

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

OCTOBER 22, 2024

<u>PAGE</u>	<u>ITEM</u>	
84	4C1	<p>*ADD-ON / (OFMB) / Staff recommends motion to adopt: 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) <u>Countywide</u> (MWJ)</p>
93	5C2	<p>*REVISED MOTION/TITLE/SUMMARY / (FDO) / Staff recommends motion to:</p> <p>A) approve the immediate revocation of the License Agreement for the Use of County-owned Property (License Agreement)(R2023-0359 and R2023-0360) granted to Transit Village, LLC (TV) for the use of a portion of the Properties;</p> <p>B) authorize the Mayor to execute a letter notifying TV of the revocation of the License Agreement; and</p> <p>C) approve a Development and Conveyance Agreement (DCA) with Vanderbilt Education Florida, LLC (Vanderbilt FL) for the planning, development, design, permitting, construction, operation and maintenance of an educational campus (Graduate Campus) which will include approximately 5.03 acres of County-owned property (Properties) located in the City of West Palm Beach.</p>

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<u>PAGE</u>	<u>ITEM</u>	
93	5C2	<p>*REVISED MOTION/TITLE/SUMMARY / (FDO) / SUMMARY (cont'd.): On July 17, 2024, the Board of County Commissioners (BCC) directed staff to meet with Vanderbilt University (VU) representatives and to coordinate a presentation by VU representatives to be given during the August 20, 2024 BCC regular meeting. Staff met with VU representatives on July 24, 2024 and coordinated the presentation as directed. On August 20, 2024, representatives from Vanderbilt University provided the BCC a presentation entitled Vanderbilt in Palm Beach County as supported by an economic impact study (prepared by TXP, Inc. for VU) entitled The Potential Economic Impact of Vanderbilt University in West Palm Beach. Following the presentation by VU and discussion by the BCC, staff was directed to negotiate the potential conveyance of the Properties (located on Government Hill) for the planning, development, design, permitting, construction, operation and maintenance of an educational campus by VU in the form of a final agreement to be considered by the BCC during its October 8, 2024 regular meeting. In negotiating a DCA, the BCC directed staff to use as the base document the agreement previously executed with University of Florida (UF) for a similar purpose (R2022-0891). Staff was further directed to provide to the BCC a report on the status of the negotiations with VU during its September 17, 2024 regular meeting. Staff proceeded as directed and on August 29, 2024 delivered to VU a first draft of a proposed DCA. Although based on the UF DCA, the proposed first draft reflected modifications resulting from: 1) the inherent differences between UF and VU (i.e., the former is a public entity, the latter is private), 2) the statutory provisions controlling the corresponding DCA (i.e., Section 125.38, Florida Statutes for UF and Section 125.045, Florida Statutes for VU), and 3) the direction provided by the BCC during its August 20, 2024 regular meeting. On September 17, 2024, <u>under Administrator's comments</u>, staff provided the BCC a report on the status of negotiations and, jointly with VU representatives, reported that additional time was needed to successfully achieve a DCA that could be considered by the BCC. As such, staff was authorized to work towards submission of the final DCA for consideration by the BCC during its October 22, 2024 regular meeting, and directed to provide an update regarding the status of negotiations during the October 8, 2024 regular meeting. During its October 8, 2024 regular meeting, the BCC received and filed staff's report on the status of the negotiations with VU and, to allow additional time to notify TV of the item to be considered by the BCC, postponed to its October 22, 2024 regular meeting taking action on staff's recommendation that it be authorized to revoke the License Agreement. On December 2, 2022, following BCC direction, staff executed the License Agreement granting to TV use of a portion of the Properties for temporary storage, construction activities and temporary parking, in connection with the Agreement for Purchase and Sale (PSA) as amended (R2012-1158, R2018-0956, R2020-0517, and R2021-1587) entered between TV and the County for the development of the Wedge Property. To enter into a DCA with VU, <u>VU requires</u> that the Properties must be free from encumbrances, licenses and/or obligations. In March 2024, TV sued the County requesting specific performance under the PSA; litigation remains active. On August 22, 2024, TV sent a letter to staff notifying of its willingness to work with the County and VU to incorporate the License Agreement into a DCA with VU. Given the active litigation between the County and TV, the timeline for development of the Wedge Property is uncertain. <u>Also as a result of the active litigation</u> and staff's ability to simultaneously engage with TV and VU is limited by the constraints resulting from the legal proceedings.</p>

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

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PAGE ITEM

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***REVISED MOTION/TITLE/SUMMARY / (FDO) / SUMMARY (cont'd.):**
Therefore, if the BCC wishes to approve the DCA with VU, staff recommends it first revokes the License Agreement. A summary of material terms of the recommended DCA is included as Attachment 4 to this agenda item. Pursuant to the provisions of the DCA, the Properties will remain under the ownership and control of Vanderbilt FL or its Affiliates. Therefore, included as Attachment 5 to this agenda is a list of Vanderbilt FL's current affiliates. Pursuant to the provisions of Section 22-107(a)(4) of the County's Real Property Acquisition, Disposition and Leasing Ordinance, on October 17, 2024 the Property Review Committee (PRC) met and recommended approval of the DCA subject to modifying the reverter provision of the DCA. In general terms, the reverter under the DCA provides that the Properties will (subject to some procedural requirements) revert to the County if Vanderbilt FL were to (1) fail to commence construction within five (5) years of the Effective Date, or (2) cease using the Properties (or any portion of the same) for Educational Uses. The PRC recommended that the reverter be modified to add a third scenario under which the Properties would revert to the County which is, if Vanderbilt FL fails to meet (within a 10% deviation range) the economic development metrics detailed in Section 11.3.1 of the DCA. Due to the time constraints associated with the direction provided by the BCC for finalizing the DCA, staff did not engage with Vanderbilt FL to discuss/negotiate the potential inclusion of the recommendation made by PRC. If the BCC wishes for the PRC's recommendation to be included as part of the DCA, staff requests it be directed to proceed accordingly and that it be provided additional time to re-engage in negotiations. ~~VU~~ Vanderbilt FL has indicated that the aggregation of the County's and City of West Palm Beach's real estate holdings on Governmental Hill will be required to develop the Graduate Campus. The County's current real estate holdings on Government Hill amount to approximately 5.03 acres, and the City's to approximately 2.2 acres. In September 2024, the City approved an Agreement for Conveyance and Development of Real Property (Contract Number 33002; Ordinance No. 5104-242) to provide VU the right to develop the Graduate Campus on the City's holdings. In September 2021, while negotiating the UF DCA, County staff obtained two separate appraisals (prepared by Callaway & Price, Inc. and M.R. Ford & Associates, Inc.) which average to a fee simple interest market value for the Properties totaling \$42,072,500. As the appraisals are now three (3) years old, in preparation for the potential execution of a DCA with VU, staff retained professional services for updating the aforementioned appraisals. Due to the time constraints associated with direction provided, only one updated appraisal was obtained. The same was prepared by Callaway & Price, Inc. and points to a fee simple interest market value for the Properties totaling \$46,000,000. That is, a 9.3% increase in value since last appraised in 2021. The County's contribution towards the Graduate Campus will consist of the land value (i.e., approximately \$46 million) and staff time in administering the DCA. The County will release mineral and petroleum rights on the Properties and on the City's real estate holdings in accordance with Florida Statutes, Section 270.11. The indemnification provisions of the DCA are not the County standard, the Risk Management Department and the County Attorney's Office have reviewed the same and advised staff accordingly. **These conveyances must be approved by a Supermajority Vote (5 Commissioners).** Countywide/District 2 (HJF)

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<u>PAGE</u>	<u>ITEM</u>	
98	5F1	*ADD-ON / (PZB) / Staff recommends motion to adopt: a resolution approving the temporary waiver of building permit fees for repairs related to Hurricane Milton and related severe weather. SUMMARY: The item before the Board of County Commissioners (BCC) is a resolution to address building or structural damage directly caused by Hurricane Milton and the related severe weather. The temporary waiver of building permit fees for building applications filed with the County related to the repair of structural damage caused by Hurricane Milton or related severe weather in Unincorporated Palm Beach County, will provide relief to property owners suffering from hurricane related hardships. For all such applications filed with the County's Building Division on or after October 14, 2024, but no later than six (6) months after the effective date of this Resolution, unless the BCC approves to extend the temporary waiver. All building applications, licensing, insurance, inspection and other building permit fees/conditions required by law are still applicable. <u>Unincorporated</u> (RM)

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

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

OCTOBER 22, 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 12 - 81)

4. PUBLIC HEARINGS - 9:30 A.M. (Pages 82 - 84)

5. REGULAR AGENDA (Pages 85 - 97)

6. BOARD OF COUNTY COMMISSIONERS SITTING AS THE ENVIRONMENTAL CONTROL BOARD (Page 98)

7. BOARD APPOINTMENTS (Page 99)

8. STAFF COMMENTS (Page 100)

9. BCC COMMENTS (Page 101)

10. ADJOURNMENT (Page 102)

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3B-1 Warrant list

3B-2 Minutes

3B-3 Contracts and claims settlements list

C. ENGINEERING & PUBLIC WORKS

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3C-1 Change Order No. 5 with Rosso Site Development, Inc. for Flavor Pict Road project for a retroactive time extension.

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3C-2 Change Order No. 5 with J.W. Cheatham, LLC for Lyons Road L-14 Canal project for a retroactive time extension.

Page 15

3C-3 Resolutions declaring the acquisition of properties designated as a permanent embankment easement and as a temporary construction easements necessary for the construction of roadway improvements on Northlake Blvd.

3C-4 Interlocal Agreement with the City of West Palm Beach providing for traffic control jurisdiction within the City by PBC.

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3C-5 Consultant Service Authorization No. 5 with R.J. Behar & Company, Inc. for the Woolbright Road Bridge project for professional design services.

E. COMMUNITY SERVICES

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3E-1 Memorandum of Understanding with Centro Campesino-Farmworker Center, Inc. for referring recipients to the Weatherization Assistance Program.

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3E-2 Palm Beach County Syringe Services Program Annual Report 2024.

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3E-3 Notice of Awards from U.S. Department of Health and Human Services and a Budget Amendment.

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3E-4 Reappointment of three (3) members to the Advisory Committee on Behavioral Health Substance Use and Co-Occurring Disorders.

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3E-5 Retroactive Agreements for the Provisions of Financial Assistance in the areas of Families, Seniors, Special Needs and Domestic Violence.

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3E-6 Amendment #002 with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. to increase the overall total and a Budget Amendment.

Page 28

3E-7 FY 2024 Budget Amendment in the General Fund, Division of Human Services and Community Action Program to recognize additional grant funds received.

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3E-8 Budget Transfer in the FY 2024 in the General Fund to reclassify unreimbursed grant expenditures from grant to county funding, and a Budget Amendment.

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3E-9 Retroactive Contract for Provision of Financial Assistance with Gulfstream Goodwill Industries, Inc. for the operation of three (3) Housing and Homeless Resource Centers.

Page 31

3E-10 Amendment No. 0010 to DCF Unified Homeless Grant Contract to increase the grant award and a Budget Amendment.

F. AIRPORTS

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3F-1 Updated summary of fees and charges for the standard form General Aeronautical Services Permit at PBI.

3F-2 Nonconcessionaire Rental Car Operator Ground Transportation Permit with Gitibin and Associates, LLC to provide rental car services at PBI.

3F-3 Updated summary of fees and charges for a Hotel-Motel Courtesy Shuttle Operator Permit at PBI.

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3F-4 License Agreement with PopStroke West Palm Beach, LLC for use of vacant land at PBI for temporary storage of materials and equipment during their construction.

3F-5 Registration for Distribution of Literature or Picketing at PBI issued to Association of Professional Flight Attendants for picketing by members in June 2024.

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3F-6 Construction Manager at Risk Contract with The Morganti Group, Inc. for Campus Wide Facility Improvements at PBI.

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3F-7 Change Order No. 3 with The Morganti Group, Inc. for the Building 846 Storm Resiliency project and a Budget Transfer.

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3F-8 Memorandum of Agreement with U.S. Customs and Border Protection providing for the upgrade of computer equipment and network infrastructure and associated services costs.

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3F-9 Palm Beach County Glades Airport Drop Zone Permit with Skydive Palm Beach County LLC for the non-exclusive right to use the drop zone at PBI.

3F-10 Access Agreement with Signature Flight Support LLC providing access to property at PBI to conduct due diligence inspections without charge.

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

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3G-1 Ratify the Mayor's signature to certify the non-ad valorem assessment roll on electronic media to the Tax Collector.

3G-2 Negotiated settlement against Blue Mango Properties.

H. FACILITIES DEVELOPMENT & OPERATIONS

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3H-1 Work Order No. 24-003 with All Florida Contracting Services, LLC for the West Boynton Park Gym-New Generator Installation project.

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3H-2 Work Order No. 24-007 with Grace Roofing & Sheet Metal Enterprise LLC for the Water Treatment Plan No. 8 Roof and Exhaust Fans Replacement project.

Page 41

3H-3 Work Order No. 24-015 Precision Air Systems, LLC for the Vista Information Systems Services Data Center-Chillers Replacement project.

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3H-4 Standard Equipment Use Agreement with Intersport, LLC for the use of vehicles, and for the use of expired bunker gear.

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3H-6 Utility Easement Agreement in favor of Florida Power and Light for above-ground electrical services across a portion of County-owned property.

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3H-7 Work Order NO. 24-022 with Ralph Della-Pietra Inc. for the Juno Park-Septic to Sewer project.

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3H-8 Amendment No. 2 with CORE Construction Services of Florida, LLC establishing a Guaranteed Maximum Price for the Fire Station No. 92 project.

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3H-9 Sole Source Annual Chickee Hut Pavilions Contract with Big Cypress Tiki Huts, Inc. for the replacement and repair of chickee huts on an as-needed basis.

I. HOUSING AND ECONOMIC DEVELOPMENT

Page 48

3I-1 Engagement Letter for accounting services between the Housing Finance Authority of Palm Beach County, FL and Weinstein Zugman, LLC to prepare general fund financial statements for FY 2024.

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3I-2 Resolution approving the issuance of multifamily housing revenue bonds for Lake Shore Apartments.

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3I-3 Executed documents in connection with a loan made to Two Gardenias by Mary LLC.

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3I-4 Amendment No. 3 with the Business Development Board of Palm Beach County, Inc. increasing the contract and expanding the scope of services.

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3I-5 CDBG Code Enforcement Agreements to provide code enforcement services for the City of Belle Glade and for the City of South Bay.

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3I-6 CDBG Capital Improvement Agreements with the City of Greenacres, with the Town of Lake Park, and with the City of Lake Worth.

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3I-7 Seven CDBG Public Services Agreements to provide public services for FY 2024 – 2025.

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3I-8 Ad Valorem Agency Agreement with the Palm Beach County Film and Television Commission, Inc. to fund operational and educational expenses for the Film & TV Tech Prep Program.

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3I-9 Ad Valorem Agency Agreement with Florida Atlantic Research and Development Authority to promote the Research Park at Florida Atlantic University.

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3I-10 Ad Valorem Agency Agreement with Florida Atlantic University Board of Trustees to fund operational expenses to support the Florida Atlantic University Tech Runway Program.

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3I-11 CDBG Economic Development Agreement with the Business Loan Fund of the Palm Beaches, Inc. to provide economic development services.

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3I-12 CDBG Economic Development Agreement with the Center for Technology, Enterprise and Development, Inc. to provide economic development services.

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3I-13 Conveyance of Ownership of the Quiet Waters Project from McCurdy Center, Ltd.

J. PLANNING, ZONING & BUILDING

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3J-1 Reappointment of two members to the Historic Resources Review Board.

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K. WATER UTILITIES

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3K-1 Contract for Consulting/Professional Services for Water Treatment Plant No. 2 Expansion with Kimley-Horn and Associates, Inc. to provide consulting/professional services for improvements, upgrades, and expansion, etc.

Page 64

3K-2 Amendment No. 1 with the South Florida Water Management District for the Green Cay Wetlands 2 MGD Indirect Potable Reuse project.

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3K-3 Consultant Services Authorization No. 1 with Hillers Electrical Engineering, Inc. for Mecca Pump Station Electrical and Control System Condition Assessment project

L. ENVIRONMENTAL RESOURCES MANAGEMENT

Page 66

3L-1 Assignment Assumption and Consent Agreement to transfer the Annual Coastal and Marine Engineering Services Contract to Foth Infrastructure & Environment, LLC.

3L-2 Interlocal Agreement with City of Riviera Beach to provide for the construction of the Singer Island Dune Restoration project.

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3L-3 Grant Agreement No. 75663 with National Fish and Wildlife Foundation providing financial assistance for Constructing a Tidal Wetland Complex to Enhance Bonefish Cove FL project.

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3L-4 Amendment No. 05 with the U.S. Bureau of Land Management for the management of the Jupiter Inlet Lighthouse Outstanding Natural Area.

M. PARKS & RECREATION

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3M-1 Budget Amendments in the GO Parks and Cultural Improvements Bond Fund and Park Improvement Fund to recognize reimbursements.

N. LIBRARY

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3N-1 Request for approval of an Application to the FL Dept. of State, Division of Library and Information Services for State Aid to Libraries and approve certification.

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S. FIRE RESCUE

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3S-1 Interlocal Agreement with the City of Riviera Beach for Fire Vehicle Maintenance and Repair Services.

X. PUBLIC SAFETY

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3X-1 Reappointment of one (1) member to the Emergency Medical Services Advisory Council.

Page 72

3X-2 Contract for Consulting and Professional Services with Legal Aid Society of Palm Beach County, Inc. to provide civil legal services to the indigent citizens of Palm Beach County.

AA. PALM TRAN

Page 72

3AA-1 Request approval to write off uncollectible funds and remove from the County's general ledger for the period of 2007 to 2021.

CC. SHERIFF

Page 73

3CC-1 Budget Transfer from the LETF to PBSO to allow the Homeland Security Bureau to re-establish and update the Real Time Crime Center at PBSO Headquarters.

3CC-2 Budget Transfer from LETF to PBSO to allow Professional Compliance Bureau to update and enhance the audio and video equipment at the PBSO Training Facility.

Page 74

3CC-3 Budget Transfer from the LETF to PBSO will allow the Homeland Security Bureau to re-establish and update the Fusion Center at PBSO Headquarters.

DD. CAREERSOURCE

Page 75

3DD-1 Interlocal Agreement of the Palm Beach Workforce Development Consortium to replace the prior agreement.

EE. OFFICE OF COMMUNITY REVITALIZATION

Page 76 - 77

3EE-1 Agreements to implement various community improvement projects and initiatives through the Office of Community Revitalization's Neighborhood Engagement and Transformation Grants Program.

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CONSENT AGENDA

FF. OFFICE OF EQUAL OPPORTUNITY

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3FF-1 Ratify the Mayor's signature on Cooperative Agreement Amendment with the HUD for case processing, administrative costs fund, and training funds.

Page 79 - 80

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

GG. TOURIST COUNCIL DEVELOPMENT

Page 80

3GG-1 Executed Category "G" Grant Agreement with World Wake Productions, Inc. for the promotion of World Wake Association Wake Park National Championships.

Page 81

3GG-2 12 Executed Category "CII" Grant Agreements with various grantees for the promotion/marketing of cultural events.

3GG-3 24 Executed Category "B" Grant Agreements with various grantees for the promotion/marketing of cultural events.

PUBLIC HEARINGS – 9:30 A.M.

A. FACILITIES DEVELOPMENT & OPERATIONS

Page 82

4A-1 Ordinance for The Palm Beach County Real Property Acquisition, Disposition and Leasing Ordinance to clarify, update, and codify the procedures.

B. PUBLIC SAFETY DEPARTMENT

Page 83 - 84

4B-1 Ordinance for Emergency M S.

C. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

Page 85

4C-1 Ordinance to repeal/replace Living Wage Ordinance.

REGULAR AGENDA

A. AIRPORTS

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5A-1 FAA Grant Agreement for the Taxiway R Rehabilitation project at PBI

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REGULAR AGENDA

B. HOUSING AND ECONOMIC DEVELOPMENT

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5B-1 Request for approval for waiver of the statutory requirement to consider the designation of parcels located on South Military Trail; and approval to advertise for public hearings.

Page 87 - 88

5B-2 Request for approval for General Obligation Housing Bond Loan Program for Sale Development for the Lake Worth Beach CRA Scattered Villas project.

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5B-3 Request for approval for General Obligation Housing Bond Loan Program for Affordable Housing Multifamily Development for the Waterview Apartments at Mangonia Park project.

Page 91

5B-4 Authorize DHED to apply for a grant to the Federal Home Loan Bank Atlanta for the Heirs' Property Family Wealth Protection Fund.

C. FACILITIES DEVELOPMENT & OPERATIONS

Page 92

5C-1 Amendment No. 4 with the West Palm Beach Housing Authority for the Prosperity Village Cottage Homes project to modify the rent structure and to extend the schedule.

Page 93 - 95

5C-2 Revocation of License Agreement granted to Transit Village, LLC for the use of a portion of the property and approve the Development and Conveyance Agreement with Vanderbilt Education Florida, LLC.

D. ENVIRONMENTAL RESOURCES MANAGEMENT

Page 96

5D-1 Adopt a Resolution supporting permanent protection of County-owned Natural Areas through conservation easements to conservation land trusts.

E. COMMUNITY SERVICES

Page 97

5E-1 FY 2025 Opioid Settlement Fund categorical expenditure plan, addition of one (1) FT position, and Budget Transfers.

F. PLANNING, ZONING & BUILDING

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5F-1 Resolution approving temporary waiver of building permit fees for building applications filed in Unincorporated Palm Beach County for damage due to Hurricane Milton.

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BOARD OF COUNTY COMMISSIONERS SITTING AS THE ENVIRONMENTAL CONTROL BOARD

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6A-1 Appointment of one (1) member to the Environmental Control Hearing Board.

BOARD APPOINTMENTS (Page 100)

STAFF COMMENTS (Page 101)

BCC COMMENTS (Page 102)

ADJOURNMENT (Page 103)

3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER

1. **Staff recommends motion to receive and file:** Warrant List – Backup information can be viewed in the Clerk & Comptroller’s Office.

2. **Staff recommends motion to approve:** the following final minutes of the Board of County Commissioners’ meetings:

<u>Meeting Date</u>	<u>Meeting Type</u>
September 17, 2024	Budget
September 17, 2024	Regular
September 24, 2024	Workshop
September 26, 2024	Zoning

3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller’s Office. Countywide

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve: Change Order No. 5 in the amount of \$155,885.84 and a retroactive time extension of 330 days to the contract dated October 4, 2022 (R2022-1082) (Contract) with Rosso Site Development, Inc. (RSD) for Flavor Pict Road from SR 7 to Lyons Road (Project). **SUMMARY:** Pursuant to Specifications 4-3.6, 8-6, and 8-7.3.2 of the Contract, approval of Change Order No. 5 will reimburse RSD \$155,885.84 for providing a functional connection to an existing pathway along Lyons Road, by expanding the physical eastern limit of the Project, and provide for the retroactive Contract time extension. During construction, it was observed that the asphalt pathway in the plans did not connect to the existing pathway along Lyons Road and plans were revised to address the actual conditions. Contract time was extended by 241 days to account for the time it took to revise the plans and construct the connection. In addition, 89 days were due to inclement weather and holidays, resulting in a total extension of 330 days. Per PPM CW-F-050, the total of this Change Order exceeds the threshold of \$100,000 and allowable time extensions relating to staff approvals of change orders to contracts and requires approval by the Board of County Commissioners (BCC). The Contract was approved on October 4, 2022, for \$3,408,627.25. Previous change orders totaling \$116,577.86 plus this Change Order bring the total Change Order amount to \$272,463.70. The total Contract amount, including this Change Order and previous change orders, is \$3,681,090.95. With approval of the retroactive time extension associated with this Change Order, the new revised completion date is June 28, 2024. However, there are additional change orders being negotiated that are expected to adjust the completion date to a date still in the future. This Contract was presented to the Goal Setting Committee on October 6, 2021, and the Committee established an Affirmative Procurement Initiative (API) of a 20% minimum mandatory Small Business Enterprise (SBE) participation. The proposed SBE participation for Change Order No. 5 is 15.1%. To date, the overall SBE participation achieved on this Contract is 21.36%. District 5 (YBH)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to approve: Change Order No. 5 in the amount of \$171,433.30 and a retroactive time extension of 461 days to the contract dated August 25, 2020 (R2020-0992) (Contract) with J.W. Cheatham, LLC (JWC) for Lyons Road, north of Lake Worth Drainage District's (LWDD) L-14 Canal to Lake Worth Road and Lyons Road, Lake Worth Road to south of LWDD L-11 Canal (Project). **SUMMARY:** In lieu of full depth reconstruction, approval of Change Order No. 5 will provide compensation to JWC for additional milling and asphalt overbuilding at three (3) identified locations to address the asphalt thickness that exceeds what is in the plans, as observed in the field, and provide for the retroactive Contract time extension. Pursuant to Specifications 8-6 and 8-7.3.2, Contract time was extended by 252 days for untimely utility relocation, 60 days for unforeseen concrete ready-mix material shortages, and 149 days for accumulated holidays and weather days, resulting in a total Contract time extension of 461 days. Per PPM CW-F-050, the total of this Change Order exceeds the allowed threshold of \$100,000 and allowable time extensions relating to staff approvals of change orders to contracts and requires approval by the Board of County Commissioners (BCC). The Contract was approved on August 25, 2020, in the amount of \$7,153,789.08. Previous change orders totaling \$235,483.74 plus this Change Order bring the total change order amount to \$406,917.04 for the Contract. The total Contract amount, including this Change Order and previous change orders, is \$7,560,706.12. The semifinal inspection occurred on May 24, 2023, and the Contract time was stopped. The retroactive time extension associated with this Change Order brought the completion date to June 29, 2023. Due to negotiations with JWC, staff changes, and collecting back-up documentation, this Change Order could not be finalized until now. This is the final change order before Project closeout. This Contract was presented to the Goal Setting Committee on March 4, 2020, and the Committee established an Affirmative Procurement Initiative (API) of a 13% minimum mandatory Small Business Enterprise (SBE) participation. The proposed SBE participation for Change Order No. 5 is 0%. To date, the overall SBE participation achieved is 17.47%. District 6 (YBH)

3. CONSENT AGENDA APPROVAL

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

3. Staff recommends motion to adopt: two (2) Resolutions declaring the acquisition of properties designated as Parcel 256 as a permanent embankment easement and Parcels 358A and 358B as temporary construction easements, necessary for the construction of roadway improvements on Northlake Boulevard from east of Hall Boulevard to Coconut Boulevard (Project). **SUMMARY:** Adoption of the 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 \$77,995. The parcels are necessary for the widening and construction of a four-lane and six-lane divided roadway with new drainage, sidewalks, and paved shoulders for the Project. To date, 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 6 (DO)

4. Staff recommends motion to approve: an Interlocal Agreement (Agreement) with the City of West Palm Beach (City), repealing and replacing interlocal agreement R85-1067 that was approved by the Board of County Commissioners (BCC) on July 9, 1985, providing for traffic control jurisdiction within the City by Palm Beach County (County). **SUMMARY:** Section 316.006(2) (a), Florida Statutes, vests municipalities with traffic control jurisdiction over all streets and highways located within their boundaries, except state roads, and provides that a municipality may, by interlocal agreement with a county, agree to transfer traffic regulatory authority (Authority) over areas within the municipality to the county. Pursuant to interlocal agreement R85-1067, the City transferred certain traffic control functions and duties to the County over certain signalized intersections and roads. Repealing and replacing interlocal agreement R85-1067 with the Agreement transfers Authority over all County maintained thoroughfare roadways and certain signalized intersections within the City's expanded municipal boundaries to the County, as may be amended, and outlines certain operations and maintenance duties retained by the City. Districts 2 and 7 (YBH)

3. CONSENT AGENDA APPROVAL

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

5. Staff recommends motion to approve: Consultant Service Authorization (CSA) No. 5 to the Annual Structural Engineering Services Contract (R2023-0261) dated March 14, 2023 (Contract) with R.J. Behar & Company, Inc. (RJB) in the amount of \$144,557.74 for the Woolbright Road Bridge over Lake Worth Drainage District's E-4 Canal (Emergency Repairs). **SUMMARY:** Approval of this CSA is for the professional design services that were necessary for emergency repairs to the bridge approach slab that was undermined by a geotechnical boring that damaged a raw water main pipe located 40 feet beneath the bridge approach slab. The CSA also includes preparing a report to document the timeline and cause of the damage, and repairs to the adjacent road and bridge. The Engineering and Public Works Department (EPW) was notified by the City of Boynton Beach (City) of a potential sinkhole in the eastbound outside lane on Woolbright Road on March 13, 2024. EPW staff filled the depression and monitored this fix until April 2, 2024, when it was determined that the patch did not stop further sinkhole formation. At that point, EPW authorized a contractor to perform emergency exploration and provided CSAs to two consultants, including this CSA to RJB, to document the damage, determine the cause, and design the repair. The preliminary findings from these consultants determined that an unpermitted roadway core bored through a 42 inch raw water main and caused the bridge approach slab to become compromised. The City was able to install a liner within their damaged pipe and EPW's contractor was able to finalize repairs in June 2024. It has been determined that the unpermitted bore work was performed in November 2021 by a Florida Department of Transportation consultant in advance of potential improvements at the Woolbright Road and I-95 interchange. Palm Beach County (County) intends to seek reimbursement for all professional design services costs, as well as the ultimate repair costs that the County was forced to make to ensure the integrity of Woolbright Road. The Contract covering this CSA 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 of which 5% must be Minority Business Enterprise (MBE) participation for African American (AA) owned firms, and an SBE evaluation preference. RJB committed to 23% SBE and 18% MBE participation and received 6 Evaluation Preference Points. The proposed SBE participation for this CSA is 0%. To date, the overall participation achieved on this Contract is 15.81% SBE and 15.57% MBE. RJB has an office located in Palm Beach County (County). District 4 (YBH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. **Staff recommends motion to approve:** Memorandum of Understanding (MOU) with Centro Campesino-Farmworker Center, Inc. (Centro Campesino), for a term of two (2) years, beginning June 1, 2024, which will automatically renew for three (3) additional one (1) year terms from the date the MOU is fully executed, to coordinate a system for referring recipients of the Emergency Home Energy Assistance Program (EHEAP) and/or Low Income Home Energy Assistance Program (LIHEAP) services to the Weatherization Assistance Program (WAP). **SUMMARY:** The purpose of this MOU is to refer EHEAP and/or LIHEAP clients for WAP services as needed. Centro Campesino operates as the local agency for WAP for the EHEAP and LIHEAP programs. Households that have received more than three (3) EHEAP or LIHEAP benefits within an 18-month period and are homeowners may be referred to a WAP provider. The WAP provides funding to improve the energy efficiency of homes belonging to low-income households. The MOU outlines cooperative efforts and describes the actions that will be taken by both parties to ensure coordination and referrals for EHEAP and/or LIHEAP clients. **No County funding is required.** Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

2. [Staff recommends motion to receive and file:](#) Palm Beach County Syringe Services Program (SSP) Annual Report 2024. The report reflects services provided during the period of July 1, 2023 through June 30, 2024. **SUMMARY:** Pursuant to the Palm Beach County Infections Disease Elimination Ordinance (Ordinance No. 2019-026), the Palm Beach County Community Services Department (CSD), submitted an annual report to the Florida Department of Health (FDOH) and the Board of County Commissioners (BCC) on August 1, 2024. Palm Beach County (PBC) has one (1) approved SSP operator in Rebel Recovery (Rebel Recovery) FL, Inc., a 501(c)(3) Non-profit, HIV Services and Recovery Community Organization located in West Palm Beach, Florida. Rebel Recovery provided SSP services through the Florida Access to Syringe and Health Services (FLASH) Exchange program. The FLASH Exchange program has operated since April 1, 2021, as the first community-based syringe services program in Florida. Participants receive service exclusively through a mobile unit with rotating service locations in West Palm Beach, Lake Worth Beach, Riviera Beach, and South Bay. During the reported period, the FLASH Exchange served 257 unduplicated clients. FLASH Exchange collected 93,720 used syringes and distributed 85,929 clean/unused syringes, resulting in a net decrease of 7,791 syringes. In addition, 1,271 cases of Narcan/Naloxone were distributed resulting in 455 reported overdose reversals. During the reported period, Rebel Recovery expanded FLASH Exchange's HIV and HCV testing capacity. FLASH Exchange also expanded access to other programs, using the mobile unit to enroll new clients in harm reduction and peer recovery support services, even when they were not specifically seeking needle exchanges. No County funds are required to operate the needle exchange program, as the Infectious Disease Elimination Act (IDEA) expressly prohibits the use of county funds. Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

3. Staff recommends motion to:

A) receive and file the following Notice of Awards (NOA) from the U.S. Department of Health and Human Services (HHS), Health Resources and Services Administration (HRSA) as follows:

1. No. 6 H89HA00034-31-03 for the budget period March 1, 2024 through February 28, 2025, in the amount of \$39,921, for Grant Year (GY) 2024, for a total grant award amount of \$7,730,192, for new and existing programs to continue improving health outcomes for clients with HIV/AIDS for the Minority AIDS Initiative (MAI) program;
2. No.6 UT8HA33954-05-03 for the budget period of March 1, 2024 through February 28, 2025, in the amount of \$861,242, for GY 2024, reauthorizing previously awarded funds, with a total budget period amount of \$3,218,775, for Ending the HIV Epidemic (EHE): A Plan for America program; a federal grant program focused on reducing new HIV Infections in the United States by 90% by 2030; and

B) approve Budget Amendment of \$39,921, in Ryan White Program funds to align the budget with actual grant awards.

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

3. **SUMMARY:** On July 22, 2024, HHS, HRSA, issued a final funding NOA that authorizes the carryover of an unobligated balance in the amount of \$39,921 from the budget period March 1, 2023 through February 29, 2024, into the current budget period of March 1, 2024 through February 28, 2025 (GY 2024). In GY 2023, the approximate number of clients served across all programs and initiatives was 2,868, with an 87% retention rate in care and an 84% viral suppression rate. For GY 2023, under MAI, 88.3% of clients were virally suppressed (928 out of 1085). Under this grant, the program will serve approximately 3,600 Palm Beach County (PBC) residents with HIV annually through RW and MAI programs. On November 21, 2023, the Board of County Commissioners (BCC) ratified the Mayor's signature on the Ryan White Part A HIV Emergency Relief Grant Program application (R2023-1677). This grant allows the Community Services Department to continue providing essential medical and support services to PBC residents with HIV/AIDS. Some of the services provided under the grant include medical case management, medical care, pharmaceutical assistance, oral health care, legal support services, outpatient ambulatory services, health insurance premium assistance, and food bank home-delivered meals. The EHE grant focuses on reducing HIV infections by 90% in the United States by the year 2030. On July 23, 2024, HHS, HRSA issued a NOA for the re-authorization of carryover funding from GY 2023 to the current GY 2024, in the amount of \$861,242 for EHE. These funds are part of previously awarded funds, with no changes to the budget period amount. Carryover amounts vary from year to year based on the funds that were left over from any prior GY. In GY 2023, the total number of clients served across all programs and initiatives was 380 PBC residents with HIV. Under this grant, the program will serve approximately 300 PBC residents with HIV and advance our goal to end HIV by 2030. In GY 2023, the approximate number of people with HIV (PWH) served across all programs and initiatives was 2,868, with 76% of PWH engaged in care through EHE, an 87% retention rate in care, and an 84% viral suppression rate. **These are RW and EHE grant funds, no County match is required.** Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

4. Staff recommends motion to approve: the reappointment of three (3) members to the Advisory Committee on Behavioral Health Substance Use and Co-Occurring Disorders (BHSUCOD), for the term November 1, 2024 to October 31, 2027:

<u>Seat No.</u>	<u>Reappointment</u>	<u>Nominated By</u>
10	Sharon Burns-Carter	Mayor Maria Sachs Commissioner Gregg Weiss Commissioner Marci Woodward
11	Ariana Ciancio	Mayor Maria Sachs Commissioner Michael Barnett Commissioner Gregg Weiss Commissioner Marci Woodward
14	John Makris	Mayor Maria Sachs Commissioner Gregg Weiss Commissioner Marci Woodward

SUMMARY: The BHSUCOD's focus is to enhance the County's capacity and effectiveness in formulating comprehensive, integrated, and effective behavioral health, substance use, and co-occurring disorders prevention, treatment, support, and recovery policies. On November 1, 2022, the Board of County Commissioners (BCC) established the BHSUCOD per Resolution No. R2022-1340. The total membership for the BHSUCOD consists of 18 members, including nine (9) at-large members, three (3) of whom must be persons with lived experience, and nine (9) ex-officio members, with knowledge, competence, and experience relative to behavioral health and substance use disorder, and represent the organizations, agencies, institutions, and municipalities whose mission is to address substance use and behavioral disorders. A memo was sent to the BCC on August 15, 2024, requesting nominations. Ms. Burns-Carter, now retired, has three (3) decades of treatment and recovery experience in various administrative, clinical, and volunteer roles. Ms. Ciancio is a licensed clinician with three (3) decades of substance use and mental health experience. Mr. Makris is a retired Certified Public Accountant and the founder of Friends of Brice. The diversity count for the 15 seats that are currently filled (regular and ex-officio members) is: African-American: 4 (27%) and Caucasian: 11 (73%). The gender ratio (female: male) is 5:10. Ms. Burns-Carter, Ms. Ciancio, and Mr. Makris are Caucasian. Staff is addressing the need to increase diversity within our boards and will continue to encourage this to expand this Board's diversity. Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

5. **Staff recommends motion to approve:** retroactive agreements for the Provision of Financial Assistance in the areas of Housing and Homelessness Prevention (Families/Seniors/Special Needs), Emergency Shelter for Domestic Violence, Parks to Work, Rapid Rehousing and Permanent Supportive Housing, and Behavioral Health Alzheimer's Family Navigator and Specialized Day Care, for the period October 1, 2024 through September 30, 2027, with a total amount of \$9,320,556. Of this total, \$3,294,759 is budgeted for FY 2025, with an anticipated annual allocation of \$3,294,759 for FY 2026 and \$2,731,038 for FY 2027, contingent upon budgetary appropriation by the Board of County Commissioners (BCC), for the term of these agreements:
- A) Adopt-A-Family of the Palm Beaches, Inc. (AAF), for the provision of services in three (3) program areas: Homeless Prevention (Families/Seniors/Special Needs), Rapid Re-Housing for homeless families, and families at risk of becoming homeless; and Permanent Supportive Housing for families with children with a documented disability, in an amount not-to-exceed \$1,797,012, with \$599,004 budgeted for FY 2025, with an anticipated annual allocation of \$599,004 for each subsequent fiscal year for the term of this agreement;
 - B) Aid to Victims of Domestic Abuse, Inc. (AVDA), for the provision of Emergency Shelter focusing on victims of domestic violence, their children, and pets, in an amount not-to-exceed \$1,055,250, with \$351,750 budgeted for FY 2025, with an anticipated annual allocation of \$351,750 for each subsequent fiscal year for the term of this agreement;
 - C) Alzheimer's Community Care, Inc. (ACC), for the provision of family navigation services, guidance, and support to family caregivers of patients with suspected Alzheimer's disease, as well as specialized day care for patients with Alzheimer's disease and related disorders, in an amount not-to-exceed \$1,127,442, with \$563,721 budgeted for FY 2025, with an anticipated allocation of \$563,721 for the next fiscal year of this agreement;
 - D) Children's Case Management Organization, Inc. d/b/a Families First of Palm Beach County (Families First), for the provision of Permanent Supportive housing services for chronically homeless families with a documented disability, in an amount not-to-exceed \$169,785, with \$56,595 budgeted for FY 2025, with an anticipated annual allocation of \$56,595 for each subsequent fiscal year for the term of this agreement;

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

5. **E)** Coalition for Independent Living Options, Inc. (CILO), for the provision of Senior Financial Independence Need and Disability (FIND) Homeless Prevention services focusing on individuals over the age of 60 who are disabled and at risk of homelessness and/or utility disconnection, in an amount not-to-exceed \$141,750, with \$47,250 budgeted for FY 2025, with an anticipated annual allocation of \$47,250 for each subsequent fiscal year for the term of this agreement;
- F)** Gulfstream Goodwill Industries, Inc. (GGI), for the provision of Homeless Prevention services to seniors, in an amount not-to-exceed \$315,000, with 105,000 budgeted for FY 2025, with an anticipated annual allocation of 105,000 for each subsequent fiscal year for the term of this agreement;
- G)** The Arc of Palm Beach County, Inc. (APBC), for the provision of Homeless Prevention services (Families/Seniors/Special Needs), focusing on individuals over the age of 18 with a documented developmental disability, in an amount not-to-exceed \$797,373, with \$265,791 budgeted for FY 2025, with an anticipated annual allocation of \$265,791 for each subsequent fiscal year for the term of this agreement;
- H)** The Lord's Place, Inc. (TLP), for the provision of services in two (2) program areas: Permanent Supportive Housing for individuals and family households with a documented disability, and Parks to Work program to help unsheltered adults transition from homelessness to permanent housing and employment, in an amount not-to-exceed \$2,359,350, with \$786,450 budgeted for FY 2025, with an anticipated annual allocation of \$786,450 for each subsequent fiscal year for the term of this agreement;
- I)** Vita Nova, Inc. (VN), for the provision of Permanent Supportive Housing, focusing on homeless youth with a documented disability, in an amount not-to-exceed \$437,820, with \$145,940 budgeted for FY 2025, with an anticipated annual allocation of \$145,940 for each subsequent fiscal year for the term of this agreement; and
- J)** YWCA of Palm Beach County, Inc. (YWCA), for the provision of services in two (2) program areas: Emergency Shelter Domestic Violence and Rapid Re-Housing, focusing on victims of domestic violence and their children who are at risk of becoming homeless, in an amount not-to-exceed \$1,119,774, with \$373,258 budgeted for FY 2025, with an anticipated annual allocation of \$373,258 for each subsequent fiscal year for the term of this agreement.

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

5. **SUMMARY:** On March 15, 2024, the Community Services Department (CSD) issued a Notice of Funding Opportunity (NOFO) for Financially Assisted Agencies (FAA) funding, which will span three (3) years starting in FY 2025. This funding primarily focuses on the following four (4) key action areas which align with the BCC's strategic priority of homelessness: Homeless Prevention, Emergency Shelter for Victim of Domestic Violence, Parks to Work, and Permanent Supportive Housing. One (1) contract focuses on the BCC's Behavioral Health strategic priority. Other contracts for this priority were approved by the BCC on September 10, 2024. The contracts recommended in this item reflect the amounts included in the FY 2025 budget. Retroactive approval is requested due to protracted contract negotiations. The total amount of these contracts is \$9,320,556 of the FAA funding allocation, with \$3,294,759 allocated for FY 2025. In the housing and homelessness program area, 781 clients were served in FY 2023. Through the third quarter of FY 2024, 672 clients (76%) of the projected 885 clients have been served. The YWCA Inc., Persimmons House Rapid Re-housing and Vita Nova Inc., Vita Nova Village Permanent Supportive Housing are new programs and do not have prior client metrics. The Families First Bridges to Success program's capacity increased to 20 clients due to increased funding from the Housing and Urban Development (HUD) Continuum of Care (CoC) for the project. AAF Project Safe II, Families First Bridges to Success, TLP Permanent Supportive Housing, YWCA Persimmons House, and the VN Villages of Vita Nova projects will utilize a portion of the FAA funding to meet their twenty-five percent (25%) HUD CoC funding match requirements. In the behavioral health service category, Alzheimer's Community Care, Inc.'s Family Navigator and Specialized Day Care, served 656 clients in FY 2023. Through the third quarter of FY 2024, 694 clients (53%) of the projected 1,300 clients have been served.

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

5.

Agency	Program Name	Client sub-population to be served	Clients served in FY 2023	Clients served through 3 rd Quarter of FY 2024	Clients to be served in FY 2025
Adopt A Family, Inc. (AAF)	Housing Stabilization	Families with children	237	198	297
	FAA Rapid Re-housing	Families with children	22	16	18
	Project Safe II Permanent Supportive Housing (HUD CoC Match)	Families with children with documented disability	40	36	38
Aid to Victims of Domestic Abuse, Inc. (AVDA)	Casa Vegso Domestic Violence Emergency Shelter	Individuals and families with children	85	81	80
Alzheimer's Community Care, Inc. (ALZ)	Family Navigator	Adults with suspected diagnosis of Alzheimer's disease or other neurocognitive disorder and their family caregivers	417	498	500
	Specialized Day Care	Adults with a diagnosis of Alzheimer's disease or other neurocognitive disorder	239	196	250
Children's Case Management Organization, Inc. d/b/a Families First (Families First)	Bridges to Success Permanent Supportive Housing (HUD CoC Match)	Families with children with documented disability	11	10	20
Coalition Independent Living Options, Inc. (CILO)	Senior Find Homeless Prevention	Seniors with disability	18	16	24
Gulfstream Goodwill, Inc. (GGI)	Senior Homeless Prevention	Seniors	15	28	56
The ARC of Palm Beach County, Inc. (APBC)	Residential Group Homes Homeless Prevention	Individuals with documented disability	25	21	44

* N/A - program was not funded

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

5.

The Lord's Place, Inc. (TLP)	Parks to Work Emergency Shelter	Individuals	0	17	10
	Permanent Supportive Housing (HUD CoC Match)	Individuals and families with children with documented disability	109	120	129
Young Women's Christian Association, Inc. (YWCA)	Harmony House Domestic Violence Emergency Shelter	Individuals and families with children	219	129	216
	Persimmons House Rapid Re-Housing (HUD CoC Match)	Individuals and families with children	N/A	N/A	55
Vita Nova, Inc. (VNI)	Vita Nova Village Permanent Supportive Housing (HUD CoC Match)	Youth ages 18-24 who have a documented disability	N/A	N/A	24

* N/A - program was not funded

Vanessa Klein, an employee of TLP, is a member of the Criminal Justice Commission. Joseph Nieves, also an employee of TLP, serves on the Homeless Advisory Board. Tyrina Pinkney, another employee of TLP, is a member of the Palm Beach County HIV Care Council. These boards provide no regulatory oversight, management, or policy-setting recommendations regarding the contracts listed above. 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.)

6. Staff recommends motion to approve:

- A) Amendment #002 to Standard Agreement No. IA024-9500 (R2024-0283) for the Older Americans Act (OAA) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), for the period retroactive to January 1, 2024 through December 31, 2024, to increase the overall total funding by \$330,000, in an amount not to exceed \$3,519.303, and address other administrative contract requirements; and
- B) an upward Budget Amendment of \$330,000 for FY 2024 in the Division of Senior and Veteran Services (DSVS) Administration Fund to align the budget to the actual grant award.

SUMMARY: DSVS receives grant funding from AAA to meet the needs of older adults and family caregivers. OAA funds are used to provide in-home and community-based services to eligible seniors aged 60 and older, as well as their caregivers, helping preserve their independence and delay the need for institutionalization. **County matching funds of \$36,666 (10%) are required under OAA and have already been included in the budget.** In FY 2023, OAA served 2,169 clients and is currently serving 1,959 active clients. The number of seniors served depends on the grant amount and client needs. The upward budget amendment is necessary to align the County budget with the actual grant award. DSVS is responsible for providing services north of Hypoluxo Road, covering all Districts except Districts 2, 4, 5, and 7 south of Hypoluxo Rd. The Mae Volen Center, Inc. is responsible for providing services in the areas south of Hypoluxo Road. Countywide except for portions of Districts 2, 4, 5, and 7 south of Hypoluxo Rd. (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

7. **Staff recommends motion to approve:** FY 2024 Budget Amendment in the amount of \$250,000 in the General Fund, Division of Human Services and Community Action Program (HSCAP), to recognize additional grant funds received. **SUMMARY:** On January 23, 2024, the Board of County Commissioners (BCC) approved a grant agreement with Florida Power and Light (FPL) for the Care to Share program (R2024-0036). This program is designed to provide emergency assistance funds to customers who are in a crisis situation and unable to pay their electric bill. As of September 10, 2024, HSCAP has assisted 1,847 unduplicated households in FY 2024 and disbursed \$652,885. As this agreement is funded through voluntary contributions from FPL customers, along with corporate contributions, there is no not-to-exceed amount on this agreement, and the budget is based on historical collections. In FY 2024, FPL provided two additional, unexpected but much-needed large contributions. This item is to recognize those contributions and allows the funds to be used to assist clients. **No County match is required.** Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

8. Staff recommends motion to approve:

- A) a Budget Transfer in FY 2024 in the General Fund in the amount of \$850,000 in order to reclassify unreimbursed grant expenditures from grant to county funding in order to meet the Maintenance of Effort Requirement for the Ryan White Part A grant; and
- B) a Budget Amendment in FY24 in the amount of \$850,000 in the Ryan White Fund to recognize the transfer from the general fund.

SUMMARY: Section 2605 (a) (1) (B) of the Public Health Service (PHS) Act has a Maintenance of Effort (MOE) requirement that the political subdivisions within the eligible metropolitan area (EMA) maintain the level of expenditures for HIV-related services at a level that is equal to the level of such expenditures by the EMA for the preceding fiscal year. Palm Beach County, as the recipient of the Ryan White Part A grant, has historically met this MOE requirement by recognizing the expenditures of the Palm Beach County Sheriff Office (PBSO) for medications provided to incarcerated Persons With HIV (PWH). The Palm Beach County Health Care District (HCD) has also contributed to the MOE requirement in the past. The annual maintenance of effort requirement based on prior year expenditures is \$2,091,893. The MOE obligation can no longer be met by PBSO due to lower census of persons incarcerated with HIV and significant cost-savings due to the contracted vendor's use of the 340B program, which is a federal program that requires drug manufacturers to provide medications at discounted prices to eligible entities. HCD does not have any eligible local expenditures in FY24. In FY24, the EMA is \$850,000 short in meeting the MOE requirement. The Community Services Department (CSD) has identified \$850,000 in eligible unreimbursed grant expenditures posted to the Ending the HIV Epidemic (EHE) program. CSD has also identified \$850,000 in unobligated ad valorem funding within CSD's operating budget that can be used to reclassify the eligible EHE expenses to meet the MOE requirement. This reclassification will not only meet the MOE requirement but will also allow CSD to re-program EHE dollars for supportive housing for Ryan White clients, which will serve approximately 100 unduplicated clients through February 28, 2025. CSD will be implementing their own 340B medication savings program which is expected to generate sufficient program income to sustain the MOE requirement in future years. Additionally, CSD is in discussions with Legislative Affairs to request a reset of the EMA's MOE levels. Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

9. Staff recommends motion to approve: a retroactive Contract for Provision of Financial Assistance with Gulfstream Goodwill Industries, Inc. (GGI), for the period October 1, 2024 through September 30, 2027, for the operation of three (3) Housing and Homeless Resource Centers (HRC) – Lewis Center HRC-1, Mid-County HRC-2, and the Western Shelters HRC-3, to provide emergency shelter to homeless individuals in Palm Beach County (PBC), in an amount not-to-exceed \$20,937,870, with \$6,979,290 budgeted for Fiscal Year (FY) 2025 and an anticipated annual allocation of \$6,979,290 for each subsequent fiscal year, contingent upon a budgetary appropriation by the Board of County Commissioners (BCC), for the term of this contract. **SUMMARY:** GGI provides emergency shelter, case management, navigation, employment counseling, and engagement services to individuals and families experiencing homelessness in PBC. On February 25, 2020, the BCC approved the Sheltering and Housing Strategy Annex to Leading the Way Home – Palm Beach County’s Plan to End the Cycle of Homelessness (Leading the Way Home). GGI currently operates three (3) HRCs for the County: The Lewis Center (HRC-1), which has been in operation since 2012, the new Mid-County (HRC-2), which opened on January 29, 2024; and the Western Shelters (HRC-3) in Belle Glade and Lake Village of the Glades (Melissa’s Place) in Pahokee since 2020. The Lewis Center (HRC-1) served 419 clients in FY 2023. Through the third quarter of FY 2024, 376 clients (100%) of the projected 375 clients have been served, and the center is expected to serve a minimum of 375 clients in FY 2025. GGI operated the Annex Fairgrounds Emergency Shelter and served 152 clients in FY 2023 and 211 clients through January 27, 2024, when it closed. The Mid-County (HRC-2) began operating on January 28, 2024 and served 160 clients (61%) of the projected 325 clients from January 28, 2024, through the third quarter of FY 2024, and it is expected to serve a minimum of 350 clients in FY 2025. The Western Shelters (HRC-3) served 197 in FY 2023. Through the third quarter of FY 2024, GGI served 176 clients (183%) of the projected 96 clients in the HRC-3. The HRC-3 is expected to serve a minimum of 380 clients in FY 2025. The increase in clients served is attributed to the program’s beds being used as short-term transition beds. GGI will provide emergency shelter, supportive housing, case management, engagement, and linkage/referral to housing opportunities for individuals experiencing homelessness, utilizing a housing-focused model similar to the successful Lewis Center HRC-1 model. Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

10. Staff recommends motion to:

A) **receive and file** Amendment No. 0010 to the Florida Department of Children and Families (DCF) Unified Homeless Grant Contract No. IP004 (R2019-1138), for the period July 1, 2024 through June 30, 2025, to increase the grant award by \$533,832; and

B) **approve** an upward Budget Amendment of \$302,688 in the General Fund for the Division of Human Services and Community Action Program (HSCAP) to align the budget with the grant award.

SUMMARY: Amendment No. 0010 CSFA NO. 60.021 amends DCF agreement No. IP004 to increase funding to support the Staffing Grant and the Challenge Grant Program. Challenge Grant funding will be used to support DCF initiatives including rapid rehousing and homelessness prevention services for vulnerable populations. The Staffing Grant funding will be used to develop the Continuum of Care (CoC) Plan and further assist the local community through planning, coordinating, and monitoring the delivery of services to persons who are homeless or at risk of homeless within the CoC service delivery area. It will also cover the cost of staffing expenses for CoC activities and for administering programs and services under IP004. The amendment updates the contract language for State Fiscal Year 2024-2025 and revises the original contract to include the additional funding to further assist individuals and families in need. It also updates the Fiscal Year Payment Tables for State Fiscal Year(s) 2023/2024 and 2024/2025. The contract and amendment were executed by the County Administrator in accordance with Agenda Item 3E-2, dated June 15, 2021 (R2021-0781), which delegated signature authority to the County Administrator, or designee to execute grant amendments and all necessary documents related to the DCF Unified Homeless Grant. In accordance with County PPMCW-O-051, all delegated contracts, agreements, and grants must be submitted by the initiating department as a receive and file agenda item. A total of 250 individuals and 200 families are projected to be served under this amendment. **A County cash match of \$113,770 is required** and is included in the current budget using existing staff salaries. Countywide (HH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. **Staff recommends motion to receive and file:** an updated summary of fees and charges for the standard form General Aeronautical Services Permit (GASP) at the Palm Beach International Airport (PBI) pursuant to Resolution 2010-0708. **SUMMARY:** Commencing October 1, 2024, the annual fee for new or renewed GASPs will be increased from \$263 to \$276. The annual fee was also increased from \$250 to \$263, effective October 1, 2023, but an updated summary of fees and charges was not received and filed due to staffing changes, resulting in an administrative oversight. The attached summary includes the fees and charges for both periods. Delegation of authority to increase fees and charges for the GASP was approved by the Board of County Commissioners (BCC) in Resolution 2010-0708. Countywide (AH)
2. **Staff recommends motion to receive and file:** Nonconcessionaire Rental Car Operator Ground Transportation Permit (Permit) with Gitibin and Associates, LLC, d/b/a Go Rentals, commencing August 22, 2023 and terminating September 30, 2023, with automatic annual renewals (October 1 to September 30), unless canceled. **SUMMARY:** The Permit authorizes Go Rentals to provide rental car services at the Palm Beach International Airport (PBI). Delegation of authority for execution of the standard form Permit was approved by the Board of County Commissioners (BCC) in R2012-0629. Countywide (AH)
3. **Staff recommends motion to receive and file:** an updated summary of increased permit fees and charges for a Hotel-Motel Courtesy Shuttle Operator Permit (Permit) at the Palm Beach International Airport (PBI) pursuant to Resolution 2017-1020. **SUMMARY:** Commencing October 1, 2024, the annual fee for new or renewed Permits will be increased from \$242 to \$254. The annual fee was also increased from \$230 to \$242 effective October 1, 2023, but a summary of fees and charges was not received and filed due to staffing changes, resulting in an administrative oversight. The attached summary includes the fees and charges for both periods. Delegation of authority to increase fees and charges for the Permit was approved by the Board of County Commissioners (BCC) in Resolution 2017-1020. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

4. Staff recommends motion to receive and file: License Agreement (License) with PopStroke West Palm Beach, LLC (PopStroke), commencing August 8, 2024, and expiring September 30, 2024, with automatic monthly renewals thereafter, provided no renewal shall extend beyond March 31, 2025, for use of approximately 8,000 square feet of vacant land at the Palm Beach International Airport (PBI) for the temporary storage of materials and equipment in connection with Popstroke's construction of a golf-related entertainment and dining facility pursuant to the Development Site Lease Agreement with Popstroke dated August 22, 2023 (R2023-1154) (Lease), for payment of a license fee in the amount of \$1,200 per month. **SUMMARY:** PopStroke is constructing a golf-related entertainment and dining facility pursuant to the Lease and has requested short-term use of approximately 8,000 square feet of vacant land adjacent to its leasehold for the temporary storage of construction materials and equipment. Construction is anticipated to be completed in December 2024. Delegation of authority for execution of the standard form License was approved by the Board of County Commissioners (BCC) in R2007-2070. Countywide (AH)

5. Staff recommends motion to receive and file: Registration for Distribution of Literature or Picketing (Registration) at the Palm Beach International Airport (PBI) issued to Association of Professional Flight Attendants (APFA) on June 10, 2024, authorizing informational picketing by members of APFA at PBI on June 13, 2024, at no cost. **SUMMARY:** The Registration authorized APFA representatives to conduct informational picketing at PBI on June 13, 2024, in locations designated by the Department of Airports in accordance with the Airport Rules and Regulations (R98-220, as amended). Delegation of authority for the execution of the standard form Registration was approved by the Board of County Commissioners (BCC) in Resolution 95-1410. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

6. Staff recommends motion to approve: Construction Manager (CM) at Risk Contract (Contract) with The Morganti Group, Inc. (Morganti) for a term of two (2) years with three (3), one (1) year renewal options for CM at Risk Services for Campus Wide Facility Improvements at Palm Beach International Airport (PBI). **SUMMARY:** In order to complete certain facility improvement projects at PBI, the Department of Airports (Department) requires a CM at Risk contractor to provide preconstruction and construction services, which includes conducting the procurement process for assigned tasks/work orders, project management and construction supervision. The Department issued a request for proposals for two (2) contracts for CM at Risk Services for Campus Wide Facility Improvements at PBI on March 3, 2024. The Selection Committee recommended the award of one (1) of the contracts to Morganti. Projects that may be assigned under the Contract include the Terminal Federal Inspection Service (FIS) Facility Expansion, Aircraft Rescue and Fire Fighting (ARFF) Facility Improvements, Terminal and Concourse Modernization, General Aviation (GA) Federal Inspection Service (FIS) Facility Expansion and Revenue Control Building Replacement. The services provided under the Contract are task/work order based. The specific projects that will be assigned under the Contract will be determined at a later date and approved in accordance with PPM CW-F-050. Morganti is based in Danbury, Connecticut; however, the work will be directly managed by its southeast regional office in Palm Beach County. Morganti proposed teaming with Cooper Construction Management and Consulting, Inc. (Cooper), as its Disadvantaged Business Enterprise (DBE) partner, to provide DBE outreach for assigned tasks/work orders, project management and construction supervision services in an amount not less than 11% of the fees paid by the County for such services in connection with the Contract. A DBE subcontracting goal of 11% was established for the Contract. Morganti will be required to demonstrate its good faith efforts to achieve the established DBE goal for each task/work order assigned under the Contract in addition to the services provided by Cooper as its DBE partner. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

7. Staff recommends motion to approve:

- A) Change Order No. 3 to Amendment No. 12 (Change Order) to the Construction Manager (CM) at Risk Contract (Contract) with The Morganti Group, Inc. (MGI) for CM at Risk Services for the Building 846 Storm Resiliency Project (Project) at Palm Beach International Airport (PBI) in the amount of \$198,904.20, extending the project duration by 98 calendar days; and
- B) a Budget Transfer of \$198,905 in the Airport's Improvement and Development Fund, which includes a transfer from Reserves in the amount of \$198,905.

SUMMARY: The Project was approved on December 19, 2023 (R2023-1859) in the amount of \$817,600 with a project duration of 293 calendar days. The Project provides for improvements to the Department of Airports (Department) Administrative Office Building (Building 846), which also houses the Communication Center for PBI, to enhance storm resiliency and facilities for essential staff who remain on-site during storm events. Change Order No. 1 and Change Order No. 2 in the amount of \$18,934.32 were approved pursuant to delegated authority in accordance with PPM CW-F-050 to address unforeseen conditions, including removal and replacement of the restroom door frames to accommodate the installation of the new shower stalls and modification of structural elements supporting floor drains. Change Order No. 3 includes modifications to the layout of the restroom stalls to meet current building code clearances, replacement of a water fountain with a bottle filling station and refurbishment of the structural steel supports to the rooftop screen walls for mechanical equipment. Approval of Change Order No. 3 will increase the project cost by \$198,904.20 for a total project cost of \$1,035,438.52 and will extend the project duration by 98 calendar days for a total project duration of 391 calendar days. A detailed Contract history is included in Attachment No. 1. A Disadvantaged Business Enterprise (DBE) goal of 12% was established for the Contract. The DBE participation for this Change Order is 24%. The DBE participation for the Project, including Change Order No. 3, is 39%. The DBE participation for the Contract to date is 17.5%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

8. Staff recommends motion to:

- A) **approve** a Memorandum of Agreement (MOA) with U.S. Customs and Border Protection (CBP), an executive agency of the United States of America, providing for the upgrade of computer equipment and network infrastructure and associated service costs for the Federal Inspection Services (FIS) facility located in the Palm Beach International Airport (PBI) commercial service terminal (Terminal FIS) in an amount not to exceed \$200,000 for the initial upgrade and service costs for the first year of the MOA and annual recurring service costs in an amount not to exceed \$45,000;
- B) **approve** a Memorandum of Agreement (MOA) with U.S. Customs and Border Protection (CBP), an executive agency of the United States of America, providing for the upgrade of computer equipment and network infrastructure and associated service costs for the FIS located on PBI at 1612 Perimeter Road, serving general aviation international passengers (GA FIS) in an amount not to exceed \$200,000 for the initial upgrade and service costs for the first year of the MOA and annual recurring service costs in an amount not to exceed \$45,000; and
- C) **authorize** the County Administrator or designee, who in this case will be the Director of the Department of Airports (Department), to execute, on behalf of County, CBP Form 5106 and Cost Sign Off Documents, subject to the approved not to exceed amount set forth in the MOAs, as such documents and forms may be amended or replaced, provided that such documents and forms do not substantially change the scope of work, terms or conditions of MOAs.

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

8. **SUMMARY:** PBI has two (2) FIS locations, the Terminal FIS and GA FIS, where CBP processes international passengers. The MOAs provide for the update of CBP's equipment and network infrastructure, serving the Terminal FIS and GA FIS, to current CBP standards and for on-going maintenance and related service costs. Each MOA requires reimbursement of the cost of the upgrades and first year service costs in an amount not to exceed \$200,000 and for payment of recurring costs on an annual basis in an amount not to exceed \$45,000. Reimbursements will be based on actual costs. The County is required to sign a Cost Sign Off Document that provides an estimate of the costs prior to commencement of the work under each MOA and a CBP Form 5106 to update the County's identification information within CBP's systems. CBP will retain ownership of all equipment for the provision of international passenger processing services at PBI. The Department is requesting a delegation of authority to the County Administrator or designee (i.e., the Department Director), to sign Form 5106 and the Cost Sign Off Documents, provided that the actual costs do not exceed the not to exceed amount set forth in the MOAs, as such documents and forms may be amended or replaced. Countywide (AH)

9. **Staff recommends motion to receive and file:** Palm Beach County Glades Airport Drop Zone Permit (Permit) with Skydive Palm Beach County LLC, d/b/a Skydive Palm Beach (Skydive), commencing December 6, 2023, and terminating September 30, 2024, with automatic annual renewals (October 1 to September 30) unless canceled. **SUMMARY:** The Permit authorizes Skydive the non-exclusive right to use a drop zone at the Palm Beach County Glades Airport (Pahokee Airport) for scheduled parachute landings, at no cost. Delegation of authority for execution of the standard form Permit was approved by the Board of County Commissioners (BCC) in R2004-0891. Countywide (AH)

10. **Staff recommends motion to receive and file:** Access Agreement with Signature Flight Support LLC (Signature), commencing April 18, 2024 and expiring June 30, 2025, providing Signature with access to property at the Palm Beach International Airport (PBI) to conduct due diligence inspections without charge. **SUMMARY:** Signature has two (2) agreements with the County for fixed based operations at PBI (R2004-1990 and R2016-0560, as amended). Signature requested access to property at PBI to conduct due diligence inspections to determine if the property can be used for vehicular parking in connection with its operations at PBI. The Access Agreement authorizes Signature to access property at PBI for the purpose of conducting surveys, environmental assessments, and other inspections at Signature's sole cost and expense. Delegation of authority for execution of the standard form Access Agreement was approved by the Board of County Commissioners (BCC) in R2006-2716. Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **Staff recommends motion to:** ratify the signature of the Mayor to certify the non-ad valorem assessment roll on electronic media to the Tax Collector pursuant to Chapter 197, Florida Statutes. **SUMMARY:** The Board of County Commissioners (BCC) approved Resolution 97-2152 on December 16, 1997 and Resolution 2011-1833 on November 15, 2011, expressing the intent of Palm Beach County to use the Uniform Method of collecting non-ad valorem special assessments. The Uniform Method in Resolution 97-2152 provides for inclusion of water and street improvement project special assessments on the tax bill. The Uniform Method in Resolution 2011-1833 provides for the abatement of nuisance conditions. Placing these accounts on the tax bill reduces administrative (including collections) costs and provides for a more efficient collection of amounts due to the County. The BCC is not required to adopt a non-ad valorem special assessment roll this year because there are no new special assessments to place on the tax roll, pursuant to chapter 197, Florida Statutes. However, the Mayor must still certify the non-ad valorem assessment roll to the Tax Collector. Countywide (RS)

2. **Staff recommends motion to approve:** a negotiated settlement offer in the amount of \$52,510 for the full satisfaction of a code compliance lien entered against Blue Mango Properties, LLC on May 12, 2021. **Summary:** On December 4, 2019, a Code Compliance Special Magistrate (CCSM) issued an order giving Blue Mango Properties, LLC until April 2, 2020 to bring its property located at 5156 Eadie Place, West Palm Beach, FL into full code compliance. The violations imposed against the property included an overgrown pine tree; open storage of inoperable vehicles; various exterior structures in disrepair including fencing, soffits, fasciae, and windows; construction/installation of an accessory roofed structure; air conditioning units and shutters without valid building permits; plumbing violations; and an insect/vermin infestation. Compliance with the CCSM's order was not timely achieved, and a fine of \$100 per day was imposed. The CCSM executed an order imposing a code lien against Blue Mango Properties, LLC on May 12, 2021. The Code Compliance Division (Code Compliance) issued an affidavit of compliance for the property stating that the violations have been corrected as of November 6, 2023. The total fine amount on April 29, 2024 amounted to \$131,274.30, the date on which settlement discussions began. Blue Mango Properties, LLC has agreed to pay Palm Beach County \$52,510 (40%) for full settlement of its outstanding code enforcement lien. District 7 (SF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:** Work Order No. 24-003 (Work Order) to the annual electrical contract (R2022-0699) with All Florida Contracting Services, LLC. (Contractor) in the amount of \$392,900 for the West Boynton Park Gym-New Generator Installation project for a period of 450 calendar days from notice to proceed. **SUMMARY:** The project consists of the supply and installation of one (1) new generator. 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 to install a new diesel powered, 350 Kilowatt (KW) generator for the West Boynton Park Gym Facility, located at 6000 Northtree Boulevard, Lake Worth Beach. The new generator will better serve the users of the facility during electrical outages. 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 450 calendar days from notice to proceed to substantially complete the project. Liquidated damages for failure to achieve certification of substantial completion within the contract time or approved time extension thereof are \$120 per day. This Work Order was solicited pursuant to the annual electrical contract and the requirements of the Equal Business Opportunity (EBO) Ordinance. The electrical annual contract was presented to the Goal Setting Committee on June 5, 2019 and the Committee established Affirmative Procurement Initiatives (APIs) of sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or a Small Business Enterprise (SBE) contractor will be given a price preference if its bid is within 10% of the lowest non-small business bid for projects \$100,000 or greater. Since this project is greater than \$100,000, the SBE price preference API was applied. The SBE participation on this Work Order is 1.80%. To date, the Contractor's overall SBE participation is 1.46%. To date, the overall SBE participation on the annual electrical contract is 36.16%. Funding for this project is from the Public Building Improvement Fund. (Capital Improvements Division) District 2 (MWJ)

3. CONSENT AGENDA APPROVAL

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

2. **Staff recommends motion to approve:** Work Order No. 24-007 (Work Order) to the annual roofing contract (R2021-0330) with Grace Roofing & Sheet Metal Enterprise LLC dba Grace Roofing & Sheet Metal Enterprise (Contractor) in the amount of \$935,000 for the Water Treatment Plant (WTP) No. 8 Roof and Exhaust Fans Replacement project for a period of 150 calendar days from notice to proceed. **SUMMARY:** The existing roofing systems at WTP No. 8 buildings A, U and D, located at 1500 North Jog Road, West Palm Beach, are vulnerable to adverse weather conditions as the roofs are approximately 18-24 years old and have outlived their useful life, are noncompliant with the current Florida Building Code, have experienced numerous roof leaks and are in need of replacement. Additionally, the exhaust fans on pump building A is in need of replacement. The existing roofing systems at buildings A, U and D will be completely removed and replaced with new roofing systems, associated accessories and hardening required for compliance with the current Florida Building Code. 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 WTP No. 8 Roof and Exhaust Fans Replacement project. The new roofing systems will provide better weather protection and also achieve compliance with the current Florida Building Code. 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 150 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 roofing contract and the requirements of the Equal Business Opportunity (EBO) Ordinance. The annual roofing contract was presented to the Goal Setting Committee on July 15, 2020 and the Committee established Affirmative Procurement Initiatives (APIs) of sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or a Small Business Enterprise (SBE) contractor will be given a price preference if its bid is within 10% of the lowest non-small business bid for projects \$100,000 or greater. Since this project is greater than \$100,000, the SBE price preference API was applied. There is no SBE participation on this Work Order. To date, the overall SBE participation on the annual roofing contract is 21.01%. Funding for this project is from the WUD Operation & Maintenance Fund. (Capital Improvements Division) District 2 (MWJ)

3. CONSENT AGENDA APPROVAL

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

3. **Staff recommends motion to approve:** Work Order No. 24-015 (Work Order) to the annual heating, ventilation and air conditioning (HVAC) contract (R2020-0022) with Precision Air Systems, LLC (Contractor) in the amount of \$952,770 for the Vista Information Systems Services (ISS) Data Center-Chillers Replacement project for a period of 300 calendar days from notice to proceed. **SUMMARY:** The project consists of the removal and replacement of two (2) chillers at the Vista ISS Data Center facility, located at 2601 Vista Parkway, West Palm Beach. The Vista ISS Data Center is a mission critical site which supports various County Departments' and government agencies' needs. The existing chiller equipment is original to the Data Center building and is in need of replacement. 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 to remove and replace two (2) 80-ton chillers with two (2) new 100-ton chillers including associated accessories at the Vista ISS Data Center facility. The new chillers will better serve the cooling needs of the facility and will also facilitate future expansion. 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 300 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 a Small Business Enterprise (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. To date, the Contractor has achieved 5.90% SBE participation on this contract. The SBE participation on this Work Order is 10.07%. To date, the overall SBE participation on the annual HVAC contract is 33.62%. **Funding for this project is from the ARPA Response Replacement funds that do not require a local match.** (Capital Improvements Division) District 7 (MWJ)

3. CONSENT AGENDA APPROVAL

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

4. Staff recommends motion to receive and file:

- A) Standard Equipment Use Agreement with Intersport, LLC, for the period September 10, 2024 through September 14, 2024 for the use of four (4) fleet vehicles; and
- B) Standard Equipment Use Agreement with City of Riviera Beach for the period September 9, 2024 through September 30, 2024 for the use of expired bunker gear.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The attached standard Agreements have been fully executed on behalf of the Board of County Commissioners (BCC) by the County Administrator or designee, who in this case was the Director of the Facilities Development and Operations Department. The Equipment Use Agreement was approved by the BCC on October 1, 2013, Agenda item 3H-2. These executed documents are now being submitted to the BCC to receive and file. (FDO Admin) Countywide (YBH)

3. CONSENT AGENDA APPROVAL

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

5. Staff recommends motion to approve:

- A) First Amendment to Amended and Restated Agreement (R2019-1624) with the Town of Lantana (Lantana) to extend the term of the Agreement allowing for direct access to the County's Public Safety Radio System (County's System) from October 22, 2024 through October 21, 2029, with revenues totaling \$22,396.91 annually; and
- B) First Amendment to Amended and Restated Agreement (R2019-1626) with the Town of Ocean Ridge (Ocean Ridge) to extend the term of the Agreement allowing for direct access to the County's System from October 22, 2024 through October 21, 2029, with revenues totaling \$14,295.90 annually.

SUMMARY: The Agreements (R2019-1624 and R2019-1626) set forth the terms and conditions under which each agency can directly access the County's System. These Agreements are set to expire on October 21, 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 its corresponding Agreement to October 21, 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/Federal agencies where connection through an established municipal hub is not technically feasible. The annual fees are consistent with those being charged to the County Departments. In addition, each agency is required to pay all costs associated with its subscriber units and to comply with the established operating procedures for the System. Each respective Agreement may be terminated by either party, with or without cause on October 1st of any year, with a minimum of six (6) months' notice. The first amendments to the respective Agreements with Lantana and Ocean Ridge extend the term of the Agreements and add the E-verify provision. Other than the changes set forth herein, all other terms remain the same. The annual fees for each unit will be added to the Renewal and Replacement Fund and the maintenance fees to the Maintenance and Operation Fund. (ESS) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

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

6. Staff recommends motion to approve: a Utility Easement Agreement (Easement) in favor of Florida Power and Light (FPL) for above-ground electrical services across a portion of the County-owned property located at 4575 Lyons Road in unincorporated Palm Beach County (Property), which is being developed as the new Fire Rescue Fire Station No. 92 (FS No.92). **SUMMARY:** FS No. 92 will be located at 4575 Lyons Road, south of Lake Worth Road, in unincorporated Palm Beach County. Currently, there are above-ground utility lines, the location of which affects and impedes the development of the Property. As part of the development process, FPL is required to relocate the existing electrical service lines and improvements to within five (5) feet of the southern boundary line of the Property. The relocation will allow development of the Property while providing continued service to the neighboring properties. The easement area is approximately 314.92 feet in length and five (5) feet in width, containing approximately 1,575 square feet (0.036 acres). **The easement is being granted at no charge. There is no fiscal impact associated with the approval of this agenda item.** (Property & Real Estate Management) District 6 (HJF)

3. CONSENT AGENDA APPROVAL

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

7. **Staff recommends motion to approve:** Work Order No. 24-022 (Work Order) to the annual minor construction services contract (R2020-1575) with Ralph Della-Pietra Inc. (Contractor) in the amount of \$670,000 for the Juno Park-Septic to Sewer project for a period of 270 calendar days from notice to proceed. **SUMMARY:** The project consists of converting Juno Park's sanitary sewage system from septic to sewer. 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 Juno Park-Septic to Sewer project. The new sewer system will require less maintenance and be more reliable to satisfy the sanitary needs of the Juno Park facility. This project was competitively advertised and new contractors were invited to bid by submitting prequalification documents prior to the submission of the bid response. The Contractor will have 270 calendar days from notice to proceed to substantially complete the project. Liquidated damages for failure to achieve certification of substantial completion within the contract time or approved time extension thereof are \$120 per day. This Work Order was solicited pursuant to the annual minor construction services contract and the requirements of the Equal Business Opportunity (EBO) Ordinance. The annual minor construction services contract was presented to the Goal Setting Committee on August 21, 2019. The Committee applied the following three (3) Affirmative Procurement Initiatives (APIs): 1) sheltered market for projects under \$100,000; or 2) a Small Business Enterprise (SBE) contractor will be given a price preference if its bid is within 10% of the lowest non-small business bid on a single trade project \$100,000 or greater; or 3) a mandatory 25% SBE subcontracting goal for a multi-trade project \$100,000 or greater. Since this is a multi-trade project greater than \$100,000, the mandatory 25% SBE subcontracting goal API was applied. The SBE participation for this Work Order is 30.58%. To date, the Contractor's overall SBE participation is 29.53%. To date, the overall SBE participation on the annual minor construction services contract is 62.12%. The Contractor is a certified SBE company. **Funding for this project is from the Infrastructure Sales Tax Fund.** (Capital Improvements Division) District 1 (MWJ)

3. CONSENT AGENDA APPROVAL

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

8. **Staff recommends motion to approve:** Amendment No. 2 to the Construction Manager (CM) at Risk Services contract (R2022-1364) with CORE Construction Services of Florida, LLC (CORE), establishing a Guaranteed Maximum Price (GMP) in the amount of \$17,420,562 for the Fire Station No. 92 project (located at 4575 Lyons Road, Lake Worth) for a period of 637 calendar days from notice to proceed. **SUMMARY:** On November 15, 2022, the Board of County Commissioners (BCC) approved the CM at Risk Services contract (R2021-0750) with the CORE for Fire Stations No. 24, No. 49 and No. 92. The Fire Stations No. 24, No. 49 and No. 92 project includes the construction of three (3) new fire stations at various locations throughout the County. On November 15, 2022, the BCC also approved Task Order No. 1 (R2022-1365) in the amount of \$214,400 authorizing preconstruction services for Fire Stations No. 24, No. 49 and No. 92, which included validating constructability, cost estimating, procurement services and the development of the GMP. Amendment No. 2 establishes a GMP in the amount of \$17,420,562 for construction management services necessary for the construction of Fire Station No. 92, which will be an approximately 19,552 square foot facility located at 4575 Lyons Rd, Lake Worth. The Fire Station No. 92 project includes, but is not limited to, the construction of Fire Station No. 92 with all associated site work, utilities, paving, drainage, site lighting, signalization infrastructure, landscape and irrigation. The CM will have 637 calendar days from notice to proceed to substantially complete the construction phase of the project. Liquidated damages for failure to achieve certification of substantial completion within the contract time or approved time extension thereof are \$475 per day. The solicitation for the CM was advertised on March 6, 2022 according to the Equal Business Opportunity (EBO) Ordinance, with final selection taking place on July 13, 2022. On June 5, 2024, the Goal Setting Committee (GSC) established for the GMP an Affirmative Procurement Initiative (API) of a minimum mandatory Small Business Enterprise (SBE) subcontracting goal of 20% participation, of which 6% must be African American (AA) and/or Hispanic American (HA). The SBE participation on the construction trade contracts for this GMP is 38.43%, of which 12.02% is AA/HA. In accordance with Attachment 3 of Policy and Procedures Memorandum (PPM) CW-O-043, the GSC applies the APIs applicable to the construction phase of the contract (i.e. the subcontracts) before subcontractor bidding so that the SBE participation for the GMP is based on the subcontracting trades associated with the GMP and does not include the CM's fees.

3. CONSENT AGENDA APPROVAL

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

8. **SUMMARY (cont'd.):** The SBE participation on the contract to date is 41.21%. The CM is not a certified Small/Minority/Women-Owned (S/M/WBE) Business Enterprise, but has partnered with four (4) S/MBE firms: Randolph Construction Group, Inc., Hatcher Construction & Development, Total Solution Contractors, Inc. and Anatom Construction Company, for services in the amount not less than 5% of its preconstruction CM fees and 22.5% of the firm's construction phase staffing cost. The CM has an office located in Palm Beach County. Funding for this project is from the Fire Rescue Improvement Fund and Fire Rescue Impact Fees Fund. (Capital Improvements Division) District 6 (MWJ)

9. **Staff recommends motion to approve:** a sole source annual chickee hut pavilions contract with Big Cypress Tiki Huts, Inc. (Big Cypress) for the replacement and repair of chickee huts on an as-needed basis. **SUMMARY:** On October 8, 2019, the Board of County Commissioners (BCC) approved a sole source annual chickee hut pavilions contract (R2019-1505) with Big Cypress. This contract expired on October 7, 2024. The chickee huts are the only product that meets the requirements for an open sided wooden hut with a thatched roof of palm, other traditional materials, and does not incorporate electrical, plumbing, or non-wooden features. In addition, the style and design is consistent with traditional Seminole Indian customs and practices, which brings a historical and educational element to the County parks. Big Cypress is owned and operated by Seminole Indians and it manufactures, installs and repairs chickee huts. After a reasonable and thorough analysis of the marketplace, Big Cypress is the only available source of specialty chickee huts and the only contractor qualified to make the necessary repairs. Staff recommends Big Cypress for the award of an annual chickee hut pavilions contract. The work consists of the replacement and/or repairs necessary for authentic Seminole Indian chickee hut facilities, on an as-needed basis. The contract is for a term of five (5) years and is an indefinite-quantity contract with a maximum cumulative value of \$500,000. The specific magnitude of the work shall be determined by individual work orders issued by the County against this contract. In accordance with the Equal Business Opportunity (EBO) ordinance, sole source procurements are exempt from EBO requirements. (Capital Improvements) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to approve: an Engagement Letter for accounting services between the Housing Finance Authority of Palm Beach County, Florida, (Authority) and Weinstein Zugman, LLC, to prepare general fund financial statements for the Fiscal Year ending September 30, 2024 in an amount not to exceed \$18,000. **SUMMARY:** The Authority was established by the Board of County Commissioners (BCC) in 1979 in accordance with Part IV, Chapter 159, Florida Statutes. Section 2-189 of the Palm Beach County Code of Ordinances requires that all contracts of the Authority for the purchase of goods and services in excess of \$10,000 shall be approved by the BCC. The Engagement Letter sets forth the terms under which Weinstein Zugman, LLC, will provide accounting services to the Authority for the Fiscal Year ending September 30, 2024, in an amount not to exceed \$18,000. Weinstein Zugman, LLC was selected by the Authority to provide accounting services pursuant to a Request for Qualifications due June 6, 2022. The engagement is for the Fiscal Year Ended September 30, 2024 only and was approved by the Authority on September 13, 2024, subject to BCC approval. Countywide (HJF)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners (BCC) of Palm Beach County, Florida; approving the issuance of multifamily housing revenue bonds, notes and/or other debt obligations for Lake Shore Apartments by the Housing Finance Authority of Palm Beach County, Florida (Authority) in the principal amount not to exceed \$28,600,000 (Bonds). **SUMMARY:** The Bonds are being issued by the Authority to finance a portion of the costs of acquiring, rehabilitating and equipping a multifamily rental housing facility containing approximately 192 units known as Lake Shore Apartments (Project). The Project is located at 4660 North Congress Avenue in the City of West Palm Beach, Florida. The Authority will require that at least 40% of these units will be rented to qualified persons and families whose average household incomes do not exceed 60% of area median income (\$64,260 for a family of four (4) for 2024). The Richman Lakeshore, LLC, a Florida Limited Liability company or an affiliate thereof (Borrower) has agreed to comply with these limitations for at least 30 years. In addition, the Project is expected to receive low-income housing tax credits under Section 42 of the Internal Revenue Code of 1986, as amended. The developer is The Richman Group of Florida, Inc. The Bonds will be payable solely from revenues derived from the Borrower and/or other collateral provided by or on behalf of the Borrower. Greenberg Traurig, P.A. is Bond Counsel to the Authority with respect to the Bonds. CIBC Bank USA, an Illinois state chartered bank, or an affiliate thereof (Initial Purchaser), will be the purchaser of the Bonds at closing, and Citibank, N.A., or an affiliate thereof, will purchase the Bonds from the Initial Purchaser when the rehabilitation is complete and the Project income has stabilized. The resolution of the Authority authorizing the issuance of the Bonds will include language substantially as follows: The County assumes no responsibility for monitoring compliance by the Borrower of applicable federal income tax, securities laws or other regulatory requirements. The Borrower understands and agrees that it is responsible for monitoring its compliance with all applicable federal income tax, federal securities law and other regulatory requirements, retaining adequate records of such compliance, and retaining qualified counsel to respond to or assist the Authority and the County in responding to any audit, examination or inquiry of the Internal Revenue Service, the Securities and Exchange Commission or other regulatory body. The Borrower assumes responsibility for monitoring compliance with applicable provisions of federal tax laws and U.S. Treasury Regulations relative to the Bonds, and shall retain adequate records of such compliance until at least three (3) years after the Bonds are retired. In the event of any audit, examination or investigation by the Internal Revenue Service with respect to the tax-exempt status of the Bonds or any other related tax matters, the Borrower shall be responsible for retaining qualified counsel to respond to such audit. **Neither the taxing power nor the faith and credit of the County nor any County funds are pledged to pay the principal, redemption premium, if any, or interest on the Bonds.** District 7 (HJF)

3. CONSENT AGENDA APPROVAL

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

3. Staff recommends motion to receive and file: Documents executed in connection with a loan made to Two Gardenias by Mary LLC, in the amount of \$25,000, under the Community Development Block Grant (CDBG) Micro Loan Program as follows:

- A) Palm Beach County CDBG Micro Loan Program Commitment Letter;
- B) Palm Beach County CDBG Micro Loan Program Promissory Note;
- C) Palm Beach County CDBG Micro Loan Program Loan Agreement;
- D) Palm Beach County CDBG Micro Loan Program Security Agreement;
- E) Palm Beach County CDBG Micro Loan Program Guaranty Agreement;
- F) Palm Beach County CDBG Micro Loan Program Mortgage and Security Agreement;
- G) Palm Beach County CDBG Micro Loan Program Further Assurances and Errors and Omissions Statement;
- H) State of Florida Uniform Commercial Code 1 Financing Statement; and
- I) Borrower's Certificate for Two Gardenias by Mary LLC.

SUMMARY: The CDBG Micro Loan in the amount of \$25,000 will be used for working capital to support the business operations of Two Gardenias by Mary LLC, a floral design company which provides services for weddings, birthdays, corporate events and other celebratory occasions. The firm is certified as a Small, Minority, Women Business Enterprise by Palm Beach County and is located at 12882 Anthonne Lane, Boynton Beach, FL 33436. The project will create two (2) full-time equivalent jobs over three (3) years. The documents have been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development (DHED) in accordance with Agenda Item 6D-2 (R2022-0746) as approved by the BCC on July 12, 2022 that delegated authority to the County Administrator or designee to execute forms, certifications, funding agreements, amendments thereto, and all other documents necessary for implementation of the Action Plan, CDBG, HOME and ESG activities. In accordance with County PPM CW-0-051 all contracts, agreements and grants signed with delegated authority must be submitted by the initiating Department as a receive and file agenda item. **These are Federal funds which require no local match.** District 5 (DB)

3. CONSENT AGENDA APPROVAL

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

4. Staff recommends motion to approve: Amendment No. 3 to the Agreement (R2021-1367) with the Business Development Board of Palm Beach County, Inc. (BDB) increasing the contract not to exceed amount to \$7,957,350, by allocating an additional \$400,000 in supplemental funding for Fiscal Years 2024-2025 and 2025-2026 and expanding the scope of services to include providing Talent Optimization and Business Retention to insure longevity and success of existing businesses in Palm Beach County retroactive and in effect from October 1, 2024 through September 30, 2026. **SUMMARY:** On September 14, 2021, the Board of County Commissioners (BCC) entered into an Agreement (R2021-1367), as amended (Amendment No.1/R2022-0850) on August 23, 2022 and as amended (Amendment No.2/R2023-1304) on September 19, 2023, with the BDB to provide business recruitment, expansion, and retention services and general marketing for Palm Beach County. The Agreement period is from October 1, 2021 through September 30, 2026 and is in the fourth year of its five (5) year term. Amendment No.3 will provide for modifications to the scope of services to include Talent Optimization and Business Retention to ensure longevity and success of existing businesses in Palm Beach County and adds an additional \$400,000, as approved by the BCC during the budget process, for a new not to exceed amount of \$1,831,470 annually for the remaining of the contract period ending September 30, 2026. Amendment No. 3 is retroactive to October 1, 2024. Countywide (DB)

3. CONSENT AGENDA APPROVAL

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

5. Staff recommends motion to receive and file: Two (2) CDBG Code Enforcement Agreements to provide code enforcement services under the Fiscal Year 2024-2025 Community Development Block Grant (CDBG) Program, in the amount of \$192,796 for the period October 1, 2024 to September 30, 2025:

A) City of Belle Glade in the amount of \$155,424 towards the salary, benefits, one (1) vehicle lease, related electronic equipment of one (1) full-time Code Enforcement Manager and two (2) Code Enforcement Officers to undertake the program activities within the CDBG eligible target area (Target Area) bound by Florida State Road 80 to the north, South Main Street to the south; Duda Road to the east and Florida State Road 715 on the west; and

B) City of South Bay in the amount of \$37,372 towards the salary and benefits of one (1) full-time Code Compliance Officer to perform code enforcement activities that include eliminating slums and blight within the CDBG Target Area bound on the north by Lake Okeechobee and US Highway 27; G2 Canal on the south, SE 4th Avenue on the east and Unincorporated Palm Beach County on the west.

SUMMARY: The two (2) CDBG Agreements have been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development in accordance with Agenda Item 6E-1 (R2024-0828) as approved by the BCC on July 2, 2024 that delegated authority to the County Administrator or designee to execute forms, certifications, funding agreements, amendments thereto, and all other documents necessary for implementation of the Action Plan, CDBG, HOME and ESG activities. County PPM CW-O-051 provides that all contracts, agreements and grants signed with delegated authority must be submitted by the initiating Department as a receive and file agenda item. **These are Federal CDBG funds which do not require a local match.** District 6 (HJF)

3. CONSENT AGENDA APPROVAL

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

6. Staff recommends motion to receive and file: Three (3) CDBG Capital Improvement Agreements funded under Fiscal Year 2024-2025 Community Development Block Grant (CDBG) Program, in the amount of \$900,415, for the period October 1, 2024 to December 31, 2025:
- A) City of Greenacres in the amount of \$197,913 to construct a gravity sewer North Lift Station as Phase III of the improvements to provide sanitary sewer service to properties within the City's Original Section system, along Swain Boulevard from Lake Worth Road and north towards 10th Avenue North;
 - B) Town of Lake Park in the amount of \$400,916 for the design and construction of an Aquatic and Community Center, within the Bert Bostrom Park, for the period October 1, 2024 to December 31, 2025; and
 - C) City of Lake Worth Beach in the amount of \$301,586 for the improvements at the Youth Empowerment Learning Center to include roof, HVAC, interior and exterior upgrades.

SUMMARY: The Fiscal Year 2024-2025 Action Plan includes the allocation of \$2,917,697 in CDBG funding for Local Entitlement Municipalities. A portion of this CDBG allocation in the amount of \$900,415, will be utilized by the following three (3) municipalities, to undertake capital improvements. The City of Greenacres will begin Phase III improvements to construct a gravity sewer North Lift Station for sanitary sewer service to properties within the City's Original Section that are currently on septic systems, along Swain Boulevard from Lake Worth Road and north towards 10th Avenue North. The Town of Lake Park is the recipient of the Special Area of Hope Grant and will also combine the fiscal year 2024-2025 Formula Allocation to undertake Phase I for the design and construction of an Aquatic and Community Center, located within the Bert Bostrom Park. The City of Lake Worth Beach will implement renovations at the Youth Empowerment Learning Center, which serves as a vital public center to its youth. The three (3) Agreements have been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development in accordance with Agenda Item 6E-1 (R2024-0828) as approved by the BCC on July 2, 2024 that delegated authority to the County Administrator or designee to execute forms, certifications, funding agreements, amendments thereto, and all other documents necessary for implementation of the Action Plan, CDBG, HOME and ESG activities. County PPM CW-O-051 provides that all contracts, agreements and grants signed with delegated authority must be submitted by the initiating department as a receive and file agenda item. **These are Federal CDBG funds which do not require a local match.** Districts 2, 3, and 7 (HJF)

3. CONSENT AGENDA APPROVAL

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

7. Staff recommends motion to receive and file: Seven (7) CDBG Public Services Agreements to provide public services under the Fiscal Year 2024-2025 Community Development Block Grant (CDBG) Program, in the amount of \$208,451, for the period October 1, 2024 to September 30, 2025:
- A) Aid to Victims of Domestic Abuse, Inc. in the amount of \$31,912 for transitional housing and supportive services;
 - B) Legal Aid Society of Palm Beach County, Inc. in the amount of \$50,857 for fair housing education, outreach, advocacy and enforcement activities;
 - C) Palm Beach Food Bank, Inc. in the amount of \$19,500 for assistance to seniors to qualify for SNAP benefits;
 - D) Pathways to Prosperity, Inc. in the amount of \$31,107 for assistance to persons transitioning out of poverty;
 - E) Redlands Christian Migrant Association, Inc. in the amount of \$10,555 for child care and development services in the Glades area;
 - F) Urban League of Palm Beach County, Inc. in the amount of \$19,478 for foreclosure mitigation counseling, homebuyer education classes, and pre-purchase homebuyer counseling services; and
 - G) Vita Nova, Inc. in the amount of \$45,042 for supportive housing and life skills training for youth who have aged out of foster care.

3. CONSENT AGENDA APPROVAL

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

7. **SUMMARY:** On July 2, 2024, the Board of County Commissioners (BCC) approved the Palm Beach County Action Plan for Fiscal Year 2024-2025 (R2024-0828), which included \$208,451 in CDBG funds allocated to these non-profit agencies to provide various public services. The seven (7) Agreements have been executed on behalf of the BCC by the Director of the Department of Housing and Economic Development in accordance with Agenda Item 6E-1 (R2024-0828) as approved by the BCC on July 2, 2024 that delegated authority to the County Administrator or designee to execute forms, certifications, funding agreements, amendments thereto, and all other documents necessary for implementation of the Action Plan, CDBG, HOME and ESG activities. County PPM CW-O-051 provides that all contracts, agreements and grants signed with delegated authority must be submitted by the initiating department as a receive and file agenda item. Kimberly Rommel-Enright, an employee of the Legal Aid Society of Palm Beach County, Inc., serves on the HIV CARE Council. Patrick Franklin, an employee of the Urban League of Palm Beach County, Inc., serves on the Infrastructure Surtax Independent Citizens Oversight Committee. These boards provide no regulatory oversight, management, or policy-setting recommendations regarding their agency contracts. Disclosure of these contractual relationships at a duly noticed public meeting are being provided in accordance with the provisions of Sect. 2-443, of the Palm Beach County Code of Ethics. **These are Federal CDBG funds which require no local match.** Countywide (HJF)

3. CONSENT AGENDA APPROVAL

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

8. Staff recommends motion to approve: an Ad Valorem Agency Agreement with the Palm Beach County Film and Television Commission, Inc. (F&TV Commission) in the amount of \$100,000 retroactive and in effect from October 1, 2024 to September 30, 2025. **SUMMARY:** This Agreement with the F&TV Commission will fund operational and educational expenses for the Film & TV Tech Prep Program (Program), which is entering its 28th year of operation. The Program was created by Palm Beach County in 1996 as a result of the Board of County Commissioners' (BCC) endorsement at the 1993 Economic Summit to expand the film and television industry. The objectives of the Program are to: prepare high school students for a career pathway; create a future workforce in the film and television industry; and provide educational, financial and logistic resources for high school and college students and teachers through the F&TV Commission. The Program continues to support the development of the film and television industry in Palm Beach County through an enhanced strategic plan drafted by educators and industry professionals. This funding will assist in the planning, facilitation and execution of all aspects in the production of the 2025 Student Showcase of Films (SSOF), which is the largest film competition and awards ceremony within the State of Florida. The SSOF honors Florida high school and college student filmmakers and celebrates the artistic successes they have achieved in this field. The Agreement Deliverables for Fiscal Year 2024/2025 are consistent with the previous Fiscal Year 2023/2024 and the F&TV Commission is currently on target to meet the proposed deliverables for the Fiscal Year 2023/2024. F&TV Commission received \$75,000 in Ad Valorem funds during Fiscal Year 2023/2024 and will receive an additional \$25,000 as approved by the Board of County Commissioners during the budget process, for a total of \$100,000 in Fiscal Year 2024-2025. Upon execution of the Agreement the County agrees to provide an initial advance payment to the F&TV Commission of \$50,000 to be used as cash flow. **These are County Ad Valorem funds.** Countywide (DB)

3. CONSENT AGENDA APPROVAL

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

9. Staff recommends motion to approve: an Ad Valorem Agency Agreement with the Florida Atlantic Research and Development Authority (FARDA) in the amount of \$275,000 retroactive and in effect from October 1, 2024 to September 30, 2025. **SUMMARY:** This Agreement requires FARDA to promote the Research Park at Florida Atlantic University (FAU) and Global Ventures. FARDA was formed in 1985 by Broward and Palm Beach Counties as a special district whose public purpose includes the development, operation, management and financing of research and development parks in affiliation with one (1) or more institutions of higher education. FARDA currently hosts 18 companies located in the Research Park at FAU, in addition to 16 companies in the Global Ventures incubator, and 15 virtual member companies. FARDA will create 15 internships through Global Ventures and Research Park at FAU companies, create at least 15 new full-time equivalent jobs at the Research Park at FAU with an emphasis placed on making best efforts in creating jobs for individuals with low or moderate income at time of hire where at least 51% of the jobs are created be held by low or moderate income persons within Palm Beach County, assist businesses in becoming registered vendors with Palm Beach County, providing support to businesses in obtaining a Business Tax Receipt, engage a minimum of 25 companies in discussions about locating at the Research Park at FAU (to include Global Ventures), and represent Global Ventures and Research Park at FAU in at least two (2) international trade shows virtually or in person, to promote the Research Park and Global Ventures. The Agreement Deliverables for Fiscal Year 2024/2025 are consistent with the previous Fiscal Year 2023/2024 with the addition of three (3) new deliverables related to making best efforts to create jobs for low or moderate income individuals, business assistance towards businesses obtaining a Business Tax Receipt and becoming a Palm Beach County Vendor, and when applicable, a certified small/minority/women business enterprise. FARDA is currently on target to meet the proposed deliverables for the Fiscal Year 2023/2024. FARDA received \$200,000 in Ad Valorem funds during Fiscal Year 2023/2024 and will receive an additional \$75,000 to raise awareness about Palm Beach County as the ideal location for health technology entrepreneurs with solutions to South Florida's particular health care challenges. The new Fiscal Year 2024/2025 total contract amount is \$275,000 as approved by the Board of County Commissioners (BCC) during the budget process. **These are County Ad Valorem funds.** Countywide (DB)

3. CONSENT AGENDA APPROVAL

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

10. Staff recommends motion to approve: an Ad Valorem Agency Agreement with the Florida Atlantic University Board of Trustees (FAU) in the amount of \$50,000 retroactive and in effect from October 1, 2024 to September 30, 2025. **SUMMARY:** This Agreement will fund operational expenses to support the Florida Atlantic University Tech Runway (FAUTR) Program located at their Palm Beach County Boca Raton and Jupiter campuses. The FAUTR provides mentoring, education seed grants, and introductions to investors to aid entrepreneurs and small developing companies that create jobs and provide internships to FAU students. The Program facilitates venture capitalist investment in business incubation and acceleration. FAU will also be required to: host at least two (2) educational seminars for Tech Runway entrepreneurs on FAU Jupiter campus or greater Jupiter area, provide ten (10) student internships, arrange two (2) introductory meetings for potential angel investors seeking investment funds for early-stage ventures, and create at least five (5) new permanent full-time equivalent jobs in Palm Beach County with an emphasis placed on making best efforts in creating jobs for individuals with low or moderate income at the time of hire where at least 51% of the jobs created be held by, or made available to low and moderate income persons that reside in unincorporated Palm Beach County, provide business assistance towards businesses obtaining a Business Tax Receipt and becoming a Palm Beach County Vendor, and when applicable a certified small/minority/women business enterprise. FAUTR is currently on target to meet the proposed deliverables for the Fiscal Year 2023/2024. FAUTR received \$50,000 in Ad Valorem funds during Fiscal Year 2023/2024. **These are County Ad Valorem funds.** Countywide (DB)

3. CONSENT AGENDA APPROVAL

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

11. Staff recommends motion to receive and file: a CDBG Economic Development Agreement with the Business Loan Fund of the Palm Beaches, Inc. (BLF) for \$80,000 to provide economic development services under the Fiscal Year 2024-2025 Community Development Block Grant (CDBG) Program, for the period October 1, 2024 to September 30, 2025. **SUMMARY:** The Agreement with BLF provides \$80,000 in Fiscal Year 2024-2025 CDBG funds to provide technical assistance and business support services to small businesses and persons developing small businesses. BLF is required to create a minimum of 5.5 full-time equivalent jobs advertised countywide, conduct four (4) business plan training seminars, close four (4) credit builder loans/microloans to microenterprises/small businesses and provide business and financial counseling to no fewer than 40 unduplicated businesses and/or entrepreneurs. Additionally, at least 51% of the jobs must be held by, or made available to low and moderate income persons who must reside in the Palm Beach County CDBG jurisdiction during the term of the Agreement. The document has been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development in accordance with Agenda Item 6E-1 (R2024-0828) as approved by the BCC on July 2, 2024 that delegated authority to the County Administrator or designee to execute forms, certifications, funding agreements, amendments thereto, and all other documents necessary for implementation of the Action Plan, CDBG, HOME and ESG activities. County PPM CW-O-051 provides that all contracts, agreements and grants signed with delegated authority must be submitted by the initiating department as a receive and file agenda item. **These are Federal CDBG funds which do not require a local match.** Countywide (HJF)

3. CONSENT AGENDA APPROVAL

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

12. Staff recommends motion to receive and file: a CDBG Economic Development Agreement (Agreement) with the Center for Technology, Enterprise and Development, Inc. (TED Center) for \$300,000 to provide economic development services under the Fiscal Year 2024-2025 Action Plan for the Community Development Block Grant (CDBG) Program. **SUMMARY:** The Agreement with TED Center provides \$300,000, which includes a one-time increase of \$50,000 in CDBG funds in Fiscal Year 2024-2025, as approved by the Board of County Commissioners (BCC) during the budget process, to assist with operational expenses for the development and expansion of small businesses and microenterprises (defined as commercial enterprises that have five (5) or fewer employees). The TED Center is required to create a minimum of 20 full-time equivalent jobs countywide, with a minimum of five (5) of the newly created jobs being held by persons residing in the Glades area. Additionally, at least 51% of the jobs must be held by, or made available to, low and moderate income persons who must reside in the Palm Beach County CDBG jurisdiction during the term of the Agreement. The TED Center shall also provide business assistance to 65 unduplicated microenterprises or entrepreneurs and conduct 45 training workshops, and three (3) of the said trainings must be in-person within the Glades area. Seabron A. Smith, an employee of TED Center, serves on the Equal Business Opportunity Advisory Committee. This board provides no regulatory oversight, management, or policy-setting recommendations regarding the agency's contracts. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Sect. 2-443, of the Palm Beach County Code of Ethics. The document has been executed on behalf of the BCC by the Director of the Department of Housing and Economic Development in accordance with Agenda Item 6E-1 (R2024-0828) as approved by the BCC on July 2, 2024 that delegated authority to the County Administrator or designee to execute forms, certifications, funding agreements, amendments thereto, and all other documents necessary for implementation of the Action Plan, CDBG, HOME and ESG activities. County PPM CW-O-051 provides that all contracts, agreements and grants signed with delegated authority must be submitted by the initiating department as a receive and file agenda item. **These are Federal CDBG funds which do not require a local match.** Countywide (HJF)

3. CONSENT AGENDA APPROVAL

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

13. Staff recommends motion to:

A) **consent** to the conveyance of ownership of the Quiet Waters Project (Project) from McCurdy Center, Ltd. to Quiet Waters Preservation, LP; and

B) **authorize** the County Administrator, or designee, to execute the documents necessary to effectuate the conveyance and any future documents, including amendments thereto which do not substantially change the terms or conditions of the loan agreement.

SUMMARY: On July 13, 2009, the Palm Beach County Board of County Commissioners (BCC) entered into a Loan Agreement (R2009-0100) with McCurdy Center, Ltd. to provide \$600,000 in State Housing Initiatives Partnership (SHIP) funding for the construction of the Quiet Waters project located at 306 SW 10th Street in Belle Glade. The conveyance of the Project will require that the County process an amendment to the loan agreement along with other documentation to accommodate the change in ownership and primary funding. The new senior financing requires that all subordinate liens mature no earlier than the senior loan which will require that the maturity date on the County loan be extended about five (5) years to coincide with the maturity of the new primary mortgage, which is anticipated to close at the end of December 2024 or early January of 2025. As a condition to this consent by the County, McCurdy Center, Ltd. will pay the County \$125,000 towards the balance of their loan. Staff is also requesting approval to amend the Special Provisions section of the agreement to add language prohibiting any rental increases at any time other than at lease renewal. All other terms and conditions agreed to by McCurdy Center, Ltd. will be assumed by Quiet Waters Preservation, LP. **These are State SHIP funds which require no local match.** District 6 (HJF)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to approve: Reappointment of two (2) members to the Historic Resources Review Board (HRRB) for the term October 22, 2027 through October 21, 2027:

<u>Reappointment</u>	<u>Seat</u>	<u>Requirement</u>	<u>Recommended By</u>
Helen Vogt Greene	2	Interested in History	Commissioner Bernard Commissioner Woodward
Jeffrey Weeks	8	Interested in History	Vice Mayor Marino Commissioner Woodward

SUMMARY: The HRRB was established by the Historic Preservation Ordinance adopted on February 2, 1993, to make recommendations to the Board of County Commissioners (BCC) regarding historic designations and related matters. The Unified Land Development Code (ULDC) Article 2.G.3.H specifies the membership of the HRRB. The term of office of each member is for three (3) years. HRRB seats are at-large positions appointed by the BCC. The Planning Division forwarded a memo (dated September 17, 2024) to the BCC notifying the BCC of the vacancies, and requesting nominations. The advisory board has nine (9) seats, seven (7) seats are currently filled, with a diversity count of Caucasian: 7 (100%). The gender ratio (male: female) is 2:5. The nominees are Helen Vogt Greene who is a Caucasian female and Jeffrey Weeks who is a Caucasian male. Staff is addressing the need to increase diversity within our boards and will continue to encourage this in an effort to expand the Board's diversity. Unincorporated (DL)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. **Staff recommends motion to approve:** Contract for Consulting/Professional Services for Water Treatment Plant No. 2 (WTP 2) Expansion (Contract) for a five (5) year term with Kimley-Horn and Associates, Inc. (Consultant). **SUMMARY:** The Contract will provide consulting/professional services for improvements, upgrades and expansion efforts at WTP 2 to address emerging contaminants, plant expansion and hardening, plant upgrades, membrane system, electrical and generator improvements, instrumentation and control improvements, reliability and safety improvements and wellfield expansion. This Contract was presented to the Goal Setting Committee (Committee) on October 18, 2023 and the Committee established an Affirmative Procurement Initiative (API) of a minimum mandatory 20% Small Business Enterprise (SBE) participation and up to 15 Evaluation Preference Points for participation by certified African American (AA) owned firms. Consultant committed to 38% SBE participation which includes 16.5% Minority Business Enterprise (MBE) (AA) and received 14 Evaluation Preference Points. The SBE proposed participation for this Contract is 38% SBE Participation which includes 16.5% MBE, 16.5% MBE (AA). Consultant is headquartered in Raleigh, North Carolina, but maintains an office in Palm Beach County from which the majority of the work will be undertaken. (PBCWUD Project No. 23-038 Contract) District 3 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

2. Staff recommends motion to:

A) approve the acceptance of Amendment No. 1 to Agreement No 4600004795 (Agreement) with the South Florida Water Management District (SFWMD) in the amount of \$3,000,000 for the Green Cay Wetlands 2 MGD Indirect Potable Reuse Project - Water Purification Treatment Plant, 2.3 miles reclaimed water main, and two (2) surficial aquifer wells **project (Project)**. **This agreement is effective as of August 22, 2023, and ends June 30, 2026;**

B) authorize the County Administrator, or designee which in this case shall be the Director of Palm Beach County Water Utilities Department (PCWUD), to execute standard grant agreements, amendments, and all other documents necessary of the grant award that do not substantially change the scope of work, terms or conditions of the agreement; and

C) approve a \$3,000,000 Budget Amendment in the Water Utilities Department Capital Improvement Fund to establish budget for the grant revenue and related expenditures.

SUMMARY: The SFWMD has allotted \$41.5 million to assist local governments, public and private water providers, and other entities with construction and/or implementation of alternative water supply (AWS) or water conservation (WC) through the Cooperative Funding Grant Program. The Project will include construction of a Water Purification Facility (WPF) that will treat reclaimed water and produce purified water. The water is then conveyed to lakes at the proposed Green Cay Park for recreational use and to recharge the regional aquifer system. The Project also includes the construction of a state of the art public education center to promote public awareness of water resources and highlight water as a vital resource. On August 22, 2023, the Board of County Commissioners (BCC) approved the Agreement for the Project (R2023-1113). This amendment to the Agreement will include funding of construction of the WPF, two (2) automatic strainers, three (3) microfiltration membrane skids, two (2) reverse osmosis skids, two (2) ultra-violet disinfection reactors, switchgear and miscellaneous electrical components of the Project. Project is included in the PBCWUD FY24 budget. (PBCWUD Project No. 20-036) **The \$3,000,000 grant requires a \$3,000,000 (50%) match which will be funded from a one-time expenditure from Water Utilities user fees, connection fees and balance brought forward.** District 5 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

3. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 1 to the Consulting/Professional Services Electrical Instrument and Telemetry Engineering Services with Hillers Electrical Engineering, Inc., (Consultant) for Mecca Pump Station Electrical and Control System Condition Assessment and As-Built Loop Diagrams (Project) for a not to exceed amount of \$132,489.20. **SUMMARY:** On December 5, 2023, the Board of County Commissioners (BCC) approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2023-1784) with Consultant. CSA No. 1 provides professional engineering services to perform an electrical and control system condition assessment of the East Mecca Pump Station; evaluate electrical, instrumentation and control system components; and create as-built control loop diagrams of station control elements for Operations use in troubleshooting. The Contract was presented to the Goal Setting Committee (Committee) on April 5, 2023 and the Committee established an Affirmative Procurement Initiative (API) of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting goal and an SBE evaluation preference for prime bidders. Consultant committed to 100% SBE participation and received 15 Evaluation Preference Points. The SBE proposed participation for this CSA No. 1 is 100%. To date, the overall participation achieved on this Contract is 100%. Consultant is a Palm Beach County based company. The Project is included in the PBCWUD FY25 budget. (PBCWUD Project No. 24-030) District 1 (MWJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to approve: an Assignment Assumption and Consent Agreement (Assignment) to transfer the Annual Coastal and Marine Engineering Services Contract (R2019-1543) dated October 8, 2019; and the Annual Coastal and Marine Engineering Services Contract (R2023-0090) dated January 24, 2023 (collectively, Contracts) from Olsen Associates, Inc. (Olsen) to Foth Infrastructure & Environment, LLC (Foth). **SUMMARY:** On July 19, 2024, Olsen was acquired in an asset sale by Foth. Olsen would like to assign their existing Contracts to Foth. Approval of the Assignment will allow the Contracts to be assigned to Foth. Countywide (YBH)

2. Staff recommends motion to:

A) approve Interlocal Agreement (Agreement) for Beach and Dune Management with the City of Riviera Beach (City) to provide for the continuation of the Singer Island Dune Restoration Project (Project) beginning upon execution and expiring on December 31, 2034; and

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

SUMMARY: This Agreement will provide a mechanism for long-term funding of the Project, and to set forth the terms, conditions and obligations of the County and the City. This Agreement will provide for a 20% City cost share of Project costs within the Project area eligible for State cost share, a 50% cost share of Project costs within the area that is not eligible for State cost share, an annual cap for reimbursement of eligible expenses not to exceed \$1,000,000 annually from Agreement execution through expiration, and a cap for reimbursement not to exceed \$250,000 on eligible expenses incurred prior to Agreement execution. In addition, the Agreement includes a one-time 25% City cost share for development of a feasibility study to analyze historic and existing conditions along the Project area, and to evaluate management strategies, regulatory permit options and cost effectiveness of potential alternative Project designs and methodologies. District 1 (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (cont'd.)

3. Staff recommends motion to:

A) approve Grant Agreement No. 75663 (Agreement) with an independent 501(C)(3) nonprofit organization, National Fish and Wildlife Foundation (NFWF), for an amount not-to-exceed \$1,500,000 providing financial assistance for Constructing a Tidal Wetland Complex to Enhance Bonefish Cove FL (Project), located in the Lake Worth Lagoon (LWL) for a term beginning upon execution and ending December 31, 2025;

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 significantly change the scope of work, or terms and conditions of the Agreement; and

C) approve Budget Amendment of \$1,500,000 to the FDEP Lake Worth Lagoon Fund to recognize revenues from Agreement.

SUMMARY: The NFWF is a nonprofit entity authorized to pass through grant funding from the National Oceanic and Atmospheric Administration (NOAA) CFDA 11.473. The Agreement will reimburse \$1,500,000 of Project construction costs and requires match funding in the amount of \$5,349,426.90. The County will be using grant funds to satisfy the matching requirement. The matching funds include grant funds from local and state partners: Florida Inland Navigation District (FIND) \$3.5 million (R2022-0884 and R2023-0738), Florida Department of Environmental Protection (FDEP) \$1.5 million (R2024-0178 and R2024-0560) and Florida Fish and Wildlife Conservation Commission (FWC) \$602,227 (R2023-0515 and R2022-0439). The Project will fill a dredge hole in south LWL to restore and enhance critical shallow estuarine habitats. The Agreement contains choice of law/jurisdiction and indemnification provisions that differ from that adopted for use by the County under PPM CW-F-049. These differences include choice of law and jurisdiction in the District of Columbia, and no indemnification from NFWF. The Risk Management Department and County Attorney's Office have reviewed the requirements for this Agreement and advised staff accordingly. Given that liability is limited to the statutory caps of Section 768.28, Florida Statutes, and taking into consideration that NFWF is only providing grant funding to the County under this Agreement, staff recommends Board approval. **There is no cost to the County.** Districts 2 and 7 (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (cont'd.)

4. Staff recommends motion to:

A) receive and file Amendment No. 05 (Amendment) to Grant No. L22AC00513 under Cooperative Agreement (Agreement) (R2022-1540) with the U.S. Bureau of Land Management (BLM) which provides funds for year three (3) of Agreement in the amount of \$74,618.85 for the management of the Jupiter Inlet Lighthouse Outstanding Natural Area (JILONA), for the period commencing October 1, 2024 and ending September 30, 2025; and

B) approve Budget Amendment of \$74,619 in the Natural Areas Fund to recognize the award for FY2025.

SUMMARY: On December 20, 2022, the Board of County Commissioners (BCC) approved the BLM Agreement (R2022-1540) for management services at JILONA for a five (5)-year project period commencing September 14, 2022 and ending September 13, 2027. Delegated authority to execute all future time extensions, task assignments, certifications and other forms associated with the Agreement was approved at that time. This Amendment provides for reimbursement to the County up to the amount of \$74,618.85 for managing JILONA for FY2025 with no County match required. The budget outlined in Amendment No. 05 shows the total awarded amount to date, which includes FY2023 (\$32,072.87), FY2024 (\$32,945.06) and FY2025 (\$74,618.85) totaling \$139,636.78. In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. **There is no cost to the County.** District 1 (SS)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to approve:

- A) Budget Amendment of \$143,699 in the 2003 \$25M GO Parks and Cultural Improvements Bond Fund to recognize the reimbursement from the Young Men's Christian Association of the Palm Beaches, Inc. (YMCA) and establish budget in the Lake Lytal Pool Facility Replacement project; and
- B) Budget Amendment of \$75,000 in the Park Improvement Fund to recognize the reimbursement from the YMCA and establish budget in the Lake Lytal Pool Facility Replacement project.

SUMMARY: Pursuant to the terms of the Lease Agreement with the YMCA (R2021-0147 as amended by R2023-1126), the Parks and Recreation Department is responsible for updating the Conceptual Master Plan (CMP) at its expense, and advancing funds for infrastructure design and site clearing. The YMCA is required to reimburse the Parks and Recreation Department for 50% of those costs, not to exceed \$75,000. In 2010, the County allocated funds from its 2003 Recreation and Cultural Facilities Bond to the YMCA for the construction of a concession building at the John Knapp Little League Ballfield Complex located at the Brown Branch property in Palm Springs. Per the terms of the bond agreement (R2010-0524 as amended by R2010-0919), the YMCA is required to reimburse the County \$143,699 upon the sale of its Brown Branch property. The YMCA has reimbursed the County per the terms of this agreement. Budget amendments in the Park Improvement Fund and the 2003 \$25M GO Parks and Cultural Improvements Bond Fund are necessary to establish budget for the Lake Lytal Pool Facility Replacement project. District 3 (AH)

3. CONSENT AGENDA APPROVAL

N. LIBRARY

1. Staff recommends motion to:

- A) **approve** submittal of an Application to the Florida Department of State, Division of Library and Information Services, for State Aid to Libraries, CSFA 45.030, in an estimated amount of \$779,813 for FY 2025;
- B) **approve** the associated State Aid to Libraries Grant Agreement and Certification of Hours, Free Library Service, and Access to Materials Form with The State of Florida, Department of State; and
- C) **authorize** the County Administrator or designee to execute any other necessary agreements, amendments, forms and certifications associated with the State Aid to Libraries Grant Agreement that do not substantially change the scope of work, terms or conditions of the agreement.

SUMMARY: The State provides an annual operating grant to eligible libraries based upon annual operating expenditures from local funds. Estimated State Aid revenue has been included in the County Library's FY 2025 budget. The period for the agreement to determine the award begins with the start of the Grantee's second preceding fiscal year (October 1, 2022) and concludes with the end of the State of Florida's current fiscal year (June 30, 2025). There is no match requirement for this grant and no new positions funded. Due to a proposed administrative rule change, this year the State Application Portal did not open until September 27, 2024. This prevented the Library from obtaining the Grant Agreement, and the Certification of Hours, Free Library Service and Access to Materials documents. The statutory deadline set out in Chapter 257 for applications is 11:59 p.m. on October 1, 2024; however, per the Florida Department of State, incomplete applications may be amended after the submission date. Due to the deadline, libraries submitted an incomplete application on October 1, 2024 in order to be considered for State Aid. Countywide (AH)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

1. Staff recommends motion to approve: an Interlocal Agreement for Fire Vehicle Maintenance and Repair Services (Agreement) with the City of Riviera Beach (City) for Palm Beach County Fire Rescue (PBCFR) to provide fire vehicle maintenance and repair services to the City from December 16, 2024 through December 15, 2029. **SUMMARY:** The Agreement provides the terms and conditions under which PBCFR Support Services personnel will provide maintenance and repair services for the City's Fire Rescue emergency response vehicles and apparatus. This Agreement is cost neutral with no supplemental funding from the Fire Rescue MSTU as the City is billed for all time, materials, and services performed to maintain and repair the City's fire vehicles. Countywide (SB)

X. PUBLIC SAFETY

1. Staff recommends motion to approve: One (1) At Large reappointment to the Emergency Medical Services (EMS) Advisory Council ER Nurses Forum seat. The term will be from October 22, 2024 to September 30, 2027.

<u>Nominee</u>	<u>Seat</u>	<u>Designation</u>	<u>Nominated by</u>
Madonna Stotsenburg	2	ER Nurses Forum	PBC ER Nurses Forum

SUMMARY: The EMS Council advises the Board of County Commissioners (BCC) on matters relating to EMS; in addition to proposing and discussing ideas and projects which might improve the quality of EMS in Palm Beach County. Per Resolutions R2014-0100 and R2016-1824, the BCC approved a representative make-up of the EMS Council to include 20 members. On September 30, 2024, the ER Nurses Forum seat term expired. A letter was sent to the affiliation for reappointment of the current member to serve for the next three (3) year term. 13 members are representatives of the various components of the EMS system with specific requirements and seven (7) members are Commission District Consumer appointments. The EMS Council currently has 18 seats filled, with a diversity count as follows: Caucasian: 17 (94%) and African American: 1 (6%). The gender ratio (male: female) is 14:4. Staff is addressing the need to increase diversity within its Council and will continue to encourage this in an effort to expand the Council's diversity. Countywide (SB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (cont'd.)

2. Staff recommends motion to receive and file: Contract for Consulting and Professional Services with Legal Aid Society of Palm Beach County, Inc. (LASPBC) to provide civil legal services to the indigent citizens of Palm Beach County in the amount not to exceed \$1,195,051 for the period October 1, 2024 through September 30, 2025. **SUMMARY:** This contract between the County and LASPBC ensures the seamless continuation of legal services for indigent citizens of Palm Beach County. Each year LASPBC provides civil legal advice, representation, and education to approximately 8,000 disadvantaged persons throughout Palm Beach County in order to protect their safety, enhance their opportunities and living conditions, and promote self-sufficiency. The contract funds the State mandate for general civil legal services (\$928,865), the Public Guardianship Program (\$152,542), and the Domestic Violence Representation Program (\$113,644). The State mandated funding for LASPBC is a local requirement, mandated by Article V of the Constitution of the State of Florida. Section 939.185, Florida Statutes, allows the Board of County Commissioners (BCC) to assess additional court costs, not to exceed \$65. The \$65 additional court cost generates \$250,000 in revenue, which partially offsets the costs of these programs. On October 3, 2006, R2006-2132 authorized the County Administrator or designee to execute contracts with LASPBC. Countywide (RS)

AA. PALM TRAN

1. Staff recommends motion to approve: The write-off of \$27,624 in uncollectible funds and removal from the County's general ledger for the period of August 7, 2007 to December 31, 2021. **SUMMARY:** Palm Tran has commenced the write-off of 108 open receivables. Of these entries, sixty-four (64) are past due from various agencies of the State of Florida, three (3) are insurance payments and forty-one (41) are from miscellaneous sources. Due to the timeframe of these open entries, Palm Tran recommends the amount be written off the County's general ledger. Countywide (MM)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

1. Staff recommends motion to approve: a Budget Transfer of \$2,397,087 from the Federal Justice Law Enforcement Trust Fund (LETf) to the Palm Beach County Sheriff's Office (PBSO). **SUMMARY:** The 2024 Guide to Equitable Sharing for State, Local and Tribal Law Enforcement Agencies (GUIDE), provides that seizing law enforcement agencies shall use Justice and Treasury Forfeiture proceeds for law enforcement purposes only. Permissible uses include: law enforcement operations and investigations; law enforcement training and education; law enforcement, public safety, and detention facilities; law enforcement equipment; joint law enforcement/public safety operations; contracts for services; law enforcement travel and per diem; law enforcement awards and memorials; drug, gang and other prevention or awareness programs and matching grants. The transfer of Federal Justice LETf requested above will allow the Homeland Security Bureau to re-establish and update the Real Time Crime Center at PBSO's Headquarters. Use of Federal Treasury LETf requires approval by the Board of County Commissioners (BCC), upon request of the Sheriff. The current Federal Justice LETf balance is \$2,743,432. Approval of this request will reduce the Federal Justice LETf balance to \$346,345. The PBSO certifies that the use of these funds is in accordance with the GUIDE. No new positions are needed and no additional County funds are required. Countywide (RS)

2. Staff recommends motion to approve: a Budget Transfer of \$350,000 from the Federal Treasury Law Enforcement Trust Fund (LETf) to the Palm Beach County Sheriff's Office (PBSO). **SUMMARY:** The 2024 Guide to Equitable Sharing for State, Local and Tribal Law Enforcement Agencies (GUIDE), provides that seizing law enforcement agencies shall use Justice and Treasury Forfeiture proceeds for law enforcement purposes only. Permissible uses include: law enforcement operations and investigations; law enforcement training and education; law enforcement, public safety, and detention facilities; law enforcement equipment; joint law enforcement/public safety operations; contracts for services; law enforcement travel and per diem; law enforcement awards and memorials; drug, gang and other prevention or awareness programs and matching grants. The transfer of Federal Treasury LETf requested above will allow the Professional Compliance Bureau to update and enhance the audio and video equipment at the PBSO Training Facility. Use of Federal Treasury LETf requires approval by the Board of County Commissioners (BCC), upon request of the Sheriff. The current Federal Treasury LETf balance is \$1,763,494. Approval of this request will reduce the Federal Treasury LETf balance to \$1,413,494. The PBSO certifies that the use of these funds is in accordance with the GUIDE. No new positions are needed and no additional County funds are required. Countywide (RS)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (cont'd.)

3. Staff recommends motion to approve: a Budget Transfer of \$886,486 from the Federal Treasury Law Enforcement Trust Fund (LETf) to the Palm Beach County Sheriff's Office (PBSO). **SUMMARY:** The 2024 Guide to Equitable Sharing for State, Local and Tribal Law Enforcement Agencies (GUIDE), provides that seizing law enforcement agencies shall use Justice and Treasury Forfeiture proceeds for law enforcement purposes only. Permissible uses include: law enforcement operations and investigations; law enforcement training and education; law enforcement, public safety, and detention facilities; law enforcement equipment; joint law enforcement/public safety operations; contracts for services; law enforcement travel and per diem; law enforcement awards and memorials; drug, gang and other prevention or awareness programs and matching grants. The transfer of Federal Treasury LETf requested above will allow the Homeland Security Bureau to re-establish and update the Fusion Center at PBSO's Headquarters. Use of Federal Treasury LETf requires approval by the Board of County Commissioners (BCC), upon request of the Sheriff. The current Federal Treasury LETf balance is \$1,413,494. Approval of this request will reduce the Federal Treasury LETf balance to \$527,008. The PBSO certifies that the use of these funds is in accordance with the GUIDE. No new positions are needed and no additional County funds are required. Countywide (RS)

3. CONSENT AGENDA APPROVAL

DD. CAREERSOURCE

1. **Staff recommends motion to approve:** Interlocal Agreement (IA) of the Palm Beach Workforce Development Consortium, which replaces Interlocal Agreement R2021-1457. **SUMMARY:** In 2007, an IA was approved by the Board of County Commissioners (BCC) creating the Palm Beach Workforce Development Consortium (Consortium), an Independent Special District, to implement Federal and State workforce development programs and related activities in Palm Beach County under the provisions of the Workforce Innovation and Opportunity Act (WIOA), the Temporary Assistance to Needy Families Act, the Wagner-Peyser Act, and the Florida Workforce Innovation Act of 2000. The members of the Consortium include the City of Delray Beach, the City of Palm Beach Gardens, the City of South Bay, the City of West Palm Beach, and Palm Beach County. The Consortium members approved a revised IA in 2021 (R2021-1457). The proposed IA incorporates necessary changes to bring CareerSource Palm Beach County, Inc. (CareerSource) and the Consortium into compliance with CareerSource Florida's Administrative Policy. The City of Delray Beach, the City of Palm Beach Gardens, the City of South Bay and the City of West Palm Beach have approved and executed the IA. Staff recommends approval of the proposed IA. No County funding is required. Countywide (HH)

3. CONSENT AGENDA APPROVAL

EE. OFFICE OF COMMUNITY REVITALIZATION

1. Staff recommends motion to:

A) approve the following agreements (FY 2025 NEAT Grant Agreements) to implement various community improvement projects and initiatives through the Office of Community Revitalization's (OCR) Neighborhood Engagement and Transformation (NEAT) Grants Program for a total of \$150,000:

1. an Agreement with West Jupiter Housing 2 Homeowner's Association, Inc. in an amount not-to-exceed \$10,000 for a landscaping project in the Kennedy Estates Countywide Community Revitalization Team (CCRT) area;
2. an Agreement with Limestone Creek Advocates, Inc. in an amount not-to-exceed \$8,000 for a mailbox project in the Limestone Creek CCRT area;
3. an Agreement with Caleb Ephraim Project, Inc. in an amount not-to-exceed \$10,000 for a landscaping project in the Cam Estates CCRT area;
4. an Agreement with Country Club Acres Association Inc. in an amount not-to-exceed \$16,300 for a lake fountain project (\$9,500); and a playground shade project (\$6,800) in the County Club Acres CCRT area;
5. an Agreement with the City of Belle Glade in an amount not-to-exceed \$61,200 for a mural project (\$10,000); a trash receptacle project (\$8,000); a fencing and marquee board project (\$7,000); a community garden project (\$9,500); a mobile theater project (\$8,000); an outdoor exercise equipment project (\$9,000); and a landscaping project (\$9,700);
6. an Agreement with the City of South Bay in an amount not-to-exceed \$16,600 for a neighborhood watch signs project (\$9,200); and a matrix message board project (\$7,400);
7. an Agreement with KTM Youth and Community Network, Inc. in an amount not-to-exceed \$7,900 for a community healthy cooking demonstration project;
8. an Agreement with Paint Your Heart Out Palm Beach County, Inc. in an amount not-to-exceed \$10,000 for a painting project in various CCRT neighborhoods; and

3. CONSENT AGENDA APPROVAL

EE. OFFICE OF COMMUNITY REVITALIZATION (cont'd.)

1. 9. an Agreement with Rebuilding Together of the Palm Beaches, Inc. in an amount not-to-exceed \$10,000 for critical home repairs for low-income homeowners in various CCRT neighborhoods; and

B) authorize the County Administrator, or designee to execute amendments and administrative documents associated with the above agreements that do not increase the grant award or change the scope of work or overall intent of the program, on behalf of the Board of County Commissioners (BCC), after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations.

SUMMARY: The NEAT Grants Program was established by the BCC on March 13, 2018, and amended on December 6, 2022 to clarify the program guidelines and eligibility requirements, focus County funding on areas that are under OCR's purview, and to allow for critical neighborhood improvements. The program provides funding to neighborhood-based groups and/or organizations for projects that improve the quality of life in their communities. This agenda item includes nine (9) Agreements for the recommended 18 projects for this year's cycle. The projects will be completed in FY 2025 and include a variety of activities. Staff is requesting BCC approval of the agreements and related funding, as well as, the delegation of authority to the County Administrator or designee to approve minor changes to the scope of work. Countywide (RS)

3. CONSENT AGENDA APPROVAL

FF. OFFICE OF EQUAL OPPORTUNITY

1. Staff recommends motion to:

A) **ratify** the Mayor's signature on Cooperative Agreement Amendment No. FF204K240014 with the U.S. Department of Housing and Urban Development (HUD) totaling \$274,400, for case processing in the amount of \$199,400 for the performance period of July 1, 2023 through June 30, 2024; administrative cost funds in the amount of \$60,000 and training funds in the amount of \$15,000 for the performance period of October 1, 2023 through September 30, 2024; and

B) **approve** an upward Budget Amendment for FY 2024 in the General Fund (Fund 0001) in the amount of \$123,400 to recognize the actual award amount;

SUMMARY: HUD, Office of Fair Housing and Equal Opportunity, awarded the Office of Equal Opportunity (OEO) a total of \$274,400 for case processing in the amount of \$199,400 for the performance period of July 1, 2023 through June 30, 2024; administrative cost funds in the amount of \$60,000 and training funds in the amount of \$15,000 for the performance period of October 1, 2023 through September 30, 2024. Board ratification of the Mayor's signature will ensure the receipt of revenue under the Agreement. HUD required approval to meet HUD's fiscal year end funding deadlines, Board of County Commissioners (BCC) approval was required by September 20, 2024 and there was insufficient time to meet the submission deadline under the regular agenda process, these funds must be obligated immediately. Therefore, urgent approval was needed so that we could meet HUD's deadline. Countywide (DO)

3. CONSENT AGENDA APPROVAL

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

2. **Staff recommends motion to approve:** Contracts for the Handicap Accessibility and Awareness Grant Program with the non-profit agencies listed below, as of the date of approval of the contract by the Palm Beach County Board of County Commissioners (BCC) through September 30, 2025, in the amount not to exceed \$30,000:
- A) a Contract with Florida Outreach Center for the Blind, Inc. to provide blind and visually impaired people in Palm Beach County with essential education and information about available community resources coupled with guided experience in navigating existing accessible services and facilities, in an amount not to exceed \$10,000;
 - B) a Contract with Extraordinary Charities, Inc., to provide funding for a culinary training program designed to break the unemployment status quo and other significant barriers to employment in Palm Beach County for people with disabilities, in an amount not to exceed \$10,000;
 - C) a Contract with Azul Fashion Art & Design, Inc., to provide funding for a series of field trips for adults with developmental disabilities to visit different art venues to connect with local artists to build confidence through social interaction, in an amount not to exceed \$5,400;
 - D) a Contract with NAMI Palm Beach County, Inc., to provide funding for unique, one time access to services or resources for individuals living in Palm Beach County. Working with other community mental health providers, the funds fill one-time needs and gaps that reduce access to behavioral health services for individuals who do not have the financial means to access those services or resources, in an amount not to exceed \$1,534;
 - E) a Contract with Jeff Industries, Inc., to purchase office equipment to allow persons with disabilities in the Amigos Drop-in Center to be able to access relevant health, mental health, financial and community resources, in an amount not to exceed \$1,533; and
 - F) a Contract with BPAN Warriors, to provide funding to present sensitivity and public awareness guide to increase the public awareness about Beta-Propeller Protein-Associated Neurodegeneration (BPAN) guide aims to improve diagnosis, treatment, and care providing essential information and will serve as a template for other rare disease organizations in Palm Beach County, in an amount not to exceed \$1,533.

3. CONSENT AGENDA APPROVAL

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

2. **SUMMARY:** On July 2, 2019, the BCC adopted Ordinance 2019-027 which included a provision for the Fair Housing Board to review proposals and make recommendations on the award of the programs budgeted grant funds. Through a competitive application process, the Fair Housing Board reviewed responsive proposals submitted by non-profit agencies in conformance with the ordinance and established program guidelines to support the recommendation to fund the agencies listed above. Funding for the program was approved in the FY 2025 budget. Countywide (JW)

GG. TOURIST COUNCIL DEVELOPMENT

1. Staff recommends motion to receive and file: a fully executed Palm Beach County FY 2024, 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 World Wake Productions, Inc., for the promotion of World Wake Association (WWA) Wake Park National Championships, held August 8 – 11, 2024, for the term of April 8 – November 11, 2024. This grantee was approved by the TDC on March 14, 2024, in the amount of \$35,000. **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 World Wake Productions, Inc./World Wake Association (WWA) Wake Park National Championships were 2,052. Countywide/District 2 (YBH)

3. CONSENT AGENDA APPROVAL

GG. TOURIST COUNCIL DEVELOPMENT (cont'd.)

2. Staff recommends motion to receive and file: 12 fully executed Palm Beach County FY 2025 Category “CII” Grant Agreements with various grantees totaling \$1,606,649 and managed by the Cultural Council of Palm Beach County, Inc. (Cultural Council) for the promotion/marketing of cultural events. These grants were approved by the Tourist Development Council (TDC) on June 13, 2024, for the term October 1, 2024 – September 30, 2025. **SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. 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 “CII” Cultural grantees after they have been approved by the TDC. Cultural organizations with operating budgets below \$1.175 million are eligible for Category “CII” funding. After completing an application for funding, the organizations and their programs are reviewed by a grant panel which recommends funding levels. The table included in the *Background and Justification* section of this agenda item, details the organizations which the Cultural Council and the TDC have approved for funding and the corresponding funding amount (which is based on grant panel scores). The grant agreements will fund events which will promote cultural tourism in Palm Beach County. Countywide (YBH)

3. Staff recommends motion to receive and file: 24 fully executed Palm Beach County FY 2025 Category “B” Grant Agreements with various grantees totaling \$5,365,238 and managed by the Cultural Council of Palm Beach County, Inc. (Cultural Council) for the promotion/marketing of cultural events. These grants were approved by the Tourist Development Council (TDC) on June 13, 2024, for the term October 1, 2024 – September 30, 2025. **SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. 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 “B” Culture grantees after they have been approved by the TDC. Cultural organizations with operating budgets of \$1.175 million or more are eligible for Category “B” funding. After completing an application for funding, the organizations and their programs are reviewed by a grant panel which recommends funding levels. The table included in the *Background and Justification* section of this agenda item, details the organizations which the Cultural Council and the TDC have approved for funding and the corresponding funding amount (which is based on grant panel scores). The grant agreements will fund events which will promote cultural tourism in Palm Beach County. Countywide (YBH)

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

A. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to adopt: an Ordinance of the Board of County Commissioners (BCC) of Palm Beach County, Florida to be entitled “The Palm Beach County Real Property Acquisition, Disposition and Leasing Ordinance” (PREM Ordinance), repealing and replacing Chapter 22, Article VI of the Palm Beach County Code providing for a title, providing for definitions; providing for determination of value; providing for standards and procedures for the sale, lease, development, management, or operation of real property; providing for delegation of authority; providing for supermajority vote; providing for the property review committee; providing for unsolicited proposals; providing for repeal of laws and ordinances 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 an effective date. **SUMMARY:** The current PREM Ordinance was enacted in 2002 by means of Ordinance No. 2002-067, which in turn was amended by Ordinance No. 2009-052 to incorporate the establishment of the Property Review Committee (PRC) and by Ordinance 2019-038 to exempt the sale of workforce housing units from certain provisions of the Ordinance and to revise the conditions for PRC review. The PREM Ordinance warrants revisions to reflect current market conditions and optimize efficiencies in processes and procedures. Staff started working on proposed revisions to the PREM Ordinance approximately five (5) years ago; however, the ordinance was put on hold pending approval of the revisions to the Purchasing Ordinance to ensure consistency and compatibility with same. On May 14, 2024, the BCC approved the revisions to the Purchasing Ordinance. The proposed revisions to the PREM Ordinance seek to clarify, update, and codify the procedures by which County transacts real property related matters. It also adds a new section related to unsolicited proposals which mirrors the language recently approved under the Purchasing Ordinance. Preliminary reading of the proposed ordinance took place on September 17, 2024 at which time staff was given permission to advertise for public hearing. Following the preliminary hearing and upon further review, a modification was made to Section 22-105(a)(6) which changed the term “tenant estoppel certificate” to “estoppel certificate” which provides greater flexibility for the County Administrator, or designee, to execute such documents where the County is landlord or tenant. There are no other modifications since the preliminary hearing took place. Section 125.66(3)(a), Florida Statutes requires the County to prepare a Business Impact Estimate (BIE) before enacting an ordinance and to post the same on the County’s website no later than the date the notice of the proposed enactment is published. The BIE was posted on the County’s website on September 6, 2024 and submitted to the BCC to receive and file on September 17, 2024. (Property & Real Estate Management) Countywide (HJF)

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

B. PUBLIC SAFETY

1. Staff recommends motion to:

A) **adopt:** AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING PALM BEACH COUNTY CODE, CHAPTER 13, ARTICLE II, DIVISION 1 EMERGENCY MEDICAL SERVICES (EMS) ORDINANCE; AMENDING SECTION 13-22 APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY (COPCN) RELATING TO A PROCESS TO ALLOW AN ADDITIONAL SECONDARY PROVIDER APPLICATION PERIOD AND COPCNS, INCLUDING UPDATING APPLICATION REQUIREMENTS; PROVIDING FOR RECITALS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CAPTIONS; AND PROVIDING FOR AN EFFECTIVE DATE;

B) **receive and file** the EMS Ordinance Administrator’s report on the review and analysis on the EMS public safety need for additional Secondary Service Providers (Secondary Provider);

C) **approve** and determine there is an EMS public safety need for additional Secondary Providers; and

D) **direct** the County Administrator or designee to open up an additional application period to accept and process Secondary Provider COPCN applications.

SUMMARY: At the June 15, 2021 Board of County Commissioners (BCC) meeting, Secondary Provider COPCNs were issued to the following three (3) companies: Atlantic/Palm Beach Ambulance, Inc. d/b/a American Medical Response (AMR), Medics Ambulance Service, Inc. (Medics), and Health Care District of Palm Beach County. These companies were approved to provide secondary Advanced Life Support (ALS) Transport Services and ALS/Basic Life Support (BLS) Inter-facility Transport Services in Palm Beach County from July 1, 2021 through June 30, 2027. During that same meeting, the BCC identified a need to be able to request that, within three (3) years from the COPCN start date of July 1, 2021, a review be conducted to determine if there was a public safety need for additional Secondary Providers in Palm Beach County. At the May 7, 2024 BCC meeting, staff were directed to present an update on EMS Ordinance, specifically on the Secondary COPCN process. On August 27, 2024, staff provided this update, and the BCC directed staff to expeditiously prepare a proposed amendment to the EMS Ordinance. On October 8, 2024, the BCC approved a preliminary reading and advertise for public hearing.

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

B. PUBLIC SAFETY (cont'd.)

1. **SUMMARY (cont'd.):** The amendment will establish a process for opening an additional Secondary Provider COPCN application period if there is a public safety need to add additional Secondary Providers, and allow for the issuance of additional Secondary Provider COPCNs, prior to the end of the current six (6) year term outlined in the EMS Ordinance. Currently, Secondary Provider COPCN applications are issued every six (6) years for a six (6) year term, with the current term set to expire on June 30, 2027. The proposed revisions to the EMS Ordinance would update some application criteria and provide that the term of any COPCNs issued to additional Secondary Providers under this new process would end at the same time as the current Secondary Provider COPCNs under the regular six (6) year term. At the September 19, 2024 EMS Advisory Council meeting, the EMS Advisory Council reviewed and recommended approval of the EMS Ordinance revisions. The proposed amendment to the EMS Ordinance was presented to the League of Cities on September 25, 2024. Countywide (SB)

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

C. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to adopt: 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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5. REGULAR AGENDA

A. AIRPORTS

1. Staff recommends motion to:

- A) **receive and file** Federal Aviation Administration (FAA) Grant Agreement Number 3-12-0085-078-2024 in the amount of \$3,517,990, with an effective date of September 10, 2024, and an expiration date of September 9, 2028, for the Taxiway R Rehabilitation Project (Project) at Palm Beach International Airport (PBI). Delegation of authority for execution of this grant was approved by the Board of County Commissioners (BCC) on August 25, 2020 (R2020-1017);
- B) **approve** a Contract with Ranger Construction Industries, Inc. (Ranger) in the amount of \$4,034,526.50 for a project duration of 230 calendar days for the Project; and
- C) **approve** a Budget Amendment of \$3,517,990 in the Airport's Improvement & Development Fund, including a transfer from Reserves in the amount of \$1,172,664.

SUMMARY: The FAA issued a Grant Offer (Assistance Listing Number 20.106) for Airport Improvement Program Grant Agreement Number 3-12-0085-078-2024 (Grant), reflecting its commitment of funding in the amount of \$3,517,990 for the Project. **The Grant requires a 25% local match in the amount of \$1,172,664, which is calculated based on the estimated total project costs of \$4,690,654.** The Project was advertised on April 21, 2024, utilizing the County's competitive bid process. On May 23, 2024, two (2) bids were received for the Project. Ranger, a Palm Beach County, Florida company, was the lowest responsible, responsive bidder in the amount of \$4,034,526.50. The Project provides for the Rehabilitation of Taxiway R and Taxiway Connectors R2, R3, and R4 pavement, lighting, and signage. The Project also includes geometry modifications to remove direct access from the apron to Runway 10R-28L. A Disadvantaged Business Enterprise (DBE) goal of 17% was established for this Project. Ranger committed to 17.19% DBE participation. Pursuant to changes to Chapter 332, Florida Statutes, effective July 1, 2023, a governing body of a medium hub commercial service airport may not approve purchases of contractual services in excess of \$1,000,000 on a consent agenda. The Project exceeds the threshold amount and must be approved on the regular agenda. Countywide (AH)

5. REGULAR AGENDA

B. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to approve:

- A) a waiver of the statutory requirement by a super majority vote (five 5 votes), that one (1) of the two (2) public hearings to be held on December 3, 2024 and January 14, 2025, be held after 5:00 p.m., to consider the designation of the parcels located at 9302 and 9400 South Military Trail, unincorporated Palm Beach County, Florida, further identified by Parcel Control Numbers 00-42-45-24-03-000-5851, 00-42-45-24-03-000-5852 and 00-42-45-24-12-001-0010 (Subject Site), as a Brownfield Area pursuant to §376.80(2)(c), Florida Statutes; and
- B) the advertising of public hearings on Tuesday, December 3, 2024 at 9:30 a.m. and Tuesday, January 14, 2025 at 9:30 a.m. to consider the designation of the Subject Site as a Brownfield Area pursuant to §376.80(2)(c), *Florida Statutes*, which shall hereafter be known as the Cypress Creek Green Reuse Area.

SUMMARY: On August 29, 2024, Toll Brothers, Inc. (Toll Bros.), as contract purchaser, and the owner, True Shot, LLC, (collectively Applicant) submitted an application to the Department of Housing and Economic Development to designate the Subject Site as a Brownfield Area. This designation requires two (2) public hearings, one (1) of which must be held after 5:00 p.m. per §125.66, Florida Statutes (cross-referenced in §376.80, Florida Statutes), unless the Board of County Commissioners (BCC), by a super majority vote, elects to conduct that hearing at another time of day. The Subject Site consists of a closed golf course, clubhouse and accessory facilities, which the Applicant indicates is impacted by arsenic in the soil and groundwater. The rezoning of the 122.53 acre Subject Site was approved by the BCC at the July 17, 2024 Zoning Hearing (Resolution R2024-0864), to allow for the development of 152 single-family dwelling units. Applicant is seeking a Brownfield Area designation under Florida's Brownfields Redevelopment Act, prior to redevelopment of the Subject Site with 152 single-family dwelling units and a 1.79-acre recreation area. **No County funds for implementation are required. This item requires a supermajority vote (five 5 votes).** District 2 (DB)

5. REGULAR AGENDA

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

2. Staff recommends motion to:

A) **approve** General Obligation Housing Bond Loan Program (HBLP) – For Sale Development award to the Community Land Trust of Palm Beach County and the Treasure Coast (CLT PBCTC) in the amount of \$1,480,000 for the Lake Worth Beach CRA Scattered Villas project (Project); and

B) **authorize** the County Administrator, or designee, to execute the loan agreement, amendments thereto, and all other documents necessary for project implementation that do not substantially change the scope of work, terms or conditions of the agreement, and for the Director of DHED to be the County Administrator’s designee for this project.

SUMMARY: At the May 7, 2024 Board of County Commissioners (BCC) meeting, the BCC conceptually approved HBLP funding in the amount of \$1,640,000 and transmission to the County’s third-party underwriter for the Project on scattered sites located at: 1) 417 South D Street, Lake Worth Beach; 2) 610 North E Street; Lake Worth Beach; 3) 625 North D Street, Lake Worth Beach; and 4) 1306 1st Avenue South, Lake Worth Beach limiting the upper range of the affordability to 80% of Area Median Income (AMI); however, based on the third-party underwriter’s report, the HBLP funding award has been reduced to \$1,480,000 based on the total anticipated sales proceeds, and an additional \$1,000,000 in HOME Investment Partnership Program (HOME) Community Housing Development Organization (CHDO) funding and the CLT PBCTC concurs with the underwriter’s analysis. The Project will consist of four (4) single family villas (two units each) providing housing units to eight (8) families. All eight (8) units will be sold under the Community Land Trust model of home ownership thereby ensuring they will remain affordable in perpetuity. All County assisted units (100%) will be designated for households whose income is at or below 80% AMI. The total project cost is \$2,622,047 (\$327,756 per unit) with a County HBLP investment of \$1,480,000, for a per-unit cost of \$185,000. County HBLP investment for this project is 56%. Total County investment for this project, including HBLP and HOME is 94% (\$310,000 per unit). Additional funding sources for this project are as follows:

Funding Sources:	
PBC Housing Bond Funds	\$1,480,000
PBC HOME CHDO loan	\$1,000,000
Developer Fee	\$142,047
Total Development Cost	\$2,622,047

5. REGULAR AGENDA

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

2. **SUMMARY (cont'd.):** Based on the preliminary third-party underwriter's report, staff has negotiated final terms and conditions for BCC approval. County funding will be provided in the form of a repayable loan at 0% interest. The loan shall be secured by a mortgage and note that require repayment of principal and interest at the time of sale to homebuyer. Affordability restrictions will be recorded through Declarations of Restrictive Covenants and will survive repayment of the loan. The final third-party underwriter's report will be provided to DHED 30 days prior to loan closing together with a current cost analysis and, as long as the report is consistent with the preliminary report, staff will proceed with closing the loan. To facilitate project implementation, staff requests authorization for the County Administrator, or designee, to execute the loan agreement and all related documents, and for the Director of DHED to be the County Administrator's designee for this project. District 2 (HJF)

5. REGULAR AGENDA

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

3. Staff recommends motion to:

- A) **approve** General Obligation Housing Bond Loan Program (HBLP) – Affordable Housing Multifamily Development award to the Sun Foundation, Inc. in the amount of \$7,870,000 for the Waterview Apartments at Mangonia Park (Project);
- B) **approve** \$5,130,000 in Housing Initiatives Program (HIP) Funding; and
- C) **authorize** the County Administrator, or designee, to execute the loan agreement, amendments thereto, and all other documents necessary for project implementation that do not substantially change the scope of work, terms or conditions of the agreement, and for the Director of DHED to be the County Administrator’s designee for this project.

SUMMARY: At the June 4, 2024 Board of County Commissioners (BCC) meeting, the BCC conceptually approved \$7,870,000 in HBLP funding and transmission to the County’s third-party underwriter for the project located at W. Tiffany Drive, Mangonia Park. The original request for \$13,000,000 in HBLP funding was modified to \$7,870,000 to limit the HBLP funds to no more than 15% of the total development cost, with the remaining amount of \$5,130,000 redirected to HIP funding for this Project, per BCC direction. The Project consists of construction of 140 rental development units with 56 units restricted to no more than 30% Area Median Income (AMI) and 84 units at no more than 80% AMI. The total project cost is \$53,393,888 (\$381,385 per unit) with a County HBLP investment of \$7,870,000, for a per-unit cost of \$56,214. Total County HBLP investment for this project is 15%. Total County funding for this project including HBLP and HIP funding is \$13,000,000 or 25.79% (\$92,857 per unit) of total project. Funding sources for this Project are as follows:

Funding Sources	
PBC HFA Bonds	\$15,000,000
PBC Housing Bond Funds	\$7,870,000
PBC HIP	\$5,130,000
Tax Credit Equity	\$21,494,419
Private Equity from QOF	\$543,433
Deferred Developer Fee	\$3,356,036
Total Development Cost	\$53,393,888

5. REGULAR AGENDA

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

3. **SUMMARY (cont'd.):** Based on the preliminary third-party underwriter's report, staff has negotiated final terms and conditions for BCC approval. County funding will be provided in the form of a repayable loan at 0% interest. County funding will be provide in the form of a repayable loan at 0% interest in accordance with the approved allocation process for non-profit developers. The agreement and related documents pursuant to these HBLP and HIP funds will be between County and Sun Foundation, Inc., a non-profit company (and its respective successors and/or assigns). The loan shall be secured by a mortgage and note that require repayment of principal and interest within 20 years. All County-Assisted Housing units will remain affordable for no less than 40 years. Affordability restrictions will be recorded through Declarations of Restrictive Covenants which shall survive the repayment of the loan for the duration of the affordability period. The final third-party underwriter's report will be provided to DHED 30 days prior to loan closing and, as long as the report is consistent with the preliminary report, staff will prepare the loan agreement and other related documents. To facilitate project implementation, staff requests authorization for the County Administrator, or designee, to execute the loan agreement and all related documents, and for the Director of DHED to be the County Administrator's designee for this project.
District 7 (HJF)

5. REGULAR AGENDA

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

4. Staff recommends motion to:

- A) **authorize** the Palm Beach County Department of Housing & Economic Development (DHED) to apply for a \$500,000 grant to the Federal Home Loan Bank Atlanta (FHLBank Atlanta) for the Heirs' Property Family Wealth Protection Fund;
- B) **conceptually approve** up to \$500,000 from the Housing Initiative Fund as the required match, if the application is awarded; and
- C) **authorize** the County Administrator or designee, to execute the grant agreement, amendments thereto, and all other documents necessary for project implementation that do not substantially change the scope of work, terms or conditions of the agreement, and for the Director of DHED to be the County Administrator's designee for this project.

SUMMARY: The FHLBank Atlanta announced its 2024 Heirs' Property Family Wealth Protection Fund, allocating a total of \$5 million to assist organizations with the prevention and resolution of heirs' property issues. Without the proper legal process, low-to-moderate income households often experience roadblocks preventing home equity from being passed down as property owners intend. Family homes and properties are key to generational wealth building, but all too often, this legacy is lost due to inadequate legal documentation. Local governments may apply for up to \$500,000 in grant funding to assist property owners located in low-to-moderate income areas within communities. The grant requires a FHLBank Atlanta member to submit the application. The Housing Finance Authority of Palm Beach County, a FHLBank Atlanta member supports and will submit PBC's application to the FHLBank Atlanta. PBC will be the applicant and will partner with the Legal Aid Society of Palm Beach County, Inc. and the Florida Rural Legal Services, Inc. for project implementation. Underlying properties must be located in a low-to-moderate income census tract up to 120% AMI within the Bank's district. All services must be 100% free of cost to property owners. A recent survey sponsored by the FHLBank Atlanta found that most homeowners (90%) expect the equity in their home to benefit their heirs when they die, yet more than four (4) in ten (10) (43%) do not have a will/trust or estate plan. The survey also showed that roughly one (1) in five (5) homeowners did not have, or were not sure whether they have, a clear title (22%) or recorded deed (20%). **These are FHLBank Atlanta funds which require a local match.** Countywide (HJF)

5. REGULAR AGENDA

C. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: Amendment No. 4 to the Developer and Operator Agreement (R2021-0148) (Agreement) with the West Palm Beach Housing Authority (WPBHA) for the Prosperity Village Cottage Homes project (Project) to modify the rent structure for the first two (2) years of operations and extend the Project schedule. **SUMMARY:** On January 12, 2021, the Board of County Commissioners (BCC) approved the Agreement with WPBHA for the development, ownership and operation of the Project, a small lot housing pilot project upon 1.36 acres of County-owned real property fronting Military Trail and Clements Street in western Lake Worth Beach. The Agreement has been thrice amended on August 17, 2024 (R2021-1059) and on January 4, 2022 (R2022-0033) to extend the date by which WPBHA was to complete design and permitting; and on November 15, 2022 (R2022-1394) to increase the Project budget and to cap the amount of construction savings to be transferred, at Project completion, to the initial Renewal/Replacement (R/R) Project reserve. The Agreement provides that construction of the Project would take 340 days to completion, with an additional 60 days for Project close-out and occupancy. Construction commenced in March 2023, as a result, project completion should have been attained in February 2024. The Project encountered certain issues that impacted and delayed the date of completion, including but not limited to, conflicting electrical utilities work. As a result, in April 2024, WPBHA requested an extension to Project schedule. Amendment No. 4 to the Agreement memorializes the date of construction commencement and extends the date of completion to October 31, 2024, with an additional 30 days for close-out and lease-up. Section 12.2 of the Agreement provides the rent structure for the initial year of occupancy of the Project. In the approximately four (4) years that have passed since the initial rent structure was approved, the national economy has experienced significant price increases partially resulting from the aftermath of the COVID19 pandemic. Therefore, in June 2024 (as later modified in September 2024), WPBHA requested an increase to the rent structure as it deems unfeasible to operate the Project under the rent structure established in the original Agreement in January 2021. Amendment No. 4 to the Agreement provides for a revised rent structure 20% higher than the one originally approved under the Agreement. Two-bedroom units will rent for \$718 per month; three-bedroom units will rent for \$876 per month. Staff has found this increase to be in alignment with the reported Consumer Price Index (CPI) change for the period of January 2021 to August 2024. This project is funded from the Infrastructure Sales Tax Fund. (FDO Admin) District 3/Countywide (MWJ)

5. REGULAR AGENDA

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

2. Staff recommends motion to:

- A) **approve** the immediate revocation of the License Agreement for the Use of County-owned Property (License Agreement)(R2023-0359 and R2023-0360) granted to Transit Village, LLC (TV) for the use of a portion of the Properties;
- B) **authorize** the Mayor to execute a letter notifying TV of the revocation of the License Agreement; and
- C) **approve** a Development and Conveyance Agreement (DCA) with Vanderbilt Education Florida, LLC (Vanderbilt FL) for the planning, development, design, permitting, construction, operation and maintenance of an educational campus (Graduate Campus) which will include approximately 5.03 acres of County-owned property (Properties) located in the City of West Palm Beach.

SUMMARY: On July 17, 2024, the Board of County Commissioners (BCC) directed staff to meet with Vanderbilt University (VU) representatives and to coordinate a presentation by VU representatives to be given during the August 20, 2024 BCC regular meeting. Staff met with VU representatives on July 24, 2024 and coordinated the presentation as directed. On August 20, 2024, representatives from Vanderbilt University provided the BCC a presentation entitled Vanderbilt in Palm Beach County as supported by an economic impact study (prepared by TXP, Inc. for VU) entitled The Potential Economic Impact of Vanderbilt University in West Palm Beach. Following the presentation by VU and discussion by the BCC, staff was directed to negotiate the potential conveyance of the Properties (located on Government Hill) for the planning, development, design, permitting, construction, operation and maintenance of an educational campus by VU in the form of a final agreement to be considered by the BCC during its October 8, 2024 regular meeting. In negotiating a DCA, the BCC directed staff to use as the base document the agreement previously executed with University of Florida (UF) for a similar purpose (R2022-0891). Staff was further directed to provide to the BCC a report on the status of the negotiations with VU during its September 17, 2024 regular meeting. Staff proceeded as directed and on August 29, 2024 delivered to VU a first draft of a proposed DCA. Although based on the UF DCA, the proposed first draft reflected modifications resulting from: 1) the inherent differences between UF and VU (i.e., the former is a public entity, the latter is private), 2) the statutory provisions controlling the corresponding DCA (i.e., Section 125.38, Florida Statutes for UF and Section 125.045, Florida Statutes for VU), and 3) the direction provided by the BCC during its August 20, 2024 regular meeting.

5. REGULAR AGENDA

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

2. **SUMMARY (cont'd.):** On September 17, 2024, under Administrator's comments, staff provided the BCC a report on the status of negotiations and, jointly with VU representatives, reported that additional time was needed to successfully achieve a DCA that could be considered by the BCC. As such, staff was authorized to work towards submission of the final DCA for consideration by the BCC during its October 22, 2024 regular meeting, and directed to provide an update regarding the status of negotiations during the October 8, 2024 regular meeting. During its October 8, 2024 regular meeting, the BCC received and filed staff's report on the status of the negotiations with VU and, to allow additional time to notify TV of the item to be considered by the BCC, postponed to its October 22, 2024 regular meeting taking action on staff's recommendation that it be authorized to revoke the License Agreement. On December 2, 2022, following BCC direction, staff executed the License Agreement granting to TV use of a portion of the Properties for temporary storage, construction activities and temporary parking, in connection with the Agreement for Purchase and Sale (PSA) as amended (R2012-1158, R2018-0956, R2020-0517, and R2021-1587) entered between TV and the County for the development of the Wedge Property. To enter into a DCA with VU, VU requires that the Properties must be free from encumbrances, licenses and/or obligations. In March 2024, TV sued the County requesting specific performance under the PSA; litigation remains active. On August 22, 2024, TV sent a letter to staff notifying of its willingness to work with the County and VU to incorporate the License Agreement into a DCA with VU. Given the active litigation between the County and TV, the timeline for development of the Wedge Property is uncertain. Also as a result of the active litigation and staff's ability to simultaneously engage with TV and VU is limited by the constraints resulting from the legal proceedings. Therefore, if the BCC wishes to approve the DCA with VU, staff recommends it first revokes the License Agreement. A summary of material terms of the recommended DCA is included as Attachment 4 to this agenda item. Pursuant to the provisions of the DCA, the Properties will remain under the ownership and control of Vanderbilt FL or its Affiliates. Therefore, included as Attachment 5 to this agenda is a list of Vanderbilt FL's current affiliates. Pursuant to the provisions of Section 22-107(a)(4) of the County's Real Property Acquisition, Disposition and Leasing Ordinance, on October 17, 2024 the Property Review Committee (PRC) met and recommended approval of the DCA subject to modifying the reverter provision of the DCA. In general terms, the reverter under the DCA provides that the Properties will (subject to some procedural requirements) revert to the County if Vanderbilt FL were to (1) fail to commence construction within five (5) years of the Effective Date, or (2) cease using the Properties (or any portion of the same) for Educational Uses. The PRC recommended that the reverter be modified to add a third scenario under which the Properties would revert to the County which is, if Vanderbilt FL fails to meet (within a 10% deviation range) the economic development metrics detailed in Section 11.3.1 of the DCA.

5. REGULAR AGENDA

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

2. **SUMMARY (cont'd.):** Due to the time constraints associated with the direction provided by the BCC for finalizing the DCA, staff did not engage with Vanderbilt FL to discuss/negotiate the potential inclusion of the recommendation made by PRC. If the BCC wishes for the PRC's recommendation to be included as part of the DCA, staff requests it be directed to proceed accordingly and that it be provided additional time to re-engage in negotiations. ~~VU~~ Vanderbilt FL has indicated that the aggregation of the County's and City of West Palm Beach's real estate holdings on Governmental Hill will be required to develop the Graduate Campus. The County's current real estate holdings on Government Hill amount to approximately 5.03 acres, and the City's to approximately 2.2 acres. In September 2024, the City approved an Agreement for Conveyance and Development of Real Property (Contract Number 33002; Ordinance No. 5104-242) to provide VU the right to develop the Graduate Campus on the City's holdings. In September 2021, while negotiating the UF DCA, County staff obtained two separate appraisals (prepared by Callaway & Price, Inc. and M.R. Ford & Associates, Inc.) which average to a fee simple interest market value for the Properties totaling \$42,072,500. As the appraisals are now three (3) years old, in preparation for the potential execution of a DCA with VU, staff retained professional services for updating the aforementioned appraisals. Due to the time constraints associated with direction provided, only one updated appraisal was obtained. The same was prepared by Callaway & Price, Inc. and points to a fee simple interest market value for the Properties totaling \$46,000,000. That is, a 9.3% increase in value since last appraised in 2021. The County's contribution towards the Graduate Campus will consist of the land value (i.e., approximately \$46 million) and staff time in administering the DCA. The County will release mineral and petroleum rights on the Properties and on the City's real estate holdings in accordance with Florida Statutes, Section 270.11. The indemnification provisions of the DCA are not the County standard, the Risk Management Department and the County Attorney's Office have reviewed the same and advised staff accordingly. **These conveyances must be approved by a Supermajority Vote (5 Commissioners).** Countywide/District 2 (HJF)

5. REGULAR AGENDA

D. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to adopt: a Resolution supporting the permanent protection of County-owned Natural Areas through the granting of conservation easements to conservation land trusts. **SUMMARY:** The Board of County Commissioners (BCC) has long recognized the importance of safeguarding the County's 31,800 acres of Natural Areas as essential to maintaining the biodiversity, environmental health, natural beauty and the overall well-being of these native lands. However, in the face of increasing development pressures, the County's current protections may not be sufficient to guarantee the perpetual preservation of these unique native lands. Therefore, partnering with and granting conservation easements to conservation land trusts is being proposed as an effective tool to provide additional perpetual protection to these native lands. The placement of these types of conservation easements over County-owned Natural Areas will ensure that these areas remain undeveloped, and are managed and maintained for conservation purposes in perpetuity, thereby protecting the subject Natural Areas against development, habitat destruction, incompatible uses and environmental degradation. The County's Natural Areas contain diverse ecosystems, including freshwater and estuarine wetlands, forests, herbaceous uplands and dunes/beaches, all of which provide habitat for listed species. These areas contribute to flood control, air quality, water quality and quantity, and public mental health, with additional benefits to our Community Rating System (CRS) status. They also serve as greenspaces for public enjoyment. Adoption of this Resolution will provide an added layer of protection to these critical areas, which were acquired through multiple means, including bond referendums in 1991 and 1999, donations, and tax deeds. The Resolution encourages third party held conservation easements on County-owned Natural Area lands through collaboration with conservation land trust organizations, whose role would be to defend the conservation easements against any proposal to change the use of County Natural Areas to anything other than conservation and compatible passive public use/recreation. This action would ensure that the County's Natural Areas are protected from future threats and support the County's commitment to ensure the environmental sustainability and compatible, non-destructive use of these lands. By implementing this measure, the County can safeguard its natural heritage for future generations as a reliable part of the County's landscape, including greenspaces, public use, water resources protection, and associated environmental services. **There is no cost to the County associated with adoption of the attached resolution.** Countywide (DL)

OCTOBER 22, 2024

5. REGULAR AGENDA

E. COMMUNITY SERVICES

1. Staff recommends motion to approve:

- A) the Behavioral Health and Substance Use Disorder Plan 2024 (BHSUD 2024); the FY 2025 Opioid Settlement Fund categorical expenditure plan;
- B) a Budget Transfer in the General Fund in the amount of \$86,752 to recognize the transfer of a vacant Grant Compliance Specialist III (position # 6157) from ad valorem funding to opioid settlement funding;
- C) the addition of one (1) full-time equivalent (FTE) position for Financial Analyst II (Pay Grade 35);
- D) a Budget Transfer in the Opioid Settlement Fund in the amount of \$177,316 from operating to personnel to recognize the positions; and
- E) a Budget Transfer in the Opioid Settlement Fund-Regional in the amount of \$28,818,685 from operating to reserves.

SUMMARY: The BHSUD 2024 details a number of initiatives and strategies recommended to achieve a person-centered, resilience, and recovery-oriented system of care. It also provides recommendations for the use of Opioid Settlement Funds. These recommendations were developed by the BHSUCOD, which is facilitated by Palm Beach County Community Services Department (CSD) staff. The BHSUCOD recommended that Opioid Settlement Funds should be spent as follows: 90% on social determinants of health prioritizing housing, recovery supports, care coordination, environmental strategies to include youth, families, and community education and 10% on deep-end and crisis care. These recommendations were presented to the Board of County Commissioners (BCC) at its May 21, 2024 Workshop. The FY 2025 Opioid Settlement Fund categorical expenditure plan addresses the Plan's overarching priority and opioid settlement recommendations and includes a leveling of funding for the 15 year period. CSD will issue a Notification of Funding Opportunity (NOFO) to nonprofit agencies based on the approved recommendations and contracts will be brought back to the BCC for approval. The Grants Compliance Specialist III and Financial Analyst II positions are needed to provide programmatic and fiscal oversight, which includes monitoring of funded agencies. The Grants Compliance III position is currently funded through ad valorem dollars. The ad valorem funding will be re-programmed for services. Opioid settlement funds allow for 5% administrative costs. The positions are within the 5% allowable administrative costs and will be for the length of the funding and will be eliminated once the funding is exhausted. Countywide (HH)

5. REGULAR AGENDA

F. PLANNING, ZONING & BUILDING

1. [Staff recommends motion to adopt:](#) a resolution approving the temporary waiver of building permit fees for repairs related to Hurricane Milton and related severe weather. **SUMMARY:** The item before the Board of County Commissioners (BCC) is a resolution to address building or structural damage directly caused by Hurricane Milton and the related severe weather. The temporary waiver of building permit fees for building applications filed with the County related to the repair of structural damage caused by Hurricane Milton or related severe weather in Unincorporated Palm Beach County, will provide relief to property owners suffering from hurricane related hardships. For all such applications filed with the County's Building Division on or after October 14, 2024, but no later than six (6) months after the effective date of this Resolution, unless the BCC approves to extend the temporary waiver. All building applications, licensing, insurance, inspection and other building permit fees/conditions required by law are still applicable. Unincorporated (RM)

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OCTOBER 22, 2024

6. RECESS AS THE BOARD OF COUNTY COMMISSIONERS
CONVENE AS THE ENVIRONMENTAL CONTROL BOARD

A. HEALTH DEPARTMENT

1. Staff recommends motion to approve: Appointment of one (1) member to the Environmental Control Hearing Board (ECHB) for a term of three (3) years beginning November 19, 2024 to November 18, 2027.

<u>NOMINEE:</u>	<u>SEAT #:</u>	<u>REQUIREMENT:</u>	<u>NOMINATED BY</u>
Larry M. Bush, MD, FACP, FIDSA	2	Medical Doctor	PBC Medical Society

SUMMARY: The ECHB conducts hearings into the merits of alleged violations of the Palm Beach County (PBC) Environmental Control Act, Chapter 77-616, Special Acts, Laws of Florida, and the PBC Environmental Control Ordinance, No. 78-5, as amended. The ECHB is composed of five (5) members. Membership must consist of one (1) lawyer recommended by the Palm Beach County Bar Association, one (1) medical doctor recommended by the Palm Beach County Medical Society, one (1) engineer recommended by the Palm Beach County Chapter of the Florida Engineering Society, and two (2) citizens-at-large not holding elective office. Dr. Bush will be replacing Dr. Shulan, who is term limited. The current diversity count is: Caucasian: 2 (40%); African-American: 0; Hispanic: American: 1 (20%) and Asian-American: 1 (20%). The current gender ratio (female: male) is 2:2. Dr. Bush is a Caucasian male. Countywide (HH)

ADJOURN AS THE ENVIRONMENTAL CONTROL BOARD

RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS

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OCTOBER 22, 2024

7. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

OCTOBER 22, 2024

8. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

OCTOBER 22, 2024

9. COMMISSIONER COMMENTS

District 1 – COMMISSIONER MARIA G. MARINO

District 2 – COMMISSIONER GREGG K. WEISS

District 3 – COMMISSIONER MICHAEL A. BARNETT

District 4 – COMMISSIONER MARCI WOODWARD

District 5 - COMMISSIONER MARIA SACHS

District 6 - COMMISSIONER SARA BAXTER

District 7 – COMMISSIONER MACK BERNARD

OCTOBER 22, 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."