City of Riviera Beach is offset by \$211,159 in BJA grant funds and \$125,752 in ad valorem funds which will be used to support the City of Riviera Beach to enhance and implement clinical services and other evidence-based responses to improve reentry, reduce recidivism, and address the treatment and recovery needs of the people with mental health, substance use, or co-occurring disorder who are currently involved in the criminal justice system or were formerly involved. Through additional partnerships with State agencies, community providers, and non-profit and faith based organizations, this funding will allow our local government to enhance reentry and behavioral health services for our underserved communities in the Glades area. As part of the FY24 budget process, a supplemental request was approved allocating a recurring \$100,000 to increase the number of individuals served. Funding is retroactive to September 1, 2024. District 6 (RS)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (cont'd.)

2. Staff recommends motion to:

- A) **receive and file** Contractual Purchase Order (CPO) (PR533715) for \$500,000 for contractual adult reentry services from the Florida Department of Corrections (FDC) for the service period of July 1, 2024 through June 30, 2025;
- B) **approve** a Budget Amendment of \$406,250 in the Justice Service Grant Fund to adjust the budget to the actual CPO amount;
- C) **approve** the following Contracts to provide adult reentry case management, support services, and mental health services:
 - 1) The Lord's Place, Inc. (TLP) in the amount of \$242,844 for the period retroactive to July 1, 2024 through June 30, 2025 utilizing funding from FDC;
 - 2) The City of Riviera Beach (RB) in the amount of \$223,656 for the period retroactive to July 1, 2024 through June 30, 2025 utilizing funding from FDC;
 - 3) TLP in the amount of \$207,787 for the period of October 1, 2024 through September 30, 2025 utilizing ad valorem funding and Federal Justice Assistance Grant (JAG) funding;
 - 4) RB in the amount of \$382,088 for the period of October 1, 2024 through September 30, 2025 utilizing ad valorem funding, State JAG, and Federal JAG funding; and
- D) **authorize** County Administrator or designee to execute amendments and administrative documents associated with the above contracts that do not substantially change the scope of work, terms or conditions of the agreement, on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations.

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (cont'd.)

2. **SUMMARY:** Palm Beach County's (PBC) Public Safety Department Division of Justice Services contracts with providers to coordinate reentry services to those returning to PBC from incarceration. Providers are solicited and selected for a three (3) year period through a competitive procurement process, although funding is allocated on an annual basis. For FY 2022-2025, TLP and RB were two (2) of the three (3) selected to receive funding for services such as pre and post release case management, client support services and mental health treatment. The State of Florida FY 2024–FY 2025 General Appropriations Act provided \$500,000 in non-recurring general revenue funds to the PBC Board of County Commissioners (BCC) for Adult Reentry Services. This funding supports the provider contracts who serve returning residents who are released from FDC facilities and return to PBC. Approximately 663 adults (358 Sago Palm Reentry Center and 305 Post Release) have been served by the County's Reentry Program in County FY 2023. This includes 137 prerelease new enrollments at Sago Palm and 182 post-release new enrollments. During FY 2023, funds were also used by RB to incorporate important evidence based programming prerelease such as Moral Reconciliation Therapy, Inside Out Dads, Peer Group, and Casual Conversation with a behavioral health specialist. Separate contracts are necessary for each provider based on funding source and the beginning and ending dates of the County and the State fiscal years. Contracts utilizing funding from the State of Florida FY 2024–FY 2025 General Appropriations Act are retroactive to July 1, 2024. The delay was a result of a late budget approval by the Governor and the FDC CPO being received on July 1st. Countywide (RS)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. Staff recommends motion to:

- A) **receive and file** the electronically executed Florida Department of Transportation (FDOT) Public Transportation Grant Agreement (PTGA) G2Z83, awarding the Palm Beach Board of County Commissioners (BCC) \$2,054,620 in FY2021 Section 5310 (CFDA 20.513) funds; the PTGA has an effective date of June 4, 2024 with an expiration date of April 13, 2026;
- B) **receive and file** the electronically executed Florida Department of Transportation (FDOT) Public Transportation Grant Agreement (PTGA) G2Z85, awarding the BCC \$2,051,784 in FY2022 Section 5310 (CFDA 20.513) funds; the PTGA has an effective date of June 5, 2024 with an expiration date of April 13, 2026;
- C) **receive and file** the electronically executed Florida Department of Transportation (FDOT) Public Transportation Grant Agreement (PTGA) G2Z89, awarding the BCC \$2,049,193 in FY2023 Section 5310 (CFDA 20.513) funds; the PTGA has an effective date of June 4, 2024 with an expiration date of April 13, 2026; and
- D) **approve** an upward Budget Amendment of \$6,155,597 in Palm Tran Grant Fund 1341 to recognize the grant awards and increase the capital expenditures.

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (cont'd.)

1. **SUMMARY:** Palm Tran submitted grant applications for Section 5310 funds in 2020, 2021 and 2022 requesting assistance for the replacement of Paratransit vehicles, issues with the availability of a State contract delayed the issuance of the grant awards. In May, FDOT issued agreements requiring electronic execution. The electronic documents have been fully executed on behalf of the BCC by the County Administrator in accordance with R2024-0484, 0485 and 0486, which delegated authority to sign and accept a grant award on behalf of the BCC. In accordance with County PPM CW-F-003 and CW-O-051, a signed copy of agreements executed under delegated authority must be placed on the BCC's agenda as a receive and file. The executed documents are now being submitted to the BCC to allow the Clerk's Office to receive and file. PTGA G2Z83, in the amount of \$2,282,912 **requires a match of 10% or \$228,292** and provides a grant in the amount of \$2,054,620. PTGA G2Z85, in the amount of \$2,279,760 **requires a match of 10% or \$227,976** and provides a grant in the amount of \$2,051,784. PTGA G2Z89, in the amount of \$2,276,882 **requires a match of 10% or \$227,689** and provides a grant in the amount of \$2,049,193. The match is included in Palm Tran's Vehicle Replacement Fund budget. The PTGAs require broader indemnification by the County than that approved by PPM CW-F-049. They require 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 the PTGAs and advised staff accordingly. 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, staff recommends Board approval. Countywide (MM)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (cont'd.)

2. Staff recommends motion to approve: an Interlocal Agreement (ILA) between Palm Beach County and St. Lucie County, a political subdivision of the State of Florida, by and through its Board of County Commissioners, regarding support and emergency management public transportation services for the Port St. Lucie Express Regional Transit (PSLX) pilot program. **SUMMARY:** The PSLX route will travel north-south via I-95 providing two (2) morning and two (2) evening peak trips between West Palm Beach and Port St. Lucie. The PSLX will utilize Coach-style buses to transport riders along the designated routes. This ILA establishes procedures for mechanical failure or an emergency, including crashes involving Palm Tran-operated buses during the operation of the PSLX within St. Lucie County. Palm Tran will establish communication with St. Lucie County (through its service contractor), depending on the location of the disabled vehicle, to request support until Palm Tran staff arrives. Support and mitigation measures to be provided may include passenger safety and coordination with law enforcement and first responders. Road supervisory personnel may be requested from St. Lucie County (through its service contractor) to help facilitate the proper transfer of passengers if a relief vehicle is needed. This agreement will commence upon execution, with a three-year term to cover the duration of this pilot program. Based on Palm Tran incidents in 2023 and hourly support rate provided by St. Lucie County (through its service contractor), the annual support cost is estimated to be \$2,433. These costs will be funded by the grant agreement between Palm Beach County and the Florida Department of Transportation, approved by the BCC on November 7, 2023, for the PSLX Transit Pilot Program. Countywide (MM)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

1. Staff recommends motion to:

A) receive & file Grant Adjustment Notice (GAN) #1 to the State Financial Assistance Agreement between the Florida Department of Law Enforcement (FDLE) and the Palm Beach County Sheriff's Office (PBSO) which provides \$317,613.10 in supplemental funding for the FY23-24 Drone Replacement Program, and extends the grant period through June 30, 2025;

B) receive & file GAN #2 which provides \$75,000 in supplemental funding; and

C) approve a Budget Amendment of \$392,613 in the Sheriff's Grant Fund.

SUMMARY: On September 19, 2023, the Board of County Commissioners (BCC) accepted a grant award in the amount of \$257,386.90 on behalf of the PBSO, from the FDLE, to offset the costs for the replacement of non-compliant drones (R2023-1348). During the 2024 legislative session, the Legislature re-authorized funding through FDLE to reimburse local governments for the purchase of compliant drones. The GANs provide \$392,613.10 in supplemental funding for a total award of \$650,000, and extends the period of performance from June 30, 2024 to June 30, 2025. **There is no match requirement associated with this award.** The Catalog of State Financial Assistance (CSFA) number is 71.092 and the agreement number is 3X010. 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) Prospect Wire 2, LLC, for the promotion of the Prospect Wire Southeast Championships, held June 1 – 5, 2024, for the term February 1 – September 5, 2024. This grantee was approved by the TDC on November 9, 2023, in the amount of \$20,000; and

B) First Responder Sports, Inc., for the promotion of the First Responder Games, held June 3 – 16, 2024, for the term February 3, 2024 – October 16, 2024. This grantee was approved by the TDC on March 14, 2024, in the amount of \$20,000.

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 (BCC) 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 Prospect Wire 2, LLC/Prospect Wire Southeast Championships were 2,316, and room nights generated for First Responder Sports, Inc./ First Responder Games were 2,371. Countywide (YBH)

2. Staff recommends motion to receive and file: a fully executed Palm Beach County FY2024, Category “G” Grant Agreement managed by the Palm Beach County Sports Commission, Inc. (Sports Commission), on behalf of the Palm Beach County Tourist Development Council (TDC) with The National Junior Tour, LLC, for the promotion of The Junior Tour Powered by Under Armour Summer National Championship, held June 19 – 23, 2024, for the term February 19 – September 23, 2024. This grantee was approved by the TDC on November 9, 2023, in the amount of \$25,000. **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 (BCC) adopted Resolution R94-702, as amended, authorizing the County Administrator and/or the Executive Director of the TDC to enter into grant agreements with Category G (Sports) grantees after they have been approved by the TDC. Room nights generated for The National Junior Tour, LLC/ The Junior Tour Powered by Under Armour Summer National Championships were 1,796. Countywide/District 1 (YBH)

3. CONSENT AGENDA APPROVAL

EE. OFFICE OF RESILIENCE

1. Staff recommends motion to:

- A) **ratify** the signature of the Mayor on an application to the U.S Environmental Protection Agency's (EPA) Environmental and Climate Justice Community Change Grant Program (CCGP) of \$20,000,000, estimated to begin on June 1, 2025, and ending after three (3) years in May 2028 to expand sustainable landscaping practices in Pam Beach County;
- B) **ratify** the signature of the County Administrator on a memorandum of agreement with Community Partners of South Florida to partner on the EPA CCGP sustainable landscaping project for the term of the grant period;
- C) **delegate authority to** the County Administrator or designee to execute the forthcoming grant project agreement and all future time extensions, task assignments, certifications, and other forms associated with the forthcoming grant agreement and any necessary minor amendments that do not change the scope of work, or conditions of the forthcoming grant agreement by more than 20% of the agreement, if funding is awarded; and
- D) **authorize** the Director of the Office of Resilience (OOR) to serve as designee and liaison with the EPA for this project.

SUMMARY: The Office of Resilience, the Cooperative Extension Office, and Community Partners of South Florida, a local non-profit, are seeking funding to collaborate on creating a sustainable landscaping program. This project would reduce air pollution, noise pollution, and greenhouse gas emissions by offering vouchers to purchase electric landscape equipment to residents, local landscape businesses, and local government landscape operations within low-income, disadvantaged communities in Palm Beach County. It will also include education about sustainable landscape techniques, which will include Florida-friendly and native plant giveaways. If awarded, this grant would fund three (3) new staff positions for the Cooperative Extension Office, including one (1) full-time Program Coordinator position (PG 30), one (1) full-time Program Assistant (PG 19), and one (1) part-time Program Assistant (PG 19). It also reimburses the County for the time of current staff positions assigned to the project. All new staff positions would be requested upon the grant being awarded and eliminated after three years when grant funding is discontinued. **No match is required for this grant.** Countywide (RM)

3. CONSENT AGENDA APPROVAL

EE. OFFICE OF RESILIENCE (cont'd.)

2. Staff recommends motion to:

- A) **ratify** the signature of the Mayor on an application to the U.S Environmental Protection Agency's (EPA) Environmental and Climate Justice Community Change Grant Program (CCGP) of \$3,000,000, estimated to begin on June 1, 2025, and ending after three (3) years in May 2028 to launch the Palm Beach County (PBC) Climate Resilient Communities (CRC) Project;
- B) **ratify** the signature of the County Administrator on a memorandum of agreement with Community Partners of South Florida to partner on the EPA CCGP sustainable landscaping project for the term of the grant period;
- C) **delegate authority to** the County Administrator or designee to execute the forthcoming grant project agreement and all future time extensions, task assignments, certifications, and other forms associated with the forthcoming grant agreement and any necessary minor amendments that do not change the scope of work, or conditions of the forthcoming grant agreement by more than 20% of the agreement, if funding is awarded; and
- D) **authorize** the Director of the Office of Resilience (OOR) to serve as designee and liaison with the EPA for this project.

SUMMARY: OOR is partnering with community-based organizations Community Partners of South Florida and The CLEO Institute on an EPA grant application to fund the CRC Project. The CRC Project will create systemic channels for meaningful communication between disadvantaged communities impacted by climate change and local governments trying to alleviate climate change impacts in three priority areas: the Glades Region, North Coastal PBC, and South Coastal PBC. If awarded, this grant would fund one (1) new student intern position for OOR, at a pay rate of \$20/hour, up to 1,000 hours per calendar year, which OOR would request upon the grant being awarded and eliminated after three (3) years when grant funding ends. The grant will also reimburse the County for in-kind current staff time allocated to the CRC Project. **No match is required for this grant.** Countywide (RM)

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 June 12, 2024 meeting as follows:

Report #2024-03 Public Safety / Consumer Affairs – *Florida Department of Highway Safety and Motor Vehicles (Audit Work Plan #2024-05)*; and

B) Audit Recommendation Follow-up Status Report as of May 15, 2024.

SUMMARY: The County Code requires the County Internal Auditor to submit copies of final audit reports to the Board of County Commissioners (BCC) and the Internal Audit Committee. The County Code also requires the County Internal Auditor to issue semi-annual audit recommendation status reports to the BCC and the Internal Audit Committee. At its meeting June 12, 2024 the Internal Audit Committee reviewed the attached audit report and the semi-annual audit recommendation status report. We are submitting these reports to the BCC as required by the County Code. Countywide (DB)

3. CONSENT AGENDA APPROVAL

FF. INTERNAL AUDITOR (cont'd.)

2. Staff recommends motion to: reappoint two (2) members to the Internal Audit Committee (IAC):

<u>Seat</u>	<u>Nominee</u>	<u>Term</u>	<u>Nominated by:</u>
3	Michael Kohner	10/1/2024 - 9/30/2027	Commissioner Sachs Commissioner Barnett
4	John Gilbert	10/1/2024 - 9/30/2027	Commissioner Sachs Commissioner Barnett

SUMMARY: The purpose of the Internal Audit Committee is to assist the Board of County Commissioners (BCC) in fulfilling its oversight and governance responsibilities of County operations and providing advice and recommendations to the County Internal Auditor. All members of the Internal Audit Committee are required to be citizens of the County, independent of County operations and officials, with experience in business or finance; government accounting, auditing, operations or financial management; or other relevant experience. At its March 20, 2024 meeting, the Internal Audit Committee unanimously recommended the reappointment of Mr. Kohner Seat 3, and Mr. Gilbert Seat 4. Both Committee members will serve a three (3) year term ending September 30, 2027. The audit committee consists of five (5) full member seats and one (1) alternate member seat. Following these reappointments, the five (5) full-member seats will be filled. The alternate member seat remains vacant. Diversity count is Caucasian: 5 (100%). The gender ratio (male: female) is 4:1. Staff is addressing the need to increase diversity within its boards and will continue to encourage expansion of the Committee's diversity. Countywide (DB)

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4. SPECIAL PRESENTATIONS – 9:30 A.M.

- A)** Proclamation declaring October 2024 as National Women’s Small Business Month. (District 1)
- B)** Proclamation declaring September 2024 as Workforce Development Month. (District 2)
- C)** Proclamation declaring September 17 – 23, 2024 as Constitution Week. (District 1)
- D)** Proclamation declaring September 2024 as Pollinators Month. (District 2)
- E)** Proclamation declaring September 15 – October 15, 2024 as Hispanic Heritage Month. (District 3)
- F)** Proclamation declaring September 23 – 27, 2024 as Falls Prevention Awareness Week. (District 4)
- G)** Proclamation declaring September 20, 2024 as the Palm Beach Partners Business Matchmaker Conference and Expo Day. (District 5)
- H)** Proclamation declaring September 2024 as Feeding South Florida Hunger Action Month. (District 4)
- I)** Proclamation declaring September 16, 2024 as The Soup Kitchen From Hunger to Hope Day. (District 5)
- J)** Proclamation declaring September 2024 as National Recovery Month. (District 6)

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5. REGULAR AGENDA

A. ADMINISTRATION

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, amending the Palm Beach County Administrative Code for the purpose of updating provisions related to Construction, Engineering and Architectural contract change orders; providing for conflict with Federal or State Law or County Charter; and providing for an effective date. **SUMMARY:** On May 14, 2024, the Board of County Commissioners (BCC) adopted an ordinance repealing and replacing sections 2-51 through 2-58 of the Palm Beach County Code (the County's Procurement Code) which will be effective on November 16, 2024. This resolution will provide for adoption of amendments to the County Administrative Code (specifically to Section 307.4) due to recent changes to the County's Procurement Code which increased the signature authority of the Directors of Purchasing and the five (5) construction departments (Facilities Development and Operations, Engineering and Public Works, Airports, Water Utilities, and Environmental Resources Management) from \$200,000 to \$300,000. No other changes to the Administrative Code are recommended for approval though the adoption of this resolution. Countywide (DC)

5. REGULAR AGENDA

B. AIRPORTS

1. Staff recommends motion to:

- A) **approve** Amended and Restated Aeronautical Development Site Lease Agreement (Amended Lease) with Ferroviai Vertiports Florida LLC (Ferroviai), amending the Aeronautical Development Site Lease Agreement (R2021-1586) (Original Lease) with Ferroviai to authorize any vertical take-off and landing (VTOL) aircraft satisfying the requirements of the Original Lease to operate from the vertiport being developed by Ferroviai; extend various dates, including contingency and construction deadlines and the date of beneficial occupancy; modify minimum capital expenditure requirements; provide the option to rehabilitate an existing building for annual improvement rental in the amount \$41,530, commencing on the date of beneficial occupancy; and require the collection of an airport facility charge based on each VTOL aircraft landing; and

- B) **authorize** the County Administrator or designee, who in this case will be the Department of Airports Director, to execute, on behalf of County, the Estoppel Certificate and Memorandum of Lease in the form attached to the Lease and all applications and similar instruments required to obtain necessary governmental approvals for the development of the property for the approved use, and to approve further extension of dates for satisfaction of contingencies by Ferroviai for reasons beyond Ferroviai's reasonable control.

5. REGULAR AGENDA

B. AIRPORTS (cont'd.)

1. **SUMMARY:** The Original Lease provided for the lease of approximately 205,349 square feet of ground at Palm Beach International Airport (PBI) to Ferrovia for the development of a vertiport, aircraft parking apron, and a terminal building for an initial annual ground rental of \$154,011.75. The Original Lease limited the use of the vertiport to the VTOL aircraft being developed by Lillium, unless otherwise approved by the County and provided that the County's approval would be subject to satisfaction of the requirements established for the Lillium VTOL aircraft. The Amended Lease provides that any VTOL aircraft satisfying the requirements of the Original Lease for the Lillium VTOL aircraft may operate from the vertiport. The Original Lease was contingent on receipt of all necessary governmental approvals for development of the required improvements. The Amended Lease provides for extension of the contingency date due to delays in obtaining the necessary governmental approvals and the date to commence construction from October 19, 2024 to October 1, 2026. The Amended Lease extends the outside date for the date of beneficial occupancy from October 19, 2024 to October 1, 2027. The Original Lease provided for a minimum capital expenditure of \$7,000,000 for the construction of the required improvements. Ferrovia has requested the option to rehabilitate an existing building that was anticipated to be demolished in lieu of building a new terminal building. The Amended Lease provides that, if Ferrovia elects to rehabilitate the existing building, Ferrovia will pay fixed annual improvement rental in the amount of \$41,530 in addition to ground rental and the minimum capital expenditure would be reduced to \$6,000,000. The Amended Lease allows Ferrovia to phase the minimum capital expenditure to provide for the expansion of the aircraft parking apron after commencement of operations. The Amended Lease adds a provision requiring collection of an initial airport facility charge for each VTOL aircraft landing, equal to 50% of the then-current general aviation landing fee. This item confirms the delegation of authority authorizing the County Administrator or designee to sign certain documents on behalf of the County to ensure timely processing, including an Estoppel Certificate and Memorandum of Lease required for financing purposes, and provides authorization to further extend contingency dates based on delays beyond the reasonable control of Ferrovia. For purposes of this delegation, the Airport Director will be considered a designee. Countywide (HJF)

5. REGULAR AGENDA

C. PALM TRAN

1. Staff recommends motion to:

- A) **adopt** a Resolution of the Board of County Commissioners of Palm Beach County, Florida (BCC), authorizing the execution of grant agreement G2Z40 with the Florida Commission for the Transportation Disadvantaged (CTD), providing a grant in the amount of \$3,002,299 for the Trip & Equipment Grant Program (CSFA 55.001) to provide Palm Tran Connection Service (Connection) trips and discounted daily and monthly fixed route bus passes. This is a unit cost agreement and has an anticipated start date of July 1, 2024 and an anticipated end date of June 30, 2025;
- B) **approve** a Budget Amendment of \$5,638,232 in the Palm Tran Operating Fund 1340 to recognize the grant award; and
- C) **approve** a Budget Transfer of \$3,435,205 in the General Fund 0001 to increase the transfer to Palm Tran Operating Fund 1340 and decrease Contingency Reserves.

SUMMARY: This PTGA G2Z40, in the amount of \$3,335,887, **requires a match of 10% or \$333,588** and provides a grant in the amount of \$3,002,299. The total anticipated cost to provide transportation disadvantaged service is \$7,145,986, which requires the County to overmatch to \$3,810,099 in order to maintain the program at its current level. The grant requires broader indemnification by the County than that approved by PPM CW-F-049. The grant requires the County and its officers, agents, or employees to indemnify, defend, and hold harmless CTD 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 and advised staff accordingly. Given that liability is limited to the County's non-compliance or performance of this agreement and the statutory caps of Section 768.28, Florida Statutes, staff recommends Board approval. Countywide (MM)

5. REGULAR AGENDA

D. PLANNING, ZONING & BUILDING

1. Staff recommends motion to approve:

- A) the establishment of a capital project and funding for the purpose of storm water and flood studies to update and improve the accuracy of Federal Emergency Management Agency (FEMA) Florida Insurance Rate Map (FIRM) panels in the County's riverine (inland) flood and tidal areas;
- B) a Budget Transfer of \$9,500,000 from the Building Fund operating reserves to the Building Capital Project Fund; and
- C) a Budget Amendment in the amount of \$9,500,000 in the Building Capital Project Fund to establish a budget to provide initial funding of the studies required for this project.

SUMMARY: As discussed with the Board the County Commissioners (BCC) at the July 9 and August 27, 2024 workshops, with the exception of the eastern Tidal areas which are pending and become effective December 20, 2024; most of the FEMA FIRM panels in the County have had no significant flood map updates since 1979. At these workshop(s) Staff presented three (3) areas of proposed mapping efforts which are: the western area of the County around Lake Okeechobee/Herbert Hoover Dike (HHD), the South Florida Water Management District (SFWMD) Basins, and the Tidal areas. The Department, along with the Water Resources Manager, proposes to perform phased studies of these areas and will issue request for proposals to hire one or more consultants to assist with these efforts. If all phases as anticipated move forward, the complexity of the studies and modeling may require up to six (6) years to complete. Countywide (RM)

5. REGULAR AGENDA

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

2. Staff recommends motion to approve: an Interlocal Agreement (ILA) between Palm Beach County (County) and the Town of Haverhill (Town) setting forth certain conditions which will resolve the County's potential challenge to the voluntary annexation of properties totaling 12.55 acres located on the north side of Wallis Road west of Haverhill Road. **SUMMARY:** Palm Beach County received a filing for annexation from the Town in February of 2024. The Town seeks to voluntarily annex approximately 12.55 acres (5 parcels) of land known as the Wallis Road Property that are proposed to be redeveloped into a single development. After review, County staff identified inconsistencies with Chapter 171, Florida Statutes and objected to the annexation. On April 2, 2024, the Palm Beach County Board of County Commissioners (BCC) gave direction to staff to work with Commissioner Weiss and the Town to resolve the objection to the annexation and to bring the item back for consideration. Subsequently the ILA, developed jointly by the Town and the County, with input from the Applicant, was adopted by the Town Council at its August 22, 2024 meeting. The ILA ensures that ten (10) out of the one hundred (100) proposed townhomes will be provided as for-sale workforce housing units. Although the ILA does not eliminate the contiguity issue, it sets forth the conditions under which the County will agree not to challenge the proposed annexation, thereby foregoing the time and cost of a formal challenge to the annexation. Unincorporated (DWL)

5. REGULAR AGENDA

E. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. [Staff recommends motion to approve](#) on preliminary reading and advertise for public hearing on **October 22, 2024 at 9:30 a.m.:** AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING SECTIONS 2-148 AND 2-149 OF THE LIVING WAGE ORDINANCE (CHAPTER 2, ARTICLE IV, DIVISION 3 OF THE PALM BEACH COUNTY CODE); PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CAPTIONS; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE. **SUMMARY:** Section 2-148 of the County’s Living Wage Ordinance (Living Wage Ordinance) is being amended to revise the definition of “Paratransit contract” due to recent changes to the County’s Procurement Code which increased the mandatory bid or proposal amount from \$100,000 to \$150,000. Section 2-149 of the Living Wage Ordinance is being revised to provide that: (1) the Living Wage Ordinance will not apply to construction contracts entered into on or after July 1, 2024, due to recent legislative changes to section 255.0992, Florida Statutes, which now prohibits the County from imposing a minimum wage requirement (other than the state or federal minimum wage) on construction contracts entered into on or after July 1, 2024; and (2) the Living Wage Ordinance will not apply to paratransit contracts or other contracts entered into on or after September 30, 2026, due to recent legislative changes to section 218.077, Florida Statutes which prohibits the County from imposing a minimum wage requirement (other than the state or federal minimum wage) on any contracts entered into on or after September 30, 2026. (OFMB) Countywide (MWJ)

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SEPTEMBER 10, 2024

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

SEPTEMBER 10, 2024

7. 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

SEPTEMBER 10, 2024

8. COMMISSIONER COMMENTS

District 1 – COMMISSIONER MARIA G. MARINO

District 2 – COMMISSIONER GREGG K. WEISS

District 3 – COMMISSIONER MICHAEL A. BARNETT

Request off-site approval for Proclamation declaring September 2024 as 211 Suicide Awareness and Prevention Month.

District 4 – COMMISSIONER MARCI WOODWARD

District 5 - COMMISSIONER MARIA SACHS

District 6 - COMMISSIONER SARA BAXTER

District 7 – COMMISSIONER MACK BERNARD

SEPTEMBER 10, 2024

9. MATTERS BY THE PUBLIC – 2:00 P.M.

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SEPTEMBER 10, 2024

10. 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."