

December 10, 2024
8:00 am

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

DECEMBER 10, 2024

<u>PAGE</u>	<u>ITEM</u>	
11	3A-1	* DELETED – staff pulled for further review (ADMIN)

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

* * * * *

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

DECEMBER 10, 2024

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

**COMMISSION
CHAMBERS**

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

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

- 3. CONSENT AGENDA (Pages 11 - 65)**

- 4. SPECIAL PRESENTATIONS (Page 66)**

- 5. PUBLIC HEARINGS - 9:30 A.M. (Page 67)**

- 6. REGULAR AGENDA (Pages 68 - 82)**

- 7. BOARD APPOINTMENTS (Page 83)**

- 8. STAFF COMMENTS (Page 84)**

- 9. BCC COMMENTS (Page 85)**

- 10. ADJOURNMENT (Page 86)**

* * * * *

DECEMBER 10, 2024

TABLE OF CONTENTS

CONSENT AGENDA

A. ADMINISTRATION

Page 11

- 3A-1 ~~Contract with the Department of Health for Environmental Health and Engineering~~
- 3A-2 Tri-party Interlocal Agreement with the School Board of Palm Beach County, the Department of Health and the Board of County Commissioners regarding the use of school facilities.

Page 12

- 3A-3 Ratify the Palm Beach County League of Cities representatives to the Treasure Coast Regional Planning Council for 2025.

Page 13

- 3A-4 Reappointment of one (1) member to the Florida Atlantic Research & Development Authority.

B. CLERK & COMPTROLLER

Page 14

- 3B-1 Warrant list
- 3B-2 Minutes
- 3B-3 Contracts and claims settlements list
- 3B-4 Change orders, work task orders, minor contracts, final payments, etc.
- 3B-5 List of Clerk & Comptroller Finance Department records scheduled for destruction.

Page 15

- 3B-6 Annual financial reports, excess fees, and unexpended budget for FY 2023-2024 for the Clerk & Comptroller.

C. ENGINEERING & PUBLIC WORKS

Page 15

- 3C-1 Seven Resolutions declaring the acquisition of properties designated as temporary construction easements.
- 3C-2 Report of plat recordations from April 2024 through September 2024.

D. COUNTY ATTORNEY

Page 16

- 3D-1 Settlement Agreement in the personal injury action styled Amber V. Reyna.
- 3D-2 Settlement in the eminent domain action styled Palm Beach County v. Swordfish Properties Corp., et al.

TABLE OF CONTENTS

CONSENT AGENDA

E. COMMUNITY SERVICES

Page 17

3E-1 Appointment of one new member and reappointment of one member to the Community Action Advisory Board.

F. AIRPORTS

Page 18

3F-1 Three Amendments for Extension for Public Transportation Grant Agreements at PBI.

Page 19

3F-2 Change Order No. 6 with Alen Construction Group, Inc. to the 400 Hz Ground Power Unit Point of Use Replacement Project extending the date.

Page 20

3F-3 Six Amendments for Extension for Public Transportation Grant Agreements at PBI.

Page 21

3F-4 Modification P00001 to Other Transaction Agreement with United States of America TSA replacing the equipment schedule and extending the period at PBI.

3F-5 Non-signatory Airline Agreement with Porter Airlines Limited Co Airline to utilize the commercial terminal facilities at PBI.

Page 22

3F-6 Registration for Distribution of Literature or Picketing at PBI issued to South Florida Public Witnessing, Inc. at PBI.

3F-7 Amendment No. 1 to Public Transportation Grant Agreement with FDOT modifying the project location and extending the expiration date at PBI.

Page 23

3F-8 Public Transportation Grant Agreement with FDOT for Airfield Pavement Maintenance and Rehabilitation Project at North Palm Beach County General Aviation Airport.

H. FACILITIES DEVELOPMENT & OPERATIONS

Page 24

3H-1 Standard License Agreements for the Use of County-Owned Property with Fitness 4 Older Adults, LLC and Senior Friendly Fitness LLC.

3H-2 Fifth Amendment with Historical Society of Palm Beach County for the use of 1916 Courthouse in West Palm Beach abating rent.

Page 25

3H-3 First Amendment with Dune Dog Beach Café, LLC increasing the initial capital investment amount, increasing the initial term and increasing the extension options.

TABLE OF CONTENTS

CONSENT AGENDA

H. FACILITIES DEVELOPMENT & OPERATIONS

Page 26

3H-4 Work Order No. 24-001 with Joe Schmidt Construction, Inc. for the Main Detention Center, East Tower-Interior Painting project.

Page 27

3H-5 Annual Contract with Integrated Fire & Security Solutions Inc. for low voltage services on an as-needed basis.

Page 28 - 29

3H-6 Increase to the maximum cumulative value for the annual heating ventilation and air conditioning contract.

Page 30

3H-7 Increase to the maximum dollar value of the annual minor construction contract.

I. HOUSING AND ECONOMIC DEVELOPMENT

Page 31

3I-1 Resolution for multi-family bonds.

Page 32 - 33

3I-2 Resolution for outstanding bonds for Palm Beach County Health Facilities Authority.

Page 34

3I-3 Funding Approval/Agreement with HUD for CDBG, HOME and ESG programs.

Page 35

3I-4 Amendment 001 to Loan Agreement with Housing Partnership and a Mortgage Modification Agreement.

Page 36

3I-5 Amendment 006 to Loan Agreement with Habitat Housing Solutions, Inc. for the construction of three single family affordable housing units in the Glades area.

Page 37

3I-6 Amendment 005 to Loan Agreement with Habitat Housing Solutions, Inc. for the construction of five single family affordable housing units within Palm Beach County.

TABLE OF CONTENTS

CONSENT AGENDA

J. PLANNING, ZONING & BUILDING

Page 38

3J-1 Amend the 2024 Palm Beach County Legislative agenda to address the organization that can nominate local construction industry to serve on the Building Code Advisory Board of Palm Beach County.

Page 39

3J-2 Appointment of one member to the Construction Industry Licensing Board.

K. WATER UTILITIES

Page 40

3K-1 Contract with Johnson-Davis Incorporated for the Belle Glade Water Main Improvements – SE Zone 4 Water System Replacement project.

Page 41 - 42

3K-2 Contract with Lift Station 5015 Conversion to Repump with Foster Marine Contractors, Inc.

Page 43

3K-3 Amendment No. 1 with FDEP for the Western Region Wastewater Treatment Facility Sand and Grit Removal.

S. FIRE RESCUE

Page 44

3S-1 Municipal Ordinance No. 10-2024 of the Town of Lake Park providing consent to participate in the County's Fire/Rescue Municipal Services Taxing Unit.

Page 45

3S-2 Executed Drone Replacement Program Financial Assistance Agreement with FDLE.

Page 46

3S-3 Interlocal Agreement for Fire-Rescue Dispatch Services with the Town of Jupiter.

Page 47

3S-4 Ratify an Amendment to the 2023 Statewide Mutual Aid Agreement with FL-DEM and ratify multiple Resource Support Agreements.

Page 48

3S-5 Write-off uncollectible emergency transport patient accounts from the County's general ledger from 2019 through 2020.

TABLE OF CONTENTS

CONSENT AGENDA

U. INFORMATION SYSTEMS SERVICES

Page 48

3U-1 Termination Agreement with the City of Jacksonville for the Inspector General Information Management system case management software services.

X. PUBLIC SAFETY

Page 49

3X-1 First Amendment with Choice to Change, Inc. to organize community service events for youth reentry participants to earn community service hours.

Page 50

3X-2 Executed PBSO LETF Agreement that provides partial funding of expenses associated with regulation of home caregivers.

AA. PALM TRAN

Page 50

3AA-1 Contract with The ARC of Palm Beach County, Inc. for transportation of individuals with disabilities, seniors and transportation disadvantaged individuals.

Page 51

3AA-2 Certification of Palm Tran's general administrative costs required by Florida Statutes.

Page 52

3AA-3 Adopt a Resolution for 2025 Public Transportation Grant Agreement for urbanized public transportation operating assistance.

BB. YOUTH SERVICES

Page 53

3BB-1 Afterschool Arts Outreach Agreement with Norton Museum of Art, Inc.

Page 54

3BB-2 Contractual Services Agreement Professional Psychological or Expert Witness Services in Adult and/or Juvenile Criminal Matters Agreement with the Fifteenth Judicial Circuit.

TABLE OF CONTENTS

CONSENT AGENDA

CC. SHERIFF

Page 54

3CC-1 Budget Transfer from LETF to update and enhance the communication equipment of the Special Operations Division.

Page 55

3CC-2 Grant Award for PBSO from FDLE for the State Assistance of Fentanyl Eradication in Florida Program.

Page 56

3CC-3 Homeland Security FY 2024 Targeted Violence and Terrorism Prevention Grant Program grant award.

Page 57

3CC-4 Receive a grant on behalf of PBSO for Reducing Injury and Death of Missing Individuals with Dementia and Development Disabilities.

3CC-5 Receive a microgrant on behalf of PBSO for Community Policing Development Microgrant.

Page 58

3CC-6 Award for PBSO for Victim of Crime Act.

DD. OFFICE OF EQUAL OPPORTUNITY

Page 59

3DD-1 Appointment of one member to the Commission on Women Advisory Board.

3DD-2 Amendment No. 2 with Legal Aid Society of Palm Beach County for a time period of 12 months.

Page 60

3DD-3 Extension of Worksharing Agreement FY 2025 with U.S. EEOC to provide individuals with an efficient procedure for obtaining redress for their grievances.

EE. OFFICE EQUAL BUSINESS OPPORTUNITY

Page 61 - 62

3EE-1 Appointment of four to the Equal Business Opportunity Advisory Committee.

FF. INTERNAL AUDITOR

Page 63

3FF-1 Appointment of one to the Internal Audit Committee.

TABLE OF CONTENTS

CONSENT AGENDA

GG. TOURIST DEVELOPMENT COUNCIL

Page 64

3GG-1 Category G Grant Agreement with Players International Management, Inc.

Page 65

3GG-2 Category G Grant Agreements with Perfect Game USA and Orlando Youth Hockey Association, Inc.

SPECIAL PRESENTATIONS - 9:30 A.M.

Page 66

- 4A Impaired Driving Awareness
- 4B Loggerhead Marinelife Center
- 4C Palm Beach County Family Caregivers
- 4D Palm Beach County Disability Employment Awareness
- 4E PBSO District 15 Street Crimes Unit Agents (3)

PUBLIC HEARINGS – 9:30 A.M.

A. PALM TRAN

Page 67

5A-1 Grant Application with FTA, Program of Projects for Flex Funds Grant allocations, filing of Standard Form LLL – Disclosure of Lobbying Activities.

REGULAR AGENDA

A. AIRPORTS

Page 68

6A-1 Resolution establishing maximum parking rate for public parking at PBI.

B. FACILITIES DEVELOPMENT & OPERATIONS

Page 69

6B-1 Assignment and Assumption of Offsite Drainage Easement from Atlantic Commons Associates, LLLP for positive storm water outfall.

TABLE OF CONTENTS

REGULAR AGENDA

C. HOUSING & ECONOMIC DEVELOPMENT

Page 70

6C-1 HOME Investment Partnerships Program Community Housing Development Organization funding award to Habitat Housing Solutions, Inc.

Page 71

6C-2 Revised Impact Fee Affordable Housing Assistance Program Guidelines.

Page 72

6C-3 Budget Transfer and Budget Amendment from the Housing Initiative Fund for the construction of two single family housing units.

Page 73 - 74

6C-4 General Obligation Housing Bond Loan Program for the Residences at Lake Worth Beach Apartments.

Page 75

6C-5 General Obligation Housing Bond Loan Program for the Residences at Marina Village, LLC.

6C-6 General Obligation Housing Bond Loan Program for the Gallery at Sunset Park, LLC.

Page 76 - 77

6C-7 HOME American Rescue Plan Program award to Fort Lauderdale Independence Training and Education Center, Inc.

Page 77

6C-8 Conceptually approve Housing Bond Loan Program for current funded projects.

D. OFFICE OF EQUAL BUSINESS OPPORTUNITY

Page 78 - 79

6D-1 Preliminary Reading and permission to advertise Ordinance to amend, repeal and replace for consistency between the Procurement and/or Purchasing Code.

E. PLANNING, ZONING, & BUILDING

Page 80

6E-1 Issuance of the Countywide Transportation Master Plan Request for Proposal.

F. PARKS & RECREATION

Page 81

6F-1 County Parks and Recreation Long-Range Master Plan through 2035.

DECEMBER 10, 2024

TABLE OF CONTENTS

REGULAR AGENDA

G. OFFICE OF EQUAL OPPORTUNITY

Page 82

6G-1 Annual report of the Advisory Commission on Women.

BOARD APPOINTMENTS (Page 83)

STAFF COMMENTS (Page 84)

BCC COMMENTS (Page 85)

ADJOURNMENT (Page 86)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. ~~Staff recommends motion to approve:~~ A Contract with the Department of Health (DOH) in the amount of \$2,417,282 for Environmental Health and Engineering programs provided by the Palm Beach County Health Department (CHD) for the period October 1, 2024, through September 30, 2025. **SUMMARY:** This Contract sets forth the funding responsibilities of the DOH and the County for the operation of the CHD. The State and County share in the funding of the \$11,111,667 Environmental Health Budget. The State's share is \$2,784,030 (25.06%) primarily from State general revenue and fees. Funding from the County's FY 2025 budget is \$2,417,282 (21.75%), which includes Childcare Enforcement & Control Funding in the amount of \$157,436 and is a 5% increase from FY 2024 funding. The remaining local share of 53.19% is comprised of County authorized fees of \$4,422,068 (39.80%), federal funds of \$287,305 (2.59%), Department of Environmental Protection (DEP) Funds of \$98,518 (0.89%), and Air Pollution Tag Fees of \$1,102,464 (9.92%). County funding is used primarily for staff related salaries and benefits. The environmental staffing is responsible for surveillance of public drinking water systems, permitting and inspection of septic tanks, regulation of air pollution sources, inspection and licensing of childcare and other group care facilities, and other duties related to environmental health. The Childcare Enforcement & Control funding provides funding for a full-time attorney who serves as the Acting Environmental Control Officer for the Environmental Control Hearing Board. The attorney also provides legal services to the Environmental Appeals Board and the Childcare Advisory Council. The Childcare Enforcement & Control funding also provides funding for a half-time paralegal position to support the attorney working for the County Boards. County funds are included in the FY 2025 budget. No additional funds are requested. Countywide (HH)

2. Staff recommends motion to approve: tri-party Interlocal Agreement with the School Board of Palm Beach County (School Board), the State of Florida Department of Health in Palm Beach County (Health Department), and the Board of County Commissioners (BCC) regarding the use of school facilities for points of dispensing (PODS) medical and emergency services during a declared state of emergency. **SUMMARY:** This Agreement provides for the use of specified public school facilities by the County and Health Department as emergency facilities in advance, during, and immediately after a declared state of emergency. The designated facilities will be made available for the use of dispensing medications and/or vaccines from the Centers for Disease Control and Prevention's National Stockpile. The PODS would be operated by the Health Department with staff support from the School Board. The Agreement requires the County to reimburse the School Board for all costs not reimbursed by the Federal Emergency Management Agency (FEMA) associated with the use of school facilities Countywide (HH)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

3. Staff recommends motion to ratify: the following Palm Beach County League of Cities (League) representatives to the Treasure Coast Regional Planning Council (TCRPC), beginning January 1, 2025 through December 31, 2025:

<u>Nominees</u>	<u>Seat No.</u>	<u>Representing</u>
<u>Regular appointments:</u>		
Greg Langowski, Vice Mayor	4	City of Westlake
Jeff Hmara, Mayor	5	Village of Royal Palm Beach
Yvette Drucker, Deputy Mayor	6	City of Boca Raton
Christopher McVoy, Vice Mayor	7	City of Lake Worth Beach
Chelsea Reed, Mayor	8	City of Palm Beach Gardens
<u>Alternate appointments:</u>		
Joaquin Almazan, Vice Mayor	4A	City of Belle Glade
Joseph Peduzzi, Commissioner	5A	City of West Palm Beach
Carolyn Cassidy, Commissioner	6A	Town of Ocean Ridge
Judith Thomas, Commissioner	7A	Town of Lake Park
Deborah Searcy, Mayor	8A	Village of North Palm Beach

SUMMARY: TCRPC discusses local government comprehensive plans, developments of regional impact and other regional planning activities. In accordance with the TCRPC Rules of Order, the Board of County Commissioners (BCC) appointed its members and alternates for the coming year. The TCRPC Rules of Order also require the League to appoint municipal representatives and for the BCC to ratify them. The League appointed the above municipal representatives. There are currently no vacancies. Countywide (DL)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

4. Staff recommends motion to approve: the reappointment of one individual to the Florida Atlantic Research & Development Authority (Authority) for the period December 10, 2024 through December 9, 2028:

<u>Re-Appoint</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Sherry Ambrose	2	PBC Resident/Employed In the Private Sector	Commissioner Woodward

SUMMARY: On October 3, 1985, the Board of County Commissioners (BCC) adopted Ordinance No. 85-32, which created the Florida Atlantic Research & Development Authority. The Authority is comprised of seven (7) members: three (3) Palm Beach County representatives, three (3) Broward County representatives and the President of Florida Atlantic University or designee. Representatives must be employed in the private sector and reside in the County in which they represent. Even though these are at-large appointments, historically, staff has requested nominations for the Authority from the District 4 Commissioner and the District 5 Commissioner for seats #1 and #3. Seat #2 is an at-large appointment, nominated by the entire BCC. The current diversity of the two (2) Palm Beach County representatives is: two (2) Caucasian males. Ms. Ambrose is a Caucasian female. Countywide (HH)

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>
November 5, 2024	Regular
November 6, 2024	Comprehensive Plan

3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller’s Office. Countywide
4. **Staff recommends motion to receive and file:** change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations Department; Water Utilities Department; Environmental Resources Management Department; and the Department of Airports during October 2024. Countywide
5. **Staff recommends motion to receive and file:** A list of Clerk & Comptroller (Clerk) Finance Department records which have met the revised required State retention schedule and are scheduled for destruction. **SUMMARY:** These records have met the required retention schedule of the Florida Division of Library and Information Services per Sections 28.30, 28.31, 257.36 (6), Florida Statutes. Countywide

3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER

6. Staff recommends motion to receive and file: Annual financial reports, excess fees, and unexpended budget for Fiscal Year 2023-2024 for the Clerk & Comptroller, Tax Collector, and Property Appraiser. **SUMMARY:** The financial reports of these Constitutional Officers were submitted to the Office of the Clerk & Comptroller on or before October 31, 2024, in accordance with Section 218.36, Florida Statutes. The amounts shown for the Tax Collector and the Property Appraiser represent the total payment to the County. A portion of these revenues are budgeted in the Library, Fire Rescue, and various other special revenue funds. The amounts shown as additional/decrease in excess fees will be included in the adjustment for additional balances brought forward, which will be brought to the Board of County Commissioners in March 2025. Countywide

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to adopt: seven (7) Resolutions declaring the acquisition of properties designated as Parcels 103 and 104 as fee simple right-of-way, and Parcels 303, 304, 305, 306, 307, 308, 309A, 309B and 309C as temporary construction easements, necessary for the construction of roadway improvements on Church Street from Limestone Creek Road to Central Boulevard (Project). **SUMMARY:** Adoption of the Resolutions will initiate eminent domain proceedings pursuant to Chapters 73, 74, 127, and 337.27, Florida Statutes, as amended, against eleven (11) parcels having a total appraised value of \$116,615. The parcels are necessary to construct a 2-lane roadway with shoulders, curb and gutter, an 8 foot sidewalk on the north side, a roundabout, and drainage improvements. 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 1 (DO)
2. Staff recommends motion to receive and file: a report of plat recordations from April 1, 2024 through September 30, 2024. **SUMMARY:** This report is a bi-annual summary of subdivision plats recorded during the fiscal quarters since the previous report. There were 16 plats recorded during this period. This report is required by the Department of Engineering and Public Works Policies and Procedures Manual No. EL-O-2618, governing administrative approval of plats by the County Engineer. Countywide (YBH)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. Staff recommends motion to approve: a Settlement Agreement, inclusive of attorney's fees and costs, in the total amount of \$150,000, in the personal injury action styled Amber V. Reyna v. Palm Beach County, Case No. 2023CA004334MBAF. **SUMMARY:** This is a personal injury lawsuit arising from a motor vehicle accident that occurred on September 3, 2022, when a Palm Tran Bus ran a red light and crashed into Plaintiff, whose car was lawfully in the intersection. The accident occurred on South Dixie Highway and East Central Boulevard in the Town of Lantana. The accident resulted in personal injuries to Ms. Reyna, for which she underwent multiple surgical procedures, and incurred medical bills of approximately \$126,961.81. Palm Beach County has entered into an agreement to settle the lawsuit with Ms. Reyna in the total amount of \$150,000, inclusive of attorney's fees and costs, pending approval by the Palm Beach County Board of County Commissioners (BCC). Countywide (AMP)

2. Staff recommends a motion to approve: a settlement, in the total amount of \$952,054.25, inclusive of attorney's fees, expert fees, and costs, in the eminent domain action styled Palm Beach County v Swordfish Properties Corp., et al., Case No.: 502024CA005450XXXMB. **SUMMARY:** Under the proposed Settlement Agreement in this pending eminent domain proceeding, Palm Beach County (County) will acquire Parcel 103, a permanent taking, and Parcel 303, a temporary construction easement, for the widening of Old Dixie Highway from Yamato Road to South of Linton Boulevard. Compensation for these parcels is \$783,200, which includes business damages, in addition to statutory attorney's fees, experts' fees and costs of \$168,854.25, for a total amount of \$952,054.25. This settlement will resolve the eminent domain proceedings as it relates to parcels 103 and 303. District 4 (DO)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to approve:

A) appointment of one (1) new nominee to the Community Action Advisory Board (CAAB), for the term beginning December 10, 2024 through September 30, 2025; and

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>
12	Gabrielle Monroe	Representative of the Low-Income Sector

B) reappointment of one (1) nominee to the CAAB, for the term beginning December 10, 2024 through September 30, 2027:

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>
14	Yves Saint-Hillien	Representative of the Low-Income Sector

SUMMARY: Community Action Agencies (CAA) were created by the Economic Opportunity Act of 1964 on the premise that local citizens are the most knowledgeable and best equipped to address poverty-related issues in their communities. Per Resolution No. R2018-0372, adopted April 10, 2018, amending Resolution R2014-0588, the CAA is governed by a board of up to 15 directors. The board must include at least one-third low-income community members, one-third public officials, and up to one-third private sector leaders. The low-income representatives are selected by a democratic process within targeted neighborhoods. Ms. Monroe was selected through a democratic election in West Palm Beach, and Mr. Saint-Hillien was selected through a democratic election in Lake Worth Beach. Florida Department of Commerce (FDOC) is the primary conduit to receive and disperse Community Services Block Grant (CSBG) funds to the local agency. These funds are allocated to provide services, assistance, and other activities of sufficient scope and size to support low-income individuals and families throughout Palm Beach County. This initiative aims to make progress towards eliminating poverty and its root causes by developing employment opportunities, improving human performance, motivation, and productivity, and improving the conditions under which people live, learn, and work. Ms. Monroe and Mr. Saint-Hillien both meet all applicable guidelines and requirements outlined in the resolution. The diversity count for the ten (10) seats that are currently filled is African-American: 7 (70%) and Caucasian: 3 (30%). The gender ratio (female: male) is 7:3. Ms. Monroe and Mr. Saint-Hillien are both African-American. Staff is addressing the need to increase diversity within our boards and will continue to encourage efforts to expand this Board's diversity. Countywide (HH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. Staff recommends motion to receive and file: Three (3) Amendments for Extension (Amendments) to the following Public Transportation Grant Agreements (PTGAs) with the Florida Department of Transportation (FDOT):

A) Southside Redevelopment Project – Phases 3 & 4 (Southside Redevelopment Project) at Palm Beach County Park Airport (Lantana Airport), Financial Project Number 445956-1-94-01, approved by the Board of County Commissioners (BCC) on March 8, 2022 (R2022-0178), extending the expiration date of the PTGA to January 15, 2027;

B) West Apron Rehabilitation Project at Lantana Airport, Financial Project Number 449407-1-94-01, approved by the BCC on August 23, 2022 (R2022-0828), extending the expiration date of the PTGA to October 31, 2025; and

C) Runway 14-32 Expansion Design Project at North Palm Beach County General Aviation Airport (North County Airport), Financial Project Number 451891-1-94-01, approved by the BCC on April 4, 2023 (R2023-0389), extending the expiration date of the PTGA to October 31, 2026.

SUMMARY: Time extensions to the PTGAs for the Southside Redevelopment Project and West Apron Rehabilitation Project at the Lantana Airport are needed to provide additional time to complete construction of the projects. A time extension to the PTGA for the Runway 14-32 Expansion Design Project at the North County Airport is needed due to delays in the completion of the environmental assessment process. Delegation of authority for execution of the Amendments was approved by the BCC on August 25, 2020 (R2020-1017). Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

2. Staff recommends motion to approve:

- A) Change Order No. 6 to the Contract (R2022-0226) (Contract) with Alen Construction Group, Inc. (Alen), to the 400 Hz Ground Power Unit Point of Use Replacement Project (Project) at the Palm Beach International Airport (PBI) in the amount of \$41,741.81, extending the project duration by 210 calendar days; and
- B) a Budget Transfer of \$41,742 in the Airport's Improvement and Development Fund to provide budget for Change Order No. 6.

SUMMARY: The Project was approved by the Board of County Commissioners (BCC) on March 8, 2022 (R2022-0226) in the amount of \$6,900,000 with a project duration of 430 calendar days. Change Order No. 1 through Change Order No. 5 increased the contract amount by \$379,772.48, extended the project duration by 535 calendar days, and provided for various changes, including, but not limited to, provision of temporary power due to equipment delays, modifications to the doors on an electrical vault, and the relocation of conduits, electrical panels and fire-suppression piping. Approval of Change Order No. 6 increases the contract amount by \$41,741.81 for a total contract amount of \$7,321,514.29 and extends the project duration by 210 calendar days for a total project duration of 1,175 calendar days. A detailed contract history is included in Attachment No. 1. Change Order No. 6 provides for installation of new drainage discharge lines into existing drainage systems; removal and replacement of two (2) doors that are in poor operational condition (due to exposure to direct sunlight) with new doors with a thicker gauge exterior; and a time extension due to a conflict with another construction project impacting the construction schedule and sequencing of this Project. This Project was presented to the Goal Setting Committee (Committee) on September 1, 2021, and the Committee established an Affirmative Procurement Initiative (API) of Small Business Enterprise (SBE) Price Preference for the Project. The proposed SBE participation for Change Order No. 6 is 92.9%. To date, the overall participation achieved on this Project, including this Change Order No. 6, is 45.53%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

3. Staff recommends motion to receive and file: Six (6) Amendments for Extension (Amendments) of the following Public Transportation Grant Agreements (PTGAs) with the Florida Department of Transportation (FDOT) at Palm Beach International Airport (PBI):

- A) Terminal Roof Improvements Project at PBI (Roof Project), Financial Project Number 447618-1-94-01, approved by the Board of County Commissioners (BCC) on August 25, 2020 (R2020-1024 and R2020-1025), extending the expiration date of the PTGA to June 30, 2025;
- B) Storm Hardening Facility Improvements Project – Phase 2 at PBI (Storm Hardening Project), Financial Project Number 448981-1-94-01 approved by the BCC on June 8, 2021 (R2021-0746), extending the expiration date of the PTGA to June 30, 2025;
- C) Concourse B Expansion Project at PBI (Concourse B Project), Financial Project Number 440664-1-94-01 approved by the BCC on May 5, 2020 (R2020-0421 and R2020-0422), extending the expiration date of the PTGA to December 31, 2025;
- D) Air Cargo Facility Ingress and Egress Roadway Improvements Project at PBI (Air Cargo Roadway Project) , Financial Project Number 448077-1-94-01 approved by the BCC on February 1, 2022 (R2022-0054), extending the expiration date of the PTGA to September 30, 2026;
- E) Air Cargo Ramp Project at PBI (Air Cargo Ramp Project), Financial Project Number 448091-94-01, approved by the BCC on November 15, 2022 (R2022-1357), extending the expiration date of the PTGA to June 15, 2026; and
- F) New Aircraft Rescue and Fire Fighting (ARFF) Facility Project at PBI (ARFF Project), Financial Project Number 448076-1-94-01, approved by the BCC on February 1, 2022 (R2020-0055), extending the expiration date of the PTGA to October 31, 2026.

SUMMARY: The Amendments extend the availability of grant funding to allow for the completion of various capital projects at PBI. Delegation of authority for execution of the Amendments was approved by the BCC on August 25, 2020 (R2020-1017). Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

4. Staff recommends motion to receive and file: a Modification P00001 (Mod 1) to Other Transaction Agreement No. 70T01023T7668N017 (OTA) (R2023-0882) with the United States of America, acting through the Transportation Security Administration (TSA), replacing the schedule of TSA's equipment and extending the period of reimbursement for electric utility charges related to the use of security checkpoints and areas for the screening of passengers, property and baggage at the Palm Beach International Airport (PBI) from June 1, 2024 to May 31, 2025, for reimbursement by TSA in the amount of \$133,918.32. **SUMMARY:** The OTA formalizes TSA's obligations related to the use of security checkpoints and screening areas at PBI, including reimbursement of electrical costs associated with equipment, heating, ventilation, air conditioning (HVAC) and lighting for TSA security checkpoint and baggage screening space at PBI. Mod 1 obligates funding by TSA for reimbursement of electric utility costs through May 31, 2025. Mod 1 is considered a unilateral award by TSA and does not require County approval. Countywide (AH)

5. Staff recommends motion to receive and file:

A) Non-signatory Airline Agreement (Airline Agreement) with Porter Airlines (Canada) Limited Co Airline (Porter), commencing November 1, 2024, and terminating September 30, 2026, with automatic annual renewals each October 1st until canceled; authorizing Porter to utilize the commercial terminal facilities at the Palm Beach International Airport (PBI) in connection with its airline operations; and providing for the lease of 192 square feet of ticket office space for an initial annual rental rate of \$16,049.28; and

B) Airline Service Incentive Program Participation Agreement (Incentive Agreement) with Porter, providing for the waiver of landing, ticket counter and gate fees from November 14, 2024 through November 13, 2025, for flights to Toronto, Canada.

SUMMARY: The Airline Agreement authorizes Porter to utilize the commercial terminal facilities at PBI in connection with its airline operations. The Airline Agreement also provides for the lease of 192 square feet of ticket office space to Porter for an initial annual rental of \$16,049.28. Rental is adjusted every October 1st based on rates established in accordance with the Signatory Airline Agreement (R2019-1155). The Incentive Agreement waives landing, ticket counter and gate fees associated with flights to Toronto, Canada, for up to 12 months. Delegation of authority for execution of the standard form Non-signatory Airline Agreement was approved by the Board of County Commissioners (BCC) in R2019-1156. Delegation of authority for execution of the standard form Airline Service Incentive Agreement was approved by the BCC in R2014-0251. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

6. **Staff recommends motion to receive and file:** Registration for Distribution of Literature or Picketing (Registration) at the Palm Beach International Airport (PBI) issued to South Florida Public Witnessing, Inc. (SFPW), authorizing SFPW's members to distribute literature at PBI, effective September 12, 2024 and expiring September 11, 2025, at no cost. **SUMMARY:** The Registration authorizes SFPW members to distribute literature 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) on October 3, 1995 (R95-1410). Countywide (AH)

7. **Staff recommends motion to receive and file:** Amendment No. 1 (Amendment) to the Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation (FDOT) (R2020-0415; R2020-0146), Financial Project Number 441608-1-94-01, modifying the project location, and extending the expiration date of the PTGA to December 31, 2025. **SUMMARY:** The PTGA provided grant funding in the amount of \$2,600,000 or 50% of the eligible project costs, whichever is less, to relocate or culvert a canal located on the west side of the Palm Beach International Airport (PBI). The Amendment modifies the project location to allow improvements to the PBI Taxiway M culvert (Taxiway M Culvert Project) instead of the canal located on the west side of PBI with no change to the grant funding amount. The Taxiway M Culvert Project will mitigate erosion within the Taxiway M safety area and reduce wildlife attractants on the airfield. The Amendment also extends the time to complete the Taxiway M Culvert Project to December 31, 2025. Delegation of authority for execution of the Amendment was approved by the Board of County Commissioners (BCC) on August 25, 2020 (R2020-1017). Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

8. Staff recommends motion to:

A) receive and file Public Transportation Grant Agreement (PTGA), Financial Project No. 451591-1-94-01, with the Florida Department of Transportation (FDOT) in the amount of \$1,000,000 for the Airfield Pavement Maintenance and Rehabilitation Project (Project) at North Palm Beach County General Aviation Airport (North County Airport) with an effective date of October 17, 2024 and an expiration date of December 31, 2027; and

B) approve a Budget Amendment of \$1,000,000 in the Airport's Improvement and Development Fund including a Transfer from Reserves in the amount of \$250,000.

SUMMARY: The FDOT issued the PTGA (CSFA No. 55.004) reflecting its commitment of funding for the Project at the North County Airport in the amount of \$1,000,000 or 80% of the eligible project costs, whichever is less. The Project will provide for the rehabilitation of the terminal aircraft parking apron pavement at the North County Airport. The required **local match for this PTGA is \$250,000 based on an estimated project cost of \$1,250,000**. Delegation of authority for execution of this PTGA was approved by the Board of County Commissioners (BCC) on August 25, 2020 (R2020-1017). Countywide (AH)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to receive and file:

- A) Standard License Agreement for Use of County-Owned Property (North County Senior Center) for the period of July 30, 2024 through July 29, 2025, with Fitness 4 Older Adults, LLC for fitness classes; and
- B) Standard License Agreement for Use of County-Owned Property (West County Senior Center) for the period of June 14, 2024 through June 13, 2025, with Senior Friendly Fitness LLC for fitness classes.

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 Standard License Agreements were approved in accordance with R2010-0333, as amended and approved by the BCC on October 1, 2013. The executed documents are now being submitted to the BCC to receive and file. (FDO Admin) Countywide (YBH)

2. Staff recommends motion to approve: a Fifth Amendment to the Third Restated Agreement (Amendment) with the Historical Society of Palm Beach County, a Florida not-for-profit corporation, for the Society's use of the 1916 Courthouse in West Palm Beach abating rent retroactively from November 1, 2023 through October 31, 2028, and adding standard County provisions. **SUMMARY:** The Society has occupied a portion of the 1916 Courthouse for the operation of the Palm Beach County History Museum and its administrative offices since 2008. The original Agreement (R2004-0257) with Society was approved by the Board of County Commissioners (BCC) on February 3, 2004, and has been restated and amended numerous times. Currently, the Society occupies 8,695 SF at the 1916 Courthouse for the museum and administrative offices. On February 4, 2014 (R2014-0138), the BCC approved full abatement of the rent until October 31, 2018 subject to an annual review of the Society's plans for expenditure of the rental savings. On October 18, 2018 (R2018-1566), the BCC extended the abatement of rent for five (5) years (from November 1, 2018 through October 31, 2023) subject to an annual review of the Society's programs and expenditures. On October 17, 2023, the Society requested an extension of the rent abatement. On August 20, 2024, staff brought an agenda item seeking BCC direction on the Society's request. After discussion, the BCC approved the abatement of rent. This Amendment memorializes said approval by the BCC. (Property and Real Estate Management) Countywide/District 7 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

3. Staff recommends motion to approve: a First Amendment to the Concessionaire Lease Agreement (Amendment) for concession services at Carlin Park in Jupiter consenting to a change in ownership interest from Dune Dog Acquisitions, Inc. (DDA) to Dune Dog Beach Café, LLC (DDBC); increasing the initial capital investment amount; increasing the initial term; and increasing the extension options. **SUMMARY:** Request for Proposals No. 2023-101-LMD (RFP) was advertised in November 2022 seeking proposals for food and beverage concessionaire services at Carlin Park. The RFP provided that the term and extension options for the agreement would be determined by the proposed initial capital investment. On October 17, 2023, the Board of County Commissioners (BCC) approved Concessionaire Lease Agreement (R2023-1567) (Agreement) with DDA to provide food and beverage services at Carlin Park. DDA proposed \$71,625 of initial capital investment which, pursuant to the terms of the RFP, qualified for an initial term of three (3) years with two (2) three (3) year extension options. DDA has determined that the concession building requires renovations beyond those initially considered in its proposal. Therefore, DDA now seeks to increase its initial capital investment to \$639,804 which would qualify for a term of five (5) years with two (2) five (5) year extension options. In addition, pursuant to the terms of the Agreement, DDA is requesting consent for a change in ownership interest from DDA to DDBC. This Amendment approves the change in ownership and revises the term and extension options in accordance with the increased initial capital investment. All other terms and conditions of the Agreement remain unchanged. There is no fiscal impact associated with the approval of this Amendment. The Parks and Recreation Department will continue to have administrative responsibility for the Agreement (Property and Real Estate Management) District1 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

4. **Staff recommends motion to receive and file:** Work Order No. 24-001 (Work Order) to the annual painting and weatherproofing contract (R2024-0958) with Joe Schmidt Construction, Inc. (Contractor) in the amount of \$2,300,000 for the Main Detention Center (MDC), East Tower-Interior Painting project for a period of 90 calendar days from notice to proceed. **SUMMARY:** On August 20, 2024 (3H-24), the Board of County Commissioners (BCC) authorized the County Administrator or designee which in this case was the Director of Facilities Development and Operations (FDO), to execute a Work Order (in an amount not to exceed \$2,300,000) for the MDC, East Tower-Interior Painting project. The Work Order authorized 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 interior painting for the MDC, East Tower-Interior Painting project. The Work Order was fully executed on behalf of the BCC by the Director of FDO. In accordance with the County Policies and Procedures Memorandum (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 annual painting and weatherproofing contract was presented to the Goal Setting Committee on December 7, 2022 and the Committee established Affirmative Procurement Initiatives (APIs) of sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or a 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 100%. To date, the Contractor's overall SBE participation is 100%. To date, the overall SBE participation on the annual painting and weatherproofing contract is 100%. The Contractor is a certified SBE. **Funding for this project is from the Infrastructure Sales Tax Fund.** (Capital Improvements Division) District 3 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

5. Staff recommends motion to approve: an annual contract with the following contractor for low voltage services on an as-needed basis through August 16, 2026.

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
Integrated Fire & Security Solutions Inc.	Non-Local	Non-SBE

SUMMARY: On August 17, 2021, the Board of County Commissioners (BCC) approved the annual low voltage contract (R2021-1064 through R2021-1069). The work consists of new installations, replacement and/or repair of low voltage systems in County-owned properties on an as needed basis. The contractor now joins the list of 14 prequalified contractors for a total of 15 prequalified contractors with a contract expiration date of August 16, 2026. The specific requirements of the work will be determined by individual work orders issued against this annual low voltage contract. These contracts are five (5) year indefinite-quantity contracts with a maximum cumulative value of \$4,000,000 across all prequalified contractors. Work will be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors may qualify at any time and be added to this annual low voltage contract before the term ends. All projects are advertised on the vendor self-service (VSS) website and are bid among the pool of pre-qualified contractors while projects \$200,000 or greater are additionally advertised in the newspaper. Bidders without an annual low voltage contract responding to the specific project advertisement shall submit a qualification application at least ten (10) calendar days before the bid due date. The annual low voltage contract was presented to the Goal Setting Committee on March 17, 2021 and the Committee established Affirmative Procurement Initiatives (APIs) of sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or an SBE contractor will be given a price preference if its bid is within 10% of the lowest non-small business bid. However, on July 1, 2024, certain statutory changes took effect which require that the sheltered market for projects less than \$100,000 API be removed. Therefore, the annual low voltage contract will have an API of an SBE contractor being given a price preference if its bid is within 10% of the lowest non-small business bid for each project. Actual Small/ Minority/Women Owned Business Enterprise (S/M/WBE) participation will be tracked cumulatively for all work orders issued. To date, the cumulative S/M/WBE participation for all work orders under the annual low voltage contract is 80.64%. (Capital Improvements) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

6. Staff recommends motion to:

- A) **approve** an increase to the maximum cumulative value for the annual heating, ventilation and air conditioning (HVAC) contract in the amount of \$2,000,000 for HVAC services on an as-needed basis through January 6, 2025; and
- B) **authorize** the County Administrator or designee, which in this case shall be the Director of Facilities Development and Operations, to extend the annual HVAC contract term of the winning bidders for the following projects to March 12, 2025.

Projects

2021-039449	West Palm Beach Lutheran Services – HVAC Upgrades
2024-012157-R1	Convention Center, AHUs 3, 6, 12 & 13 Refurbishment (REBID)
2017-031300	Main County Courthouse - Air Handling Unit #1 Replacement
2020-013776	Corrections Administration - Air Conditioning Replacement
2023-028669-R1	WUD WTP #3 Building H HVAC Replacement
2023-024149-R1	Eagle Academy Chiller Replacement

SUMMARY: On January 7, 2020, the Board of County Commissioners (BCC) approved the annual HVAC contract (R2020-0019 through R2020-0023). The work consists of HVAC services related to system and component installations, upgrades, replacements, modifications and repairs to County-owned properties on an as needed basis. To date, the County has awarded work orders in the amount of \$22,364,151.72 and there are currently 27 prequalified contractors under this contract. The annual HVAC contract is set to expire on January 6, 2025. A new five (5) year annual HVAC contract is set to be brought before the BCC on January 7, 2025. However, to most efficiently process the above referenced projects, it was necessary to advertise these projects as quickly as possible. While the bids for these projects will be submitted prior to the January 6, 2025 expiration date, the work order award to the winning bidders on the above listed projects will not be approved by the BCC prior to the expiration of the annual HVAC contract. In order to maintain project processing efficiency, and to avoid having to re-bid the projects, staff is requesting the above delegation to allow the term of the annual HVAC contract be extended solely for the winning bidders on the above referenced projects to March 12, 2025. Staff is also requesting to increase the maximum cumulative value for the annual HVAC contract in the amount of \$2,000,000 in order to accommodate the projects listed above.

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

6. **SUMMARY (cont'd.):** This increase will bring the maximum cumulative value of the annual HVAC contract to \$30,000,000. Contractors may qualify at any time and be added to this annual HVAC contract before the term ends. All projects are advertised on the vendor self-service (VSS) website and are bid among the pool of pre-qualified contractors while projects \$200,000 or greater are additionally advertised in the newspaper. Bidders without an annual HVAC contract responding to the specific project advertisement shall submit a qualification application at least ten (10) calendar days before the bid due date. The annual HVAC contract was presented to the Goal Setting Committee on August 21, 2019 and the Committee established Affirmative Procurement Initiatives (APIs) of sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or an SBE contractor will be given a price preference for projects \$100,000 or greater if its bid is within 10% of the lowest non-small business bid. However, on July 1, 2024, certain statutory changes took effect which require that the sheltered market for projects less than \$100,000 API be removed. Therefore, the annual HVAC contract will have an API of an SBE contractor being given a price preference if its bid is within 10% of the lowest non-small business bid for each project. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be tracked cumulatively for all work orders issued. To date, the cumulative S/M/WBE participation for all work orders under the annual HVAC contract is 34.94%. **(Capital Improvements) Countywide (MWJ)**

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

7. Staff recommends motion to approve: an increase to the maximum dollar value of the annual minor construction contract by \$5,000,000 for general minor construction services on an as-needed basis through February 10, 2025. **SUMMARY:** On February 11, 2020, the Board of County Commissioners (BCC) approved the annual minor construction contract (R2020-0142 through R2020-0151). The work consists of construction services associated with repairs, improvements and renovations to County-owned properties on an as needed basis. To date, the County has awarded \$25,224,373.04 in work orders. Staff is requesting the cumulative limit be increased by \$5,000,000 for a total cumulative value of \$35,000,000 in order to accommodate additional anticipated new projects before the expiration of this contract expires on February 10, 2025. Work will be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors may qualify at any time and be added to this annual minor construction contract before contract expiration. All projects are advertised on the vendor self-service (VSS) website and are bid among the pool of pre-qualified contractors while projects \$200,000 or greater are additionally advertised in the newspaper. Bidders without an annual minor construction contract responding to the specific project advertisement shall submit a qualification application at least ten (10) calendar days before the bid due date. The annual minor construction contract was presented to the Goal Setting Committee on August 21, 2019 and the Committee established three (3) Affirmative Procurement Initiatives (APIs): 1) sheltered market for projects less than \$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. However, on July 1, 2024, certain statutory changes took effect which require that the sheltered market for projects less than \$100,000 API be removed. Therefore, the annual minor construction contract will have an API of an SBE contractor being given a price preference if its bid is within 10% of the lowest non-small business bid for a single trade project and a mandatory 25% SBE subcontracting goal for a multi-trade project. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be tracked cumulatively for all work orders issued. To date, the cumulative S/M/WBE participation for all work orders under the annual minor construction contract is 62.30%. (Capital Improvements) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to adopt: A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA; APPROVING THE ISSUANCE OF HOUSING FINANCE AUTHORITY OF PALM BEACH COUNTY, FLORIDA, MULTIFAMILY HOUSING REVENUE BONDS (QUIET WATERS) BY THE HOUSING FINANCE AUTHORITY OF PALM BEACH COUNTY, FLORIDA IN THE NOTICED PRINCIPAL AMOUNT OF \$10,500,000. **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 93 units for the elderly or adults that are permanently disabled known as Quiet Waters (Project). The Project is located at 306 SW 10th Street in the City of Belle Glade. The Authority will require that at least 40% of these units 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 for 2024). The Borrower is Quiet Waters Preservation, LP, a Florida limited partnership, or an affiliate thereof (Borrower), and the developer is Quiet Waters Developer, LLC, which is an entity of Wingate Residential, LLC. The Borrower is acquiring the Project from McCurdy Center, LTD., the managing member of which is McCurdy Senior Housing Corporation whose president is Joseph Glucksman. The 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 (Code). The Bonds will be payable solely from revenues derived from the Borrower and/or other collateral provided by or on behalf of the Borrower. Bryant Miller Olive P.A. is Bond Counsel to the Authority with respect to the Bonds. Berkadia Commercial Mortgage LLC (Purchaser), will be the purchaser of the Bonds. The resolution of the Authority authorizing the issuance of the Bonds will include language substantially as follows: "The County assumes no responsibility for monitoring compliance by the Borrower of applicable federal income tax, securities laws or other regulatory requirements. The Borrower understands and agrees that it is responsible for monitoring its compliance with all applicable federal income tax, federal securities law and other regulatory requirements, retaining adequate records of such compliance, and retaining qualified counsel to respond to or assist the Authority and the County in responding to any audit, examination or inquiry of the Internal Revenue Service (IRS), 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 IRS 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 6 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT

2. [Staff recommends motion to adopt:](#) A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, REGARDING THE FOLLOWING OUTSTANDING BONDS (COLLECTIVELY, THE BONDS) OF THE PALM BEACH COUNTY HEALTH FACILITIES AUTHORITY (AUTHORITY), THE PROCEEDS OF WHICH WERE PREVIOUSLY LOANED TO LIFESPACE COMMUNITIES, INC., AN IOWA NONPROFIT CORPORATION (BORROWER):

- REVENUE BONDS (LIFESPACE COMMUNITIES, INC.), SERIES 2016B IN THE ORIGINAL PRINCIPAL AMOUNT OF \$22,150,000 (SERIES 2016B BONDS);
- REVENUE BONDS (LIFESPACE COMMUNITIES, INC.), SERIES 2018B IN THE ORIGINAL PRINCIPAL AMOUNT OF \$134,695,000 (SERIES 2018B BONDS);
- REVENUE BONDS (LIFESPACE COMMUNITIES, INC.), SERIES 2019B IN THE ORIGINAL PRINCIPAL AMOUNT OF \$52,685,000 (SERIES 2019B BONDS);
- REVENUE BONDS (LIFESPACE COMMUNITIES, INC.), SERIES 2021C IN THE ORIGINAL PRINCIPAL AMOUNT OF \$52,685,000 (SERIES 2021C BONDS); AND
- REVENUE BONDS (LIFESPACE COMMUNITIES, INC.), SERIES 2022 IN THE ORIGINAL PRINCIPAL AMOUNT OF \$85,000,000 (SERIES 2022 BONDS).

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT

2. **SUMMARY:** The Authority held a Tax Equity & Fiscal Responsibility Act (TEFRA) public hearing held on November 11, 2024 regarding the Bonds. The Bonds were previously issued by the Authority for the purpose of providing funds to the Borrower, a portion of which financed additions, renovations, remodeling, equipping and other miscellaneous capital improvements to the life care community known as Abbey Delray (Abbey Delray), owned and operated by the Borrower, located at 2000 Lowson Boulevard in Delray Beach, Florida 33445. The Borrower intends to sell Abbey Delray and use proceeds of the sale to pay the costs of additions, renovations, remodeling, equipping and miscellaneous capital improvements to the following communities (collectively, the Projects) owned and operated by the Borrower and its affiliates: (1) Abbey Delray South, located at 1717 Homewood Boulevard in Delray Beach, Florida 33445 (Abbey Delray South Campus); (2) Harbour's Edge, located at 401 East Linton in Delray Beach, Florida 33483 (Harbour's Edge Campus); (3) The Waterford, located at 601 Universe Boulevard, Juno Beach, Florida 33408 (Waterford Campus); and (4) Village on the Green, which is located at 500 Village Place, Longwood, Florida (Village on the Green Campus). At the Borrower's discretion, the proceeds of the sale of Abbey Delray may be allocated to pay all, a part, or none of the costs of the Projects at each location. All facilitates financed by the Bonds are owned or leased and operated by the Borrower. Approval by an elected body is required by the Internal Revenue Code to maintain the tax-exempt status of the Bonds; however, adoption of this Resolution does not in any way obligate the County. 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, shall be pledged to pay the principal, premium, if any, or interest on the Bonds.** Districts 1, 4 & 7 (DB)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT

3. Staff recommends motion to receive and file:

- A) a Funding Approval/Agreement with the U.S. Department of Housing and Urban Development (HUD) in the amount of \$6,487,957 for the Fiscal Year 2024-2025 Community Development Block Grant Program (CDBG) for the period October 1, 2024 through September 1, 2031;
- B) a Funding Approval and HOME Investment Partnerships Agreement with HUD in the amount of \$2,201,524 for the Fiscal Year 2024-2025 HOME Investment Partnerships Program (HOME) for the period September 20, 2024 through September 30, 2033;
- C) a Funding Approval/Agreement with HUD in the amount of \$568,768 for the Fiscal Year 2024-2025 Emergency Solutions Grant Program (ESG) for the period September 20, 2024 through September 19, 2026;
- D) a Budget Amendment of \$14,706 in the Housing and Economic Sustainability Fund to align the budget with grant funding allocation for the Fiscal Year 2024-2025 CDBG and ESG Programs; and
- E) a Budget Amendment of \$471,516 in the HOME Investment Partnerships Act Fund to align the budget with grant funding allocation for the Fiscal Year 2024-2025 HOME Program.

SUMMARY: These Funding Approvals/Agreements constitute the contracts between HUD and the County for the receipt of Federal funds, and are now being submitted to the Board of County Commissioners (BCC) to receive and file. The documents have been executed on behalf of the BCC by the Director of the Department of Housing and Economic Development (DHED) in accordance with 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. **The ESG required local match (\$568,768) will be provided by Adopt-A-Family of the Palm Beaches, Young Women’s Christian Association, Salvation Army, Aid to Victims of Domestic Abuse, Inc., the Department of Community Services, and DHED. The HOME required local match (\$467,939) will be provided from the State Housing Initiatives Partnership Program. CDBG funds require no local match. Countywide (HJF)**

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT

4. Staff recommends motion to receive and file:

- A) Amendment 001 to a Loan Agreement between Housing Partnership, Inc. d/b/a Community Partners of South Florida (Housing Partnership); and
- B) Mortgage Modification Agreement with Housing Partnership for the purposes of modifying the number of State Housing Initiatives Partnership (SHIP) assisted units.

SUMMARY: On April 9, 2024, the Board of County Commissioners (BCC) approved an award of \$1,890,000 to Housing Partnership and on May 31, 2024 the County executed a Loan Agreement with Housing Partnership (R2024-0962) for the purchase of 1741 and 1747 4th Avenue North, Lake Worth Beach, two (2) abutting multifamily properties totaling ten (10) apartments, including eight (8) one-bedroom units, and two (2) two-bedroom units. Subsequent to closing on the property, it was determined that only nine (9) units would be eligible for restrictions based on Area Median Income (AMI), and therefore the Amendment modifies the allocation of the units to six (6) at not to exceed 80% AMI, two (2) at not to exceed 60% AMI, and one (1) unit not to exceed 120% AMI. The period of affordability is also extended from 30 years to 50 years. The document has been executed on behalf of the BCC by the Director of the Department of Housing and Economic Development (DHED) in accordance with Agenda Item 5C-2, as approved by the BCC on April 9, 2024 that delegated authority to the County Administrator or designee to execute agreements, amendments thereto, and all other related documents necessary for project implementation. 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 SHIP Program grant funds which require no local match.** District 3 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT

5. Staff recommends motion to receive and file: Amendment 006 to Loan Agreement R2021-1076 (Loan Agreement) with Habitat Housing Solutions, Inc. (HHSI) for the construction of three (3), for-sale, single family affordable housing units in the Glades area to extend the certificate of occupancy issue date from May 31, 2024 to May 31, 2025 for the homes located at 431 E. 3rd Avenue and 205 S. Barfield Hwy, to extend the date by which the units are to be sold by and placed into service from July 31, 2024 to May 31, 2025, to extend the date for 100% of the HOME funds to be drawn to May 31, 2025. **SUMMARY:** R2021-1076 with HHSI provided \$315,672 in HOME Investment Partnership Program (HOME) funding toward the construction of three (3) single family affordable housing units located at 540 SW 8th Street in Belle Glade, 205 S. Barfield Highway in Pahokee, and 431 E. 3rd Avenue in Pahokee. Amendment 006 modified the Loan Agreement to extend the date of the certificate of occupancy to be issued from May 31, 2024 to May 31, 2025 for the properties located at 431 E. 3rd Avenue and 205 S. Barfield Hwy, extended the date by which the units are to be sold by and placed into service to May 31, 2025, and extended the date by which 100% of HOME funds to be drawn to May 31, 2025. The extension is required due to delays in obtaining final permits and certificates of occupace. Amendment 006 has been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development (DHED) in accordance with Agenda Item R2018-1061 as approved by the BCC on July 10, 2018, which delegated authority to the County Administrator or designee to execute standard forms, certifications, funding agreements, amendments thereto, and all other documents necessary for implementation of the Consolidated Plan, Action Plan, Community Development Block Grant, HOME and Emergency Solutions Grant 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. **HOME Program grant funds are Federal funds which require a 25% local match provided by State Housing Initiatives Partnership funds.** District 6 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT

6. Staff recommends motion to receive and file: Amendment 005 to Loan Agreement R2021-1078 (Loan Agreement) with Habitat Housing Solutions, Inc. (HHSI) for the construction of five (5), for-sale, single family affordable housing units, four (4) in the Glades area and one (1) in Lake Worth Beach, to extend the date by which the units are to be sold to an eligible buyer and placed into service from May 31, 2024 to May 31, 2025. **SUMMARY:** R2021-1078 with HHSI provided \$625,000 in HOME Investment Partnership Program (HOME)/Community Housing Development Organization (CHDO) construction funding and \$65,000 CHDO operating funds towards the construction of five (5) single family affordable housing units located at 641 SW Ave D, Belle Glade, 135 SW 10th Ave, South Bay, 275 Begonia Drive, Pahokee, 109 NW 6th Ave, Belle Glade, and 322 NE Street, Lake Worth Beach. Amendment 005 modified the Loan Agreement to extend the date by which the units are to be sold by and placed into service to May 31, 2025. HHSI is the CHDO working in coordination with Habitat for Humanity of Greater Palm Beach County. Amendment 005 has been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development (DHED) in accordance with R2020-0926 as approved by the BCC on July 14, 2020, which delegated authority to the County Administrator or designee to execute standard forms, certifications, funding agreements, amendments thereto, and all other documents necessary for implementation of the Consolidated Plan, Action Plan, Community Development Block Grant, HOME and Emergency Solutions Grant 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. **HOME Program grant funds are Federal funds which require a 25% local match provided by State Housing Initiatives Partnership funds.** Districts 3 and 6 (HJF)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. Staff recommend motion to amend: the 2024 Palm Beach County Legislative agenda to address the organizations that can nominate local construction industry representatives to serve on the Building Code Advisory Board of Palm Beach County (BCAB). **SUMMARY:** The Building Code Advisory Board (BCAB) exists to provide guidance through technical advisories and non-binding interpretations of the Florida Building Code. The members are comprised of experts in design, construction and regulation. It also serves to assist in the drafting of the Palm Beach County Amendments to the Florida Building Code during each triennial update. BCAB was established by a Special Act of the Florida Legislature originally in 1974, and most recently amended in 2017. BCAB is designed to be comprised of seven (7) industry representatives (representing various construction trades) and seven (7) governmental building code administrators (building officials) each from a jurisdiction within the seven (7) County Commission Districts. In addition, there are two (2) design professionals consisting of an Architect and an Engineer. By design, the balance of the board membership is equally weighted between construction industry representatives and regulatory authorities to ensure a balanced approach to interpretations, and also ensure there is adequate specific trade-based knowledge available from the industry side. The requested changes to the existing act involve the qualification process for building official nominees to BCAB. Amending the Legislative Agenda will authorize the filing of a local bill to affect these changes. Unfortunately, Section 2 of the Special Act (definitions) currently defines "Building Official" as a full-time paid employee of local government. Because of changes in the demographics of our industry in recent years, particularly with the increased use of part time contracted staff and increasing use of private providers, we are unable to fill vacancies, and we have limited hope of filling them in the future without amending the act. Countywide (RM)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

2. Staff recommends motion to approve: Appointment of one (1) new member to the Construction Industry Licensing Board (Board), for the term January 1, 2025 through December 31, 2027:

<u>Appointment</u>	<u>Seat #</u>	<u>Requirement</u>	<u>Recommended by</u>
Peter Dzenutis	4	Roofing Contractor	Mayor Marino Commissioner Weiss

SUMMARY: The Board establishes qualifications and competency of contractors that work within the County. The Board also provides for the testing and licensing of these contractors, and is empowered to discipline licensees, and hear citation appeals. The Board was established by Special Act, Laws of Florida, Chapter 67-1876, as amended. The Special Act, and subsequently, Section 489.131, Florida Statutes, sets forth the membership of the Board, which consists of 15 members. This Board shall be comprised of 15 members as follows: two (2) general contractors, one (1) member from each of the following contractor categories: building, residential; electrical; plumbing; HARV (Heating, Air Conditioning, Refrigeration and Ventilation), roofing; swimming pool; one (1) architect; one (1) engineer and one (1) full-time building official employed by a local government within Palm Beach County, who meets the requirements of the Building Officials Association of Florida; and three (3) consumer representatives. A memorandum was sent to the Board of County Commissioners (BCC) on October 17, 2024 requesting support to appoint one (1) new CILB board member, no other nominations were received. The Board currently has ten (10) out of 15 seats filled and a diversity count of Caucasian: 9 (90%) and Hispanic-American: 1 (10%). The gender ratio (female: male) is 2:8. Staff is addressing the need to increase diversity within our boards and will continue to encourage this to expand this Board's diversity. Countywide (RM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. Staff recommends motion to approve: Contract for the Belle Glade Water Main Improvements; SE Zone 4 Water System Replacement Project (Project) with Johnson-Davis Incorporated (Contractor) in the amount of \$6,250,207. **SUMMARY:** On June 18, 2024, the Palm Beach County Water Utilities Department (PBCWUD) received four (4) bids for the Project. Contractor was determined to be the lowest responsive and responsible bidder in the amount of \$6,250,207 for the Base Bid. The Project will provide for all materials, labor, supervision, equipment, supplies, fees, expertise, and services necessary for the replacement, removal, and abandonment of old and substandard potable water pipes and water services within the southeast area of Belle Glade. Project includes the replacement of approximately 13,200 linear feet of new water main pipes, the replacement of approximately 53 existing front-lot water services, the relocation of approximately 47 existing water services from the back to the front of the properties, 800 linear feet of sanitary sewer main, and the replacement of 14 sanitary service laterals. This Contract was presented to the Goal Setting Committee (Committee) on June 7, 2023, and the Committee established an Affirmative Procurement Initiative (API) of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting participation of which 3% shall be among certified African American (AA) and/or Hispanic American (HA) owned firms. Contractor committed to 20.92% SBE participation, which includes 3.68% Minority Business Enterprise (MBE) participation, 0.52% MBE (AA), and 3.16% MBE (HA). Contractor is a Palm Beach County based company. The Project is included in the PBCWUD FY 2025 budget. (PBCWUD Project No. 21-033) District 6 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

2. Staff recommends motion to approve:

- A) Contract for the Lift Station (LS) 5015 Conversion to Repump (Project) with Foster Marine Contractors, Inc. (Contractor) in the amount of \$5,768,500; and
- B) Consultant Services Authorization (CSA) No. 6 to the Consulting/Professional Engineering Services for Master Lift Station and Repump Improvements (MLS Contract) with AECOM Technical Services, Inc., (Consultant) for Engineering Services During Construction for Project for a not to exceed amount of \$389,422.53.

SUMMARY: On January 24, 2024, the Palm Beach County Water Utilities Department (PBCWUD) received five (5) bids for the Project. Contractor was deemed non-responsive due to non-submittal of a Schedule 2 for two (2) subcontractors and the Recommendation to Award to Hinterland Group Inc., (HGI) was posted on March 3, 2024. Contractor submitted a Bid Protest stating that the two (2) subcontractors were not used in the calculation of their Small Business Enterprise (SBE) participation. On July 15, 2024, the Palm Beach County Purchasing Department upheld the protest and the Recommendation to Award to HGI was rescinded on August 29, 2024. A Recommendation to Award the Project to Contractor was posted on August 30, 2024, and no additional protests were received in the subsequent five (5) business days. Contractor was determined to be the lowest responsive and responsible bidder in the amount of \$5,768,500. The Project includes furnishing all materials, labor, supervision, equipment, supplies, fees, expertise, and services necessary to convert LS 5015 to an inline booster pump station. Work includes mechanical, electrical, and civil work including new pumps, piping, valves, variable frequency drives, lighting, instrumentation, control panel, closed circuit television (CCTV), electrical building, overhead hoist, overhead cover, demolition of existing pump station, temporary bypass pumping, and all associated appurtenances. This Contract was presented to the Goal Setting Committee (Committee) on October 20, 2023 and the Committee established an Affirmative Procurement Initiative (API) of a minimum mandatory 12% SBE subcontracting participation. Contractor committed to 15.05% SBE participation. Contractor is a Palm Beach County based company. On April 20, 2021, the Board of County Commissioners (BCC) approved the PBCWUD MLS Contract (R2021-0508) with Consultant. CSA No. 6 will provide engineering services during construction of the Project.

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

2. **SUMMARY (cont'd.):** The MLS Contract was presented to the Committee on July 1, 2020, and the Committee applied an API of a minimum mandatory 20% SBE subcontracting goal and an evaluation preference for up to 15 points based upon the relative level of dollar participation by certified SBE firms. Consultant committed to 31% SBE participation, which includes 19% Minority Business Enterprise (MBE) participation, 17% MBE (African American (AA)), and 2% MBE (Asian American (AI)) and received 12 Evaluation Preference Points. The SBE proposed participation for this CSA No. 6 is 70.28%. To date, the overall participation achieved on this MLS Contract is 32.02%, which includes 8.41% MBE (AA). Consultant is headquartered in Los Angeles, California, and maintains an office in Palm Beach County from which the majority of the work will be undertaken. The Project is included in the PBCWUD FY 2025 budget. (PBCWUD Project No. 21-062) District 3 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

3. Staff recommends motion to:

- A) **approve** Amendment No. 1 to Agreement No. SG070 with the State of Florida Department of Environmental Protection (FDEP), increasing funding by \$3,847.10 for the Western Region Wastewater Treatment Facility (WRWWTF) Sand and Grit Removal (Project) for a new total contract amount of \$235,420.10;
- B) **authorize** the County Administrator, or her designee, to execute standard grant agreements, future time extensions, 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 \$3,848 Budget Amendment in the Water Utilities Department Operations and Maintenance Fund to establish budget for the grant.

SUMMARY: The FDEP has allotted \$2,000,000 for publicly owned utilities to remove sand and grit from wastewater treatment plants with daily flow less than 3 million gallons per day (MGD) and must remain in operation during cleaning to avoid the discharge of untreated wastewater. PBCWUD is eligible for this grant as: 1) the Bid 20-024-CC was competitively bid and awarded; 2) WRWWTF has daily flows less than 3 MGD and must remain in service during cleaning to avoid discharge of untreated wastewater; and 3) The facility is located in Belle Glade which is registered as 37.9% above the poverty level with the US Census Bureau, exceeding the grant requirement of equal to or greater than 25%. Since the location of the WRWWTF exceeds the poverty requirement for this grant, **no local match is required**. On July 11, 2023, the Board of County Commissioners (BCC) approved the Agreement (R2023-0940). This amendment will fund the additional monies that were paid for the removal of sediment in the tank more than originally anticipated for this project and increases funding by \$3,847.10 for a total funding agreement amount of \$235,420.10 District 6 (MWJ)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

1. [Staff recommends motion to receive and file:](#) a copy of municipal ordinance No. 10-2024 of the Town of Lake Park (Town), providing the Town's consent to its participation in the County's Fire/Rescue Municipal Services Taxing Unit (MSTU) through December 31, 2034. **SUMMARY:** The County has provided fire rescue services to the Town as part of the MSTU since 2014. The Town adopted Ordinance No. 12-2014 to consent to its participation in the MSTU through December 31, 2024 to fund fire-rescue services by the County through 7:30 a.m. on October 1, 2025. Ordinance No.10-2024 provides consent through December 31, 2034 to fund fire-rescue services by the County through 7:30 a.m. on October 1, 2035. Town Ordinance No. 10-2024 is now being submitted to the Board of County Commissioners (BCC) to receive and file. Countywide (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

2. Staff recommends motion to:

- A) **receive and file** an executed Drone Replacement Program Financial Assistance Agreement with the Florida Department of Law Enforcement (FDLE) with a start date of July 1, 2024 and end date of June 30, 2025;
- B) **accept** a notice of award for the Drone Replacement Program in the amount of \$250,000; and
- C) **approve** a Budget Amendment of \$250,000 within the Fire/Rescue Municipal Service Taxing Unit Fund to recognize the grant award from the FDLE.

SUMMARY: On August 20, 2024 (R2024-0978) the Board of County Commissioners (BCC) authorized the County Administrator, or designee, to sign the Drone Replacement Program Financial Assistance Agreement Application (CSFA 71.092) which requested \$248,944 to fund 100% of the purchase of ten (10) Skydio X10 Drones and operationally necessary accessories, and to execute the grant award and other necessary documents. On September 3, 2024 the County received notification from the Florida Department of Law Enforcement (FDLE) of the earmarked \$250,000 grant award which will cover all of the requested Drones. On September 17, 2024 Fire Rescue relinquished ten (10) drones previously purchased with a value of \$8,022 and the drone certification form was executed by FDLE. Fire Rescue will purchase the ten (10) drones from the FY 2025 budget. **There is no required match for this grant.** Countywide (AH)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

3. Staff recommends motion to approve: an Interlocal Agreement for Fire-Rescue Dispatch Services (Agreement) with the Town of Jupiter (Town) for a period from April 1, 2026 to September 30, 2036. **SUMMARY:** In an effort to enhance the provision of fire-rescue services, the Board of County Commissioners (BCC) authorized the Fire Rescue Department to provide countywide fire-rescue dispatch and related communication services effective June 1, 2005. The Town is in the process of establishing its own fire-rescue services commencing on October 1, 2026. The Agreement provides for a contractual commitment for County Fire Rescue dispatch services to the Town, upon its commencement of its own fire-rescue services, as part of the Countywide Common Dispatch program. The Agreement further authorizes the County's Fire Chief and the Town's Fire Chief to enter into Letter(s) of Understanding to develop Common Dispatch plans and procedures. The proposed Agreement will go into effect six (6) months prior to the anticipated commencement of the dispatch services in order for the parties to establish the necessary arrangements relating to equipment, protocols, plans and procedures. Should the Town no longer anticipate that it will commence its own fire-rescue services, the Agreement would not take effect or would automatically terminate upon such notice. Countywide (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

4. Staff Recommend motion to:

A) ratify an amendment to the 2023 Statewide Mutual Aid Agreement (SMAA) with the Florida Division of Emergency Management (FL-DEM) to add Palm Beach County Fire Rescue (PBCFR) as an encompassed entity;

B) ratify the following Resource Support Agreements (RSA):

- | | |
|--|---|
| 1. RSA 00558 for New Mexico Wildfires; | 10. RSA 00843 for Hurricane Helene; |
| 2. RSA 00569 for Tropical Storm Debby; | 11. RSA 00832 for Hurricane Helene; |
| 3. RSA 00568 for Tropical Storm Debby; | 12. RSA 00885 for Hurricane Helene; |
| 4. RSA 00590 for Tropical Storm Debby; | 13. RSA 00990 for Hurricane Milton; |
| 5. RSA 00596 for Tropical Storm Debby; | 14. RSA 00991 for Hurricane Milton; |
| 6. RSA 00729 for Hurricane Helene; | 15. RSA 01047 for Hurricane Milton; |
| 7. RSA 00844 for Hurricane Helene; | 16. RSA 01038 for Hurricane Milton; |
| 8. RSA 00758 for Hurricane Helene; | 17. RSA 01111 for Hurricane Milton; |
| 9. RSA 00779 for Hurricane Helene; | 18. RSA 01145 for Hurricane Milton; and |

C) authorize the County Administrator, or designee, to accept, approve, execute and/or submit, on County's behalf, cost estimates, RSAs as a requesting or assisting party, and reimbursement/claim requests, as well as any representations, certifications, acknowledgments, assurances, standard forms and documents, amendments, time frame changes, program change requests, and any other necessary documents that do not materially change the general scope of terms and conditions of the SMAA.

SUMMARY: On December 5, 2023 (R2023-1803), the Board of County Commissioners (BCC) approved the FL-DEM SMAA replacing the previous 2018 SMAA, for a period of one (1) year from the date of execution with automatic renewals each year. The SMAA sets forth standard protocols for the request, utilization and reimbursement process associated with requests for assistance by local governments or FL-DEM during emergencies or disasters. An amendment to the SMAA by FL-DEM listed PBCFR as an encompassed entity SMAA designee eligible for SMAA request and assistance procedures, including being an SMAA signatory for all asset request, assistance and applicable reimbursement processes. The SMAA provides for a requesting party and an assisting party to sign RSAs, which are supplemental agreements of support. In response to a request for assistance, PBCFR entered into eighteen (18) Resource Support Agreements relating to assistance rendered on various dates for varying missions. Countywide (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

5. Staff recommends motion to approve: the write-off of uncollectible emergency transport patient accounts to remove these amounts from the County's general ledger for the following period:

October 1, 2019 through September 30, 2020 (FY 2020) \$11,895,201.24

SUMMARY: In December 1994, the Board of County Commissioners (BCC) authorized Fire Rescue to transport critically ill/injured patients and bill for those services. The County contracts with a private company for these billing and collection services. The County receives payment from a number of sources, including commercial insurance, Medicare, Medicaid, and private individuals. During the period October 1, 2019 to September 30, 2020, Fire Rescue generated \$51,516,306.41 in gross transport billings and collected (to-date) \$25,107,129.84. After adjustments of \$14,513,975.33, required under the guidelines of the Medicare and/or Medicaid programs, the balance of \$11,895,201.24 is currently deemed to be uncollectible. This balance is primarily due to partial payments, insurance denial based on medical necessity, the inability to obtain accurate patient and/or insurance information, and patients without medical coverage or high deductibles. Staff recommends the amount deemed uncollectible be written-off the County's general ledger. Countywide (SB)

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to receive and file: the termination of Agreement R2021-1629 (Agreement) with the City of Jacksonville (City), which terminates the licensing agreement for the Inspector General Information Management System case management software Services, (Application Services) effective October 31, 2024, as requested by the City. **SUMMARY:** The City currently contracts with Palm Beach County (PBC) for Application Services. The City notified PBC that these services were no longer needed, and requested the termination of the agreement effective October 31, 2024. This item is a receive and file of the termination letter and has formally closed out the Agreement, as requested by the City. Countywide (DB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. **Staff recommends motion to receive and file:** the First Amendment to contract for Community Services and Restitution for Reentry Youth with Choice to Change, Inc. (C2C) (R2023-1633) for the period of October 1, 2023 through September 30, 2025. **SUMMARY:** The Public Safety Department's Youth Reentry Program under their Justice Services Division entered into a contract with C2C on November 7, 2023 to organize community service events for youth reentry participants to earn community service hours. Once community service hours are completed, C2C will provide proportionate financial payments towards their restitution and court fee payments. Based on the increased number of youth served during the FY 2024, along with identification of additional support service needs, it is necessary to extend the contract until September 30, 2025, and to increase C2C's annual allocation by \$16,650 from \$44,790 to \$61,440. The increase is funded by unspent funds allocated for support services. Of the total increase, \$4,000 will be allocated to maintain ongoing contracted services, \$11,000 will be added for support services for the youth reentry clients, their families, and program needs, and \$1,650 for a 15% administrative fee calculated from support services expenditures. The administrative fee covers costs associated with the time and travel for the C2C staff to facilitate purchase of support services. In the first contract with this agency from March 14, 2023 to September 30, 2023, six (6) youth were enrolled with Choice to Change, Inc., 44 different community service events were facilitated, 195 community service hours were completed, and over \$1,800 of payments made by agency towards restitution. The budget for FY 2024 was estimated to cover expenses based on this output. In the current contract year, nearly two (2) times the number of expected youth were enrolled for services; 21 youth were enrolled with the agency, 203 community service events were facilitated, over 640 community service hours were completed, and over \$4,070 of payments made by agency towards restitution. This amendment was executed by Purchasing in order to ensure contract extension was approved prior to end of contract term. Countywide (RS)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

2. Staff recommends motion to receive and file: the executed Palm Beach County Sheriff's Office (PBSO) State Law Enforcement Trust Fund Agreement (LETf) which provides partial funding of expenses associated with regulation of home caregivers in the amount of \$20,000 for the period July 1, 2024 through June 30, 2025. **SUMMARY:** The Department of Public Safety Division of Consumer Affairs administers the Home Caregiver Ordinance, a general fund program. While home caregivers affiliated with an agency pay a \$30 application fee and private/independent caregivers pay a \$100 application fee for the ID Badge, there is an annual shortfall of revenue that is offset by general funds. To close this revenue shortfall and keep the five (5) year ID badge affordable, staff submitted an application to PBSO for LETf funding and was subsequently notified of the \$20,000 award. R2021-1848 authorized the County Administrator or designee to sign future LETf agreements including amendments and renewals that do not change the scope of work or terms and conditions of the contract. The County received the fully executed agreement on October 15, 2024. Countywide (RS)

AA. PALM TRAN

1. Staff recommends motion to approve: a contract for provision of financial assistance with The ARC of Palm Beach County, (ARC) Inc. in an amount not to exceed \$240,480 for the transportation of individuals with disabilities, seniors, and transportation disadvantaged individuals of Palm Beach County, for the two (2)-year period, beginning retroactively, on October 1, 2024 through September 30, 2026. **SUMMARY:** This contract provides financial assistance for partial reimbursement of transportation costs for life-sustaining services being provided by ARC for disadvantaged clients. This award is not to exceed \$120,240 per fiscal year (FY) for up to 10,020 trips at a cost of \$12 per one-way trip. ARC provides over 10,000 trips annually, serving over 100 individuals per month. A \$12 reimbursement rate per trip is increasing from the previous contract rate of \$10 due to the increased costs of transportation. The rate is significantly less than the normal cost of a Palm Tran Connection trip, which is approximately \$50.82. The projected savings from having ARC provide the service instead of Palm Tran Connection is \$388,976 per year. Trip services provided by ARC include adult day care, medical appointments and employment. Countywide (MM)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

2. Staff recommends motion to approve: Certification of Palm Tran's general administrative costs as required by section 341.071, Florida Statutes, Transit Productivity and Performance Measures Reports. **SUMMARY:** Effective July 1, 2024, Chapter. 2024-57, Laws of Florida, amends section 341.071, Florida Statutes, Transit Productivity and Performance Measures Reports, by adding subsection (4). This new provision requires public transit providers to disclose certain information and documentation relating to its budgeted and general administrative costs. Per Section 341.071(4)(c), Florida Statutes, the department shall determine, by tier, the annual state average of administrative costs by determining the percentage of the total operating budget which is expended on general administrative costs in the state. The tiers are Tier 1 and Tier 2 as defined by 49 C.F.R. part 625. Palm Tran certifies that our ratio of administrative costs to operating costs for FY 2023 is 16.29% and is below the state Tier 1 average of 24.05%. Palm Tran also certifies that no gifts as defined in Section 112.312, Florida Statutes, were accepted in exchange for contracts and submits the following required documentation:

1. FY 2024 Line-item budget report of its budgeted and actual general administrative costs;
2. All salaried executive management-level employees' total compensation packages; and
3. Ridership performance and metrics based on the most recent closed-out data from the National Transit Database.

Countywide (MM)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

3. Staff recommends motion to:

A) adopt a Resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, approving a Fiscal Year (FY) 2025 Public Transportation Grant Agreement (PTGA) in Block Grant funding for urbanized public transportation operating assistance (FM No. 407188-4-84-01) Public Transit Block Grant Program (CSFA 55.010) with the State of Florida Department of Transportation (FDOT), providing a grant in the amount of \$6,563,725, to offset the operating costs of providing fixed route services to the public in Palm Beach County. The PTGA will become effective upon FDOT execution and has an expiration date of November 30, 2026;

B) approve a Budget Transfer of \$231,495 in the Palm Tran Operating Fund 1340 to reconcile the revenue budget to the actual grant award and reduce the transfer from the General Fund 0001; and

C) approve a Budget Transfer of \$231,495 in the General Fund 0001 to reduce the transfer to Palm Tran Operating Fund 1340 and increase Contingency Reserves.

SUMMARY: The PTGA provides Palm Beach County its annual allocation of the Public Transit Block Grant Program (CSFA 55.010); Palm Tran will utilize the grant funds to offset the operating costs of providing fixed route service on all routes in the County. This FY2025 PTGA, in the amount of \$13,127,450, **requires a match of 50% or \$6,563,725** and provides a grant in the amount of \$6,563,725. The match is included in Palm Tran's FY2025 budget. The grant requires broader indemnification by the County than that approved by PPM CW-F-049. The grant requires the County and its officers, agents, or employees to indemnify, defend, and hold harmless FDOT and all of its officers, agents, and employees from any claim, loss, damage, cost, charge, or expense arising out of the County's non-compliance or performance of this agreement. The indemnification obligation must also be passed on to contractors and/or consultants. The Risk Management Department and County Attorney's Office have reviewed the indemnification requirements for this grant and advised staff accordingly. Given that liability is limited to County's non-compliance or performance of this agreement and the statutory caps of Section 768.28, Florida Statutes, staff recommends BCC approval. Countywide (MM)

3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES

1. **Staff recommends motion to receive and file:** Afterschool Arts Outreach 2024/2026 Agreement with Norton Museum of Art, Inc. (Agreement) for the period October 4, 2024 through September 30, 2026, to continue providing afterschool arts community education to economically and/or academically challenged youth attending the Highridge Family Center (Highridge) at no cost to Palm Beach County. **SUMMARY:** Highridge has been selected again by the Norton Museum of Art, Inc. (Norton) to participate in Norton's Afterschool Arts Outreach Program (Program). The Program provides significant year-round exposure to art with free weekly art classes to youth by a local professional artist. It is anticipated that up to 75 Highridge Family Center residents will participate in this program during the course of a year. There are no costs associated with this Agreement. On March 12, 2013, Agenda Item No. 3X-1 authorized the County Administrator, or designee, to execute future agreements/amendments with Norton for the educational art classes/programs at Highridge on behalf of the Board of County Commissioners (BCC), after approval of legal sufficiency by the County Attorney's Office. In accordance with Countywide PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. J. Rachel Gustafson, an employee of Norton Museum of Art, Inc., is a member of the Public Art Committee. This board provides no regulation, oversight, management or policy-setting recommendations regarding the Agreement. 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

BB. YOUTH SERVICES

2. Staff recommends motion to receive and file: Contractual Services Agreement Professional Psychological or Expert Witness Services in Adult and/or Juvenile Criminal Matters (Agreement) with the Fifteenth Judicial Circuit (Court), for the continued performance of services through June 30, 2027. **SUMMARY:** Since 2004, the Court had contracted with the County's Public Safety Department's (PSD) Division of Justice Services' Forensic Psychology Office to provide court-ordered services. Seniors, adults, teens, and children throughout the county are directed to the Forensic Psychology Office with the appropriate court order, outlining which specific evaluation is required. In 2022, the Board of County Commissioners (BCC) approved an agreement with the Court to provide psychological assessments and expert witness services in adult and juvenile criminal matters, (R2022-0998), and specific psychologist positions transferred to Youth Services Department (YSD) in FY 2022. Since the transfer, 45 Emergency Threat Assessments have been completed (23 in FY2022-2023 and 22 in FY2023-2024). This Agreement partially compensates YSD for the contractual services provided to the Court. On April 19, 2005, Agenda Item 3X1 authorized the County Administrator, or designee, to sign future contracts to provide psychological services to the Fifteenth Judicial Circuit. In accordance with Countywide PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. Countywide (HH)

CC. SHERIFF

1. Staff recommends motion to approve: a Budget Transfer of \$80,280 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 PBSO to update and enhance the communication equipment of the Special Operations Division. Use of Federal Treasury LETf requires approval by the Board of County Commissioners (BCC), upon request of PBSO. The current Federal Justice LETf balance is \$346,345. Approval of this request will reduce the Federal Justice LETf balance to \$266,065. 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

2. Staff recommends motion to:

A) accept a grant award letter on behalf of the Palm Beach County Sheriff's Office (PBSO) from the Florida Department of Law Enforcement (FDLE) for the FY 2023-2024 State Assistance for Fentanyl Eradication (SAFE) in Florida Program, which provides \$150,000 in supplemental funding; and

B) approve a Budget Amendment of \$150,000 in the Sheriff's Grant Fund.

SUMMARY: On March 5, 2024, the Board of County Commissioners (BCC) accepted a \$475,000 grant award on behalf of the PBSO from FDLE for the FY 2023-2024 State Assistance for Fentanyl Eradication (SAFE) in Florida Program, to conduct joint operations, investigations and other activities as authorized by the SAFE Program, for the grant period July 1, 2023 through June 30, 2024 (R2024-0266). On August 20, 2024, the BCC accepted a Grant Adjustment Notice, which extended the period of performance through June 30, 2025. On September 17, 2024, the BCC accepted a grant award letter providing \$200,000 in supplemental funding. On October 30, 2024, FDLE awarded PBSO an additional \$150,000 in grant funding to continue to conduct joint operations and investigations through June 30, 2025. The total grant award is \$825,000. **There is no match requirement associated with this award.** The Catalog of State Financial Assistance (CSFA) number is 71.122 and the agreement number is 2023-SAFE-SF-046. Countywide (RS)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

3. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office (PBSO) a Department of Homeland Security, FY 2024 Targeted Violence and Terrorism Prevention Grant Program grant award in the amount of \$700,000 for the period of October 1, 2024 through September 30, 2026; and

B) approve a Budget Amendment of \$700,000 in the Sheriff's Grants Fund.

SUMMARY: On September 5, 2024 PBSO received a federal grant award in the amount of \$700,000 to enhance our Palm Beach County School and Community Violence Prevention Project and corresponding comprehensive implementation strategy which addresses threats of mass violence in the community. Funding will be used to support the hire of one (1) full time Detective position, one (1) full time Case Manager position, one (1) full time Intelligence Analyst position, training, supplies, and community awareness. An increase in funding from the County may be requested through our annual budget process once the grant ends to support the three (3) newly added positions. The Office of Attorney General (OAG) Catalog of Federal Domestic Assistance (CFDA) Number for this program is 97.132. The Agreement number is EMW-2024-GR-05163. There is no match requirement associated with this award. Countywide (RS)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

4. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office (PBSO) a Department of Justice, Office of Justice Programs FY2024 Kevin and Avonte Program: Reducing Injury and Death of Missing Individuals with Dementia and Developmental Disabilities Program grant in the amount of \$150,000 for the period of October 1, 2024 through September 30, 2027; and

B) approve a Budget Amendment of \$150,000 in the Sheriff's Grants Fund.

SUMMARY: On September 27, 2024, PBSO received a Federal grant award in the amount of \$150,000 to increase Palm Beach County's capacity to reduce injury and death of missing individuals with dementia and developmental disabilities. Funding will be used to support contractual services, travel, training, and supplies. The Department of Justice Office of Justice Programs Catalog of Federal Domestic Assistance (CFDA) Number for this program is 16.015 and the contract number is 15PBJA-24-GG-04027-MAPX. There is no match requirement associated with this award. Countywide (RS)

5. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office (PBSO) a Department of Justice, Office of Community Oriented Policing Services (COPS Office) FY 2024 Community Policing Development Microgrant in the amount of \$175,000 for the period of October 1, 2024 through September 30, 2026; and

B) approve a Budget Amendment of \$175,000 in the Sheriff's Grants Fund.

SUMMARY: On September 30, 2024, PBSO received a Federal grant award in the amount of \$175,000 to expand PBSO's LGBTQ+ Liaison Program. Funding will be used to support contractual services, training, and supplies. The Department of Justice Office of Justice Programs Catalog of Federal Domestic Assistance (CFDA) Number for this program is 16.710 and the contract number is 15JCOPS-24-GG-02552-PPSE. There is no match requirement associated with this award. Countywide (RS)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

6. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office an Agreement Between the State of Florida, Office of the Attorney General (OAG) and the Palm Beach County Sheriff's Office for a Victim of Crime Act (VOCA) award in the amount of \$211,981 for the period October 1, 2024 through September 30, 2025; and

B) approve a Budget Amendment of \$211,981 in the Sheriff's Grants Fund.

SUMMARY: On September 10, 2024, the Palm Beach County Sheriff's Office (PBSO) received a VOCA grant. These funds will be used to continue funding the three (3) victim advocate positions to concentrate on the domestic violence, human trafficking, and violent crime victim population in Palm Beach County. The three (3) positions will coordinate services with PBSO Deputies, the County's Victim Services Programs, and other municipal agencies to offer crisis intervention, lethality assessments, safety plans, and case management services. An increase in funding from the County may be requested through our annual budget process once the grant ends. The OAG Catalog of Federal Domestic Assistance (CFDA) Number for this program is 16.575 and OAG grant number VOCA-C-2024-Palm Beach County Sheriff's Offi-00194. Countywide (RS)

3. CONSENT AGENDA APPROVAL

DD. OFFICE OF EQUAL OPPORTUNITY

1. Staff recommends motion to approve: the At-Large appointment to the Commission on Women Advisory Board (ACW) for a term beginning December 10, 2024 and expiring September 30, 2025.

<u>Appoint</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Nominated By</u>
Silvia Ibrahim	15	PBC Resident	Commissioner Weiss Commissioner Woodward

SUMMARY: The ACW serves as an advisory body to focus on matters pertaining specifically to women. Per Resolution R2018-0188, the Board of County Commissioners (BCC) established the ACW and per Resolution R2023-0098 extended its service. A memorandum was sent to the BCC soliciting recommendations for the vacancy. Silvia Ibrahim subsequently submitted an application and expressed her interest in an appointment. The ACW is comprised of 15 members, two (2) appointed by each County Commissioner and one (1) at-large appointed by majority vote of the BCC. The BCC may also appoint a youth representative (15-18 years of age) to serve as an ex-officio member. The board meets at least quarterly. Ten (10) seats are currently filled. The current diversity count is Caucasian: 5 (50%), African-American: 2 (20%), Hispanic: 2 (20%) and Unknown: 1 (10%). The gender ratio (female: male) is 10:0. Staff has addressed the need to increase diversity within our boards and will continue to encourage this to expand this Board’s diversity. Countywide (JW)

2. Staff recommends motion to approve: Amendment No. 2 to the contract for Consulting/Professional Services with the Legal Aid Society of Palm Beach County, Inc. (LAS). This amendment to the contract is for a period of 12 months, beginning January 1, 2025, for the contract price of \$145,333. **SUMMARY:** On January 10, 2023, the Board of County Commissioners (BCC) approved the contract (R2023-0038) with LAS for three (3) years at \$435,999 inclusive of two (2) one (1) year renewal options. This is the final renewal option. The contract covers the salary and benefits of the staff attorney assigned to the Wage Dispute Project, and the support, investigative, court processing services and other actual costs of the project. In 2023, 149 individuals were provided service under the contract. For the current year, the number served to date is 134 (from January 1, 2024 through October 31, 2024). Kimberly Rommel Enright, employee of the LAS, serves on the Palm Beach County HIV CARE Council (Council), which is a County Advisory Board. The Council provides no regulation, oversight, management, or policy-setting recommendations regarding the contract 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 (DO)

3. CONSENT AGENDA APPROVAL

DD. OFFICE OF EQUAL OPPORTUNITY

3. Staff recommends motion to receive and file: the Extension of Worksharing Agreement FY 2025 with the U. S. Equal Employment Opportunity Commission (EEOC). **SUMMARY:** The Worksharing Agreement is designed to provide individuals with an efficient procedure for obtaining redress for their grievances under Palm Beach County's Equal Employment Ordinance and Federal laws. The Worksharing Agreement is a prerequisite to the receipt of a Charge Resolution Contract with the EEOC. On November 26, 1996, the Board of County Commissioners (BCC) approved staff's recommendation that future Worksharing Agreements be executed by the County Administrator, or designee, because of the recurring time constraints involved in this process. Pursuant to Countywide PPM-CW-O-051, the attached document is now being submitted to the BCC to receive and file. **No County funds are required.** Countywide (DO)

3. CONSENT AGENDA APPROVAL

EE. OFFICE OF EQUAL BUSINESS OPPORTUNITY

1. [Staff recommends motion to approve:](#) the appointment of four (4) applicants to the Equal Business Opportunity Advisory Committee (EBOAC) for the term December 10, 2024 through December 9, 2027:

NEW APPOINTMENT	SEAT	DESIGNATION	NOMINATED BY
Angela Barnard	3	Certified Woman Business Owner	Mayor Marino Commissioner Weiss
Melanie Roger	5	Business Owner Domiciled in Palm Beach County	Mayor Marino Commissioner Weiss
Deeawn T. Roundtree	9	Women’s Business Organization	Mayor Marino Commissioner Weiss
Thais Sullivan	14	Black Chamber of Commerce	Mayor Marino Commissioner Weiss

3. CONSENT AGENDA APPROVAL

EE. OFFICE OF EQUAL BUSINESS OPPORTUNITY

1. **SUMMARY:** The EBOAC reviews and evaluates the effectiveness of equal business opportunity programs within County Government, and was established pursuant to Section 2-80.28(f) of the Palm Beach County Code. EBOAC consists of 15 members representing one (1) African American business owner certified as a small business by the County; one (1) Hispanic business owner certified as a small business by the County; one (1) woman business owner certified as a small business by the County; one (1) white male business owner certified as a small business by the County; one (1) business owner domiciled in Palm Beach County; one (1) representative of a business incubator program; one (1) representative of the Hispanic business organization; one (1) representative of the National Association of Women in Construction; one (1) representative of a Women’s Business Organization; one (1) certified minority contractor; one (1) representative of the Associated General Contractors of America; one (1) representative of the Small Business Development Center; one (1) representative of a financial institution that assists small businesses; one (1) representative of the Black Chamber of Commerce; and one (1) representative of a professional services organization. On November 1, 2024, a memo was sent to the Board of County Commissioners (BCC) requesting approval of the nominations. No other nominations were received. EBOAC seat terms are for three (3) years. The current diversity count is: African American: 5 (45.45%), Caucasian: 3 (27.27%), and Hispanic: 3 (27.27%). The gender ratio (female: male) is: 5:6. The nominees for appointment are Angela Barnard, Caucasian female; Melanie Roger, African-American female; Deeawn T. Roundtree, African-American female; Thais Sullivan, African-American female. Ms. Angela Barnard is the owner of Audio Video Systems, Inc. Audio Video Systems, Inc. contracts with Palm Beach County for services; however, EBOAC provides no regulation, oversight, management, or policy setting recommendations regarding the contracts or transactions with Audio Video Systems, Inc. Disclosure of this contractual relationship at a duly noticed public meeting is provided in accordance with the provisions of Section 2-443 of the Palm Beach County Code of Ethics. Staff has addressed the need to increase diversity within our boards and will continue to encourage this to expand this Board’s diversity. Countywide (RS)

3. CONSENT AGENDA APPROVAL

FF. INTERNAL AUDITOR

1. Staff recommends motion to: Appoint one (1) alternate member to the Internal Audit Committee (IAC):

<u>Seat</u>	<u>Nominee</u>	<u>Term</u>	<u>Nominated by:</u>
Alternate	Sonny Maken	12/11/2024 - 12/10/2027	Vice Mayor Baxter

SUMMARY: The purpose of the Internal Audit Committee is to assist the Board of County Commissioners (BCC) in fulfilling its oversight and governance responsibilities of County operations and providing advice and recommendations to the County Internal Auditor. All members of the Internal Audit Committee are required to be citizens of Palm Beach County, independent of County operations and officials, with experience in business or finance; government accounting, auditing, operations or financial management; or other relevant experience. At its September 18, 2024 meeting, the Internal Audit Committee unanimously recommended the appointment of Mr. Maken to the Alternate Seat. The Alternate Committee member will serve a three (3) year term ending December 10, 2027. The audit committee consists of five (5) full member seats and one (1) alternate member seat. Following this appointment, the five (5) full-member and one (1) alternate seats will be filled. The current diversity count is Caucasian: 5 (83%). The gender ratio (male: female) is 4:1. Staff is addressing the need to increase diversity within its boards and will continue to encourage expansion of the Committee's diversity. Countywide (DB)

3. CONSENT AGENDA APPROVAL

GG. TOURIST DEVELOPMENT COUNCIL

1. **Staff recommends motion to receive and file:** a fully executed Palm Beach County FY 2025, 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 Players International Management, Inc., for the promotion of USTA Columbus Day Open hosted by the City of Delray Beach held October 12 – 14, 2024, for the term of April 12 – January 14, 2025. This grantee was approved by the TDC on June 13, 2024, in the amount of \$7,500. **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 “G” (Sports) grantees after they have been approved by the TDC. Room nights generated for Players International Management, Inc./ USTA Columbus Day Open hosted by the City of Delray Beach were 276. Countywide/District 7 (YBH)

3. CONSENT AGENDA APPROVAL

GG. TOURIST DEVELOPMENT COUNCIL

2. Staff recommends motion to receive and file: two (2) fully executed Palm Beach County FY2025, Category “G” Grant Agreements managed by the Palm Beach County Sports Commission, Inc. (Sports Commission), on behalf of the Palm Beach County Tourist Development Council (TDC) with:
- A) Perfect Game USA, Inc., for the promotion of the Perfect Game WWBA Championship Week/Perfect Game WWBA 13U & 14U World Championship, held October 4 – 21, 2024, for the term April 4, 2024 – January 21, 2025. This grantee was approved by the TDC on June 13, 2024, in the amount of \$129,000; and
 - B) Orlando Youth Hockey Association, Inc., for the promotion of the Columbus Day Discovery Showdown, held October 10 – 13, 2024, for the term April 10, 2024 – January 13, 2025. This grantee was approved by the TDC on June 13, 2024, in the amount of \$8,000.

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 G (Sports) grantees after they have been approved by the TDC. Room nights generated for Perfect Game USA, Inc./ Perfect Game WWBA Championship Week/Perfect Game WWBA 13U & 14U World Championship were 10,877, and room nights generated for Orlando Youth Hockey Association, Inc./ Columbus Day Discovery Showdown were 324. Countywide/Districts 1, 6, & 7 (YBH)

* * * * *

4. SPECIAL PRESENTATIONS – 9:30 A.M.

- A)** Proclamation declaring December 2024 as Impaired Driving Awareness Month. (District 4)
- B)** Certificate of Appreciation presented to Loggerhead Marinelife Center. (District 1)
- C)** Proclamation declaring December 2024 as Palm Beach County Family Caregivers Month. (District 4)
- D)** Proclamation declaring December 8 – 14, 2024 as: (District 6)
 - PBSO District 15 Street Crimes Unit Agent Sergeant Bert Gaudreau Week.
 - PBSO District 15 Street Crimes Unit Agent Timothy Laquerre Week.
 - PBSO District 15 Street Crimes Unit Agent Thomas San Filippo Week.

* * * * *

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

A. PALM TRAN

1. Staff recommends motion to approve:

- A) the filing of an electronic grant application #1098-2025-1, with the Federal Transit Administration (FTA), for Flex Funds (CFDA 20.507) programmed by the Palm Beach Transportation Agency (TPA) and the Florida Department of Transportation (FDOT) for capital funds allocated to the Palm Beach County Board of County Commissioners (BCC) in the amount of \$10,938,876. This is a cost-reimbursable agreement that will become effective upon FTA Award and has an anticipated end date of March 30, 2036;
- B) the Program of Projects (POP) for Flex Funds Grant allocations as programmed by the TPA and FDOT, in the amount of \$10,938,876;
- C) the filing of Standard Form LLL - Disclosure of Lobbying Activities;
- D) authorization for the County Administrator or designee to execute on behalf of the BCC, and to transmit electronically, the BCC’s approval of the Grant Application, award, and the resulting grant agreement; and
- E) an upward Budget Amendment of \$10,938,876 in Palm Tran’s Grant Fund 1341 to recognize the actual grant allocation as detailed in grant application 1098-2025-1.

SUMMARY: Federal Flex Funds are programmed by the TPA and FDOT. The Long Range Transportation Plan (LRTP) is the 25-year vision for transportation in Palm Beach County. It evaluates the existing transportation network and identifies projects that will serve our needs in the future. The LRTP allocates millions of Federal Surface Transportation Program funds annually to advance lower-cost, non-regionally significant transportation projects identified by the TPA through the Local Initiatives (LI) program, an annual competitive application process where projects are submitted to the TPA and prioritized for funding. Funded projects are either implemented by the applicant or funded through a fund transfer to FTA. This application includes the following: \$7,858,221 for the purchase of seven (7) Electric Buses to replace diesel buses that have reached their useful life; \$1,000,000 to acquire the necessary charging equipment; \$1,000,000 for Transit Signal Priority; \$800,000 for Bus Shelter construction; and \$280,655 for Enhanced Americans with Disabilities (ADA) Access to Bus Shelters. The Flex Grant applications have a match requirement of \$2,187,775 or 20% of the total project cost. The source of the matching funds comes from Toll Revenue Credits provided by FDOT. No County funds are required. The grant application also requires execution of the Disclosure of Lobbying Activities, Form LLL. Countywide (MM)

* * * * *

6. REGULAR AGENDA

A. AIRPORTS

1. Staff recommends motion to adopt: a Resolution establishing maximum parking rates for public parking facilities at the Palm Beach International Airport (PBI) to be implemented incrementally over a period of five (5) years, commencing on February 1, 2025; authorizing the County Administrator or designee to suspend, reduce or waive parking fees under certain circumstances and to establish employee, flight crew and temporary parking rates; and providing for the repeal of Resolutions 2011-1436 and 2012-1875. **SUMMARY:** The Resolution establishes maximum daily rates for the public parking facilities at the PBI with incremental increases over the next five (5) years with the first increase commencing on February 1, 2025. Effective February 1, 2025, the maximum daily rates will be adjusted as follows: premium parking will increase from \$30 to \$34 per day; short-term parking will increase from \$17 to \$21 per day; long term parking will increase from \$13 to \$14 per day; economy parking will increase from \$7 to \$8 per day. Effective January 1, 2027, the maximum daily rates will be increased to the following: \$36 per day for premium parking; \$23 per day for short term parking; \$15 per day for long term parking and \$9 per day for economy parking. Effective January 1, 2030, the maximum daily rates will be increased to the following: \$38 per day for premium parking; \$25 per day for short term parking; \$16 per day for long term parking and \$10 per day for economy parking. It is anticipated that reservations and valet parking options will be offered starting in calendar year 2025 as pilot programs; therefore, the Resolution also authorizes collection of service fees associated with reservations and establishes maximum daily rates for valet parking. The initial maximum daily rate for valet parking will be \$36 per day, increasing to \$38 on January 1, 2027 and \$40 on January 1, 2030. PBI's parking rates for existing facilities and services will remain lower than other competing airports in the region for comparable parking facilities. Valet parking charges will be established at rates competitive with competing airports while minimizing costs absorbed by the County for the provision of the service. A comparison of parking rates can be found in Attachment 2. The Resolution also clarifies and consolidates prior delegations of authority provided in Resolution 2011-1436 and Resolution 2012-1875, relating to parking discounts, and various agenda items. The Resolution delegates authority to the County Administrator or designee, which in this case is the Director of the Department of Airports (Department), to suspend, reduce or waive parking fees under limited circumstances, including due to emergency events, failure of revenue control equipment, for recovery of stolen vehicles and abandoned rental cars, vehicular damage and other similar circumstances; to establish employee and flight crew parking rates; and to establish parking rates for temporary parking in an amount not to exceed a flat rate of \$35 per vehicle or a daily rate not to exceed the rate established for economy parking. Countywide (AH)

6. REGULAR AGENDA

B. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: an Assignment and Assumption of Offsite Drainage Easement from Atlantic Commons Associates, LLLP (Developer) for the positive storm water outfall for the County's proposed civic site parcel located within the Atlantic Commons PUD. **SUMMARY:** On April 2, 2013, the Board of County Commissioners (BCC) approved a Civic Site Dedication Agreement (R2013-0396) (Agreement) with various residential development entities owned by GL Homes, under which GL Homes is obligated, among other things, to convey to the County an approximately 6 acre civic site within the Atlantic Commons PUD located at the NE corner of Atlantic Avenue and the Turnpike (Civic Site Parcel) and to provide a positive storm water outfall easement for drainage from the Civic Site Parcel into the storm water management system located immediately north of the Civic Site Parcel. On August 20, 2024, the BCC approved a First Amendment (R2024-1009) modifying access and utility easement requirements. Developer dedicated an offsite drainage easement (Easement) for drainage purposes pursuant to the Atlantic Commons - Plat Three for the benefit of the Civic Site Parcel. This Assignment and Assumption irrevocably assigns, conveys and transfers to County all of Developer's right, title and interest in and to the Easement. There is no fiscal impact associated with the approval of this agenda item. (Property & Real Estate Management) District 5 (HJF)

6. REGULAR AGENDA

C. HOUSING & ECONOMIC DEVELOPMENT

1. **Staff recommends motion to approve:** a HOME Investment Partnerships (HOME) Program Community Housing Development Organization (CHDO) funding award of \$1,880,000 to Habitat Housing Solutions, Inc. (HHSI). **SUMMARY:** On August 20, 2024, the Department of Housing and Economic Development (DHED) received a proposal in the amount of \$1,650,000 in HOME CHDO Program Activities and up to \$230,000 in CHDO Operating Funds. HHSI is eligible to participate in the program for the creation of affordable rental or homeownership housing through new construction or acquisition and/or rehabilitation of residential property. HHSI is the CHDO working in coordination with Habitat for Humanity of Greater Palm Beach County. An internal review was conducted on September 13, 2024 and staff recommends funding to HHSI for the Scattered Site lots project in the amount of \$1,650,000 for program activities and up to \$230,000 for operating funds. This for-sale project will create 11 new single family homes. When completed, the project will consist of ten (10) 3-bedroom/2-bathroom and one (1) 2-bedroom/2-bathroom single family homes. The sale prices for the County-assisted units are as follows: one (1) unit will be \$370,000, one (1) unit will be \$235,000 and nine (9) units will be \$415,000 each. All County-assisted housing units will remain affordable to households with incomes no greater than 80% of Area Medium Income (AMI) for no less than 30 years. The total project cost is \$3,100,000 (\$275,000 per unit for ten (10) units and \$350,000 for one (1) unit). Total County funding for this Project is \$1,650,000 or 53.23% (\$150,000 per unit). Loan agreements and related documents pursuant to these HOME funds will be between the County and the HHSI and its respective successors and/or assigns. **These are HOME grant funds that do not require a local match.** Districts 2, 3, 6 & 7 (HJF)

Funding Sources:	
CHDO	\$1,650,000
Publix Grant	\$175,000
Berlin Family Foundation	\$200,000
Deluca Family Education	\$200,000
Community Contribution Tax Credit Program	\$875,000
Total Development Cost	\$3,100,000

6. REGULAR AGENDA

C. HOUSING & ECONOMIC DEVELOPMENT

2. Staff recommends motion to approve: revised Impact Fee Affordable Housing Assistance Program (IFAHAP) Guidelines. **SUMMARY:** The IFAHAP makes impact fee interest earnings available to developers to offset impact fees due on new housing construction. In return, the developers accept restrictions that ensure affordability to households with incomes no greater than 140% of Area Median Income (AMI). The Department of Housing and Economic Development (DHED) offers IFAHAP assistance through a Notice of Funding Availability. The proposed revisions include: 1) increase the period of affordability on all housing types (rental and for-sale) from a period of not less than 15 years to a period of not less than 30 years; 2) reduce the maximum eligible income served by rental units from 140% of AMI to 110% of AMI; 3) clarify that housing units that meet a Palm Beach County Workforce Housing Program obligation are not eligible for assistance; 4) eliminate the ability to buy out of affordability requirements by repaying the IFAHAP assistance; 5) requiring a penalty payment in the event of default while still preserving the affordability requirements; 6) add language prohibiting any rental increases at any time other than at lease renewal; and 7) make ministerial corrections and alterations. The revised Guidelines will apply to all future IFAHAP awards. Countywide (HJF)

6. REGULAR AGENDA

C. HOUSING & ECONOMIC DEVELOPMENT

3. Staff recommends motion to approve:

A) a Budget Transfer of \$215,327.28 from the Housing Initiative Fund to the HOME Investment Partnership Act Fund; and

B) a Budget Amendment of \$215,327.28 in the HOME Investment Partnership Act Fund to recognize the transfer from the Housing Initiative Fund.

SUMMARY: On September 13, 2016 (#3I-2), the Board of County Commissioners (BCC) approved a \$389,046 HOME Investments Partnership Program (HOME) award to Habitat Housing Solutions, Inc. (HHS) for the construction of two (2) single family housing units for affordable homeownership. On July 11, 2017 (#5D-1), the BCC approved a \$749,767 HOME award to the Community Land Trust of Palm Beach County, Inc. (CLT) for the construction of six (6) single family housing units for affordable homeownership. Federal HOME Program regulations at 24 Code of Federal Regulations (CFR) Part 92 require that activities be completed within four (4) years from the commitment of HOME funding. Both the HHS and the CLT activities completed construction and conveyed the homes to eligible homebuyers within the required four (4)-year period. However, delays in processing final draws of HOME funds prevented the County's completion of the activities in the U.S. Department of Housing and Urban Development (HUD) Integrated Disbursement and Information System within the required four(4)-year period. Additionally, HUD identified instances where the funding agreements for the HOME activities did not meet regulatory requirements at 24 CFR Part 92. As a result, HUD now requires the reimbursement of the County's HOME Trust Fund Account in the amount of \$215,327.28 from non-Federal funds. Approval of this agenda item will allocate \$215,327.28 from the Housing Initiative Fund to make the reimbursement. **After transfer to the County's local HOME Fund account, the funds are available to the County for expenditure on new activities in accordance with HOME Program requirements.** Countywide (HJF)

6. REGULAR AGENDA

C. HOUSING & ECONOMIC DEVELOPMENT

4. Staff recommends motion to:

- A) **approve** General Obligation Housing Bond Loan Program (HBLP) – Workforce Housing Multifamily Development award to Richman Lake Worth Apartments, LLC in the amount of \$13,000,000 for the Residences at Lake Worth Beach Apartments 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.

SUMMARY: At the June 4, 2024 Board of County Commissioners (BCC) meeting, the BCC conceptually approved HBLP funding in the amount of \$13,000,000 and transmission to the County’s third-party underwriter for the Project located at 2431 2nd Avenue North in Lake Worth Beach. The Project consists of construction of 195 workforce rental development units with 164 units County-assisted. Fourteen (14) units restricted to no more than 80% Area Median Income (AMI) and 181 units at no more than 110% AMI. The total project cost is \$68,702,170 (\$352,319 per unit) with a County HBLP investment of \$13,000,000 for a per-unit cost of \$79,268. Total County HBLP funding for this Project is \$13,000,000 or 19% (\$79,268 per unit) of total project. Funding sources for this Project are as follows:

Funding Sources:	
Merchants Capital	\$46,084,604
PBC HBLP	\$13,000,000
Deferred Fee	\$1,854,926
Developer Equity	\$7,762,640
Total Development Cost	\$68,702,170

6. REGULAR AGENDA

C. HOUSING & ECONOMIC DEVELOPMENT

4. **SUMMARY (cont'd.):** Based on the preliminary third-party underwriter's report, staff has negotiated final terms and conditions for BCC consideration. County funding will be provided in the form of a repayable loan at 1% interest. The Agreement and related documents pursuant to these HBLP funds will be between the County and Richman Lake Worth Apartments, LLC (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 units will remain affordable to tenants with incomes no greater than 110% AMI for 50 years. Affordability restrictions will be recorded through Declarations of Restrictive Covenants that will survive repayment of the loan. 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 for this project. District 3 (HJF)

6. REGULAR AGENDA

C. HOUSING & ECONOMIC DEVELOPMENT

5. **Staff recommends motion to deny:** a General Obligation Housing Bond Loan Program (HBLP) – Workforce Housing Multifamily Development award to Residences at Marina Village, LLC (Marina Village) in the amount of \$4,719,882. **SUMMARY:** At the May 7, 2024 Board of County Commissioners (BCC) meeting, the BCC conceptually approved HBLP funding in the amount \$4,719,882 for Residences at Marina Village project (Project) and transmission to the County’s third-party underwriter. The Department of Housing and Economic Development (DHED) prepared a comprehensive term sheet based on the recommendations of the underwriting report and submitted the term sheet for approval by Marina Village. Marina Village did not accept the terms as defined because they have secured a State Apartment Incentive Loan (SAIL), and as part of the SAIL requirements, all subordinate loans are not permitted to have required debt service payments. This HBLP loan would be a subordinate loan to the SAIL loan and the Allocation Process, approved by the BCC on October 3, 2023, requires debt service payments on all HBLP Workforce Housing projects to begin at least by Year 11. Therefore DHED is recommending denial of the HBLP funds for the Project due to the developer’s inability to comply with the HBLP loan terms. District 7 (HJF)

6. **Staff recommends motion to deny:** a General Obligation Housing Bond Loan Program (HBLP) - Workforce Housing Multifamily Development award to Gallery at Sunset Park, LLC (Gallery) in the amount of \$14,900,000. **SUMMARY:** At the June 4, 2024 Board of County Commissioners (BCC) meeting, the BCC conceptually approved HBLP funding in the amount \$14,900,000 for the Gallery at Sunset Park project (Project), and transmission to the County’s third-party underwriter. The Department of Housing and Economic Development (DHED) prepared a Comprehensive Loan Term Sheet (Term Sheet) based on the recommendations of the underwriting report, and submitted the Term Sheet for approval to Gallery. Gallery did not accept the original terms as defined in the Term Sheet, but instead requested modifications. The modifications include a redistribution of the units pertaining to affordability as shown:

	BCC Conceptual Approval	Newly Proposed
60% AMI	58	16
110% AMI	87	144
Total	145	160

Due to the failure to accept the terms recommended in the Term Sheet and included in the BCC conceptual approval, staff is recommending denial of the HBLP funds for this Project. District 3 (HJF)

6. REGULAR AGENDA

C. HOUSING & ECONOMIC DEVELOPMENT

7. Staff recommends motion to:

A) **approve** a HOME American Rescue Plan (HOME-ARP) Program award of \$1,053,525 to Fort Lauderdale Independence Training and Education Center, Inc. (FLITE); 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 award for this Project.

SUMMARY: On May 10, 2023, HED issued a Notice of Funding Availability (NOFA) HED.2023.1 making up to \$7,891,211 in Federal HOME-ARP funding available for the development of multifamily rental housing, and residential facilities to serve qualifying populations including the homeless; at-risk of homelessness; and those experiencing housing instability. All projects must increase the local inventory of affordable housing units and/or residential facilities that serve qualifying populations. Applications were accepted on a first-come, first-eligible and first-funded basis. Staff review ensured applications met criteria for eligibility, responsiveness, and viability. Staff recommends funding in the amount of \$1,053,525 to the FLITE to rehabilitate Hawks Edge, a rental development to consist of eight (8) two (2) bedroom apartments located at 811 9th Street, West Palm Beach. The property is owned by Payne Chapel A.M.E. which will lease the property to FLITE for no less than 30 years, and will be required to execute a Declaration of Restrictions in favor of the County to secure the HOME-ARP affordability requirements. The total project cost is \$1,404,700 and the proposed total County assistance would be \$1,053,525 at a per unit cost of \$131,691. The total County contribution would be 75% of the total project cost. Additional funding sources for this project is as follows:

Funding Sources	
PBC HOME ARP Award	\$1,053,525
FLITE Center Contribution	\$ 191,550
City of West Palm Beach	\$ 159,625
Total Development Cost	\$1,404,700

6. REGULAR AGENDA

C. HOUSING & ECONOMIC DEVELOPMENT

7. **SUMMARY (cont'd.):** All eight (8) units will provide transitional housing and supportive services to youth age 18 to 25 with a focus on youth aging out of the child welfare system and will bear affordability requirements of the HOME-ARP Program for no less than 30 years. To facilitate project implementation, staff requests authorization for the County Administrator, or designee, to execute the agreements and related documents, for this project. **These are Federal HOME-ARP Program funds which do not require a local match.** District 7 (HJF)
8. **Staff recommends motion to approve:** a deadline for all current conceptually approved Housing Bond Loan Program (HBLP) and Housing Initiatives Program (HIP) funded projects to be submitted for final Board of County Commissioners (BCC) approval no later than March 11, 2025. **SUMMARY:** At the May 7, 2024, June 4, 2024 and November 19, 2024 BCC meetings, the BCC conceptually approved HBLP and HIP funding for several projects. To date, three (3) projects have received final BCC approval, three (3) projects are scheduled for December 10, 2024, and six (6) projects are obtaining additional financing or undergoing third party underwriting. The Requests for Proposals (RFP) required all projects to be shovel ready upon final approval.

Final Approval	Scheduled for 12/10/24	Awaiting Financing/Underwriting
1. Lake Worth Beach CRA Villas	1. Lake Worth Beach Apts.	1. One North Lake
2. Waterview	2. Marina Village	2. Westgate Terrace
3. Calusa Pointe II	3. Gallery at Sunset Park	3. Isaiah Clark Apartments
		4. Drexel
		5. Judge Rodgers Court
		6. Village of Valor

A Workshop to discuss revisions “Housing Bond Allocation Process” is scheduled for January 28, 2025. Staff is also preparing to issue a new Housing RFP and would like to establish a deadline for projects to complete any outstanding issues and receive final BCC approval no later than March 11, 2025. Countywide (HJF)

6. REGULAR AGENDA

D. OFFICE OF EQUAL BUSINESS OPPORTUNITY

1. [Staff recommends motion to approve](#) on preliminary reading and permission to advertise for public hearing on January 14, 2025 at 9:30 am: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 2, ARTICLE III, DIVISION 2, PART C OF THE PALM BEACH COUNTY CODE, (ORDINANCE NO. 2018-021), PERTAINING TO THE EQUAL BUSINESS OPPORTUNITY PROGRAM; PROVIDING FOR POLICY, PURPOSE, AND OBJECTIVES; PROVIDING FOR DEFINITIONS; PROVIDING FOR SCOPE AND EXCLUSIONS; PROVIDING FOR OFFICE OF EQUAL BUSINESS OPPORTUNITY; PROVIDING FOR COMMERCIAL NONDISCRIMINATION POLICY; PROVIDING FOR ADMINISTRATIVE REFORMS; PROVIDING FOR AFFIRMATIVE PROCUREMENT INITIATIVES; PROVIDING FOR PROGRAM ADMINISTRATION; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR CAPTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

SUMMARY: The Equal Business Opportunity (EBO) Ordinance is amended to ensure consistency between the “Procurement and/or Purchasing Code,” which became effective on November 16, 2024. Additional amendments are made to Administrative Reforms, Affirmative Procurement Initiatives (APIs) and Program Administration that are consistent with EBO policies, processes and practices. The pertinent edits include:

- 1) Aligning the EBO Ordinance with the Procurement Code to ensure consistency and incorporate recent changes to the Code;
- 2) Definitions are added, revised, deleted and clarified as needed, including, but not limited to, making definitions consistent with the Procurement Code; defining the Active Vendor Directory, and defining the capabilities of the Enterprise Contract Management System (eCMS);
- 3) Incorporating the Small Business Enterprise (SBE) and Minority/Women Business Enterprise (M/WBE) Mentor Protégé Pilot Program as a permanent part of the EBO Ordinance due to its demonstrated effectiveness. This program, also known as the Construction Manager at Risk (CM@R), offers evaluation preferences for construction-related proposals when the proposing firm agrees to mentor an SBE or M/WBE firm, providing management guidance and training. Evaluation criteria includes the firm’s history of SBE participation on previous government or private sector projects, its SBE or M/WBE participation plan, and its commitment to achieving Affirmative Procurement Initiatives for applicable subcontracts;

6. REGULAR AGENDA

D. OFFICE OF EQUAL BUSINESS OPPORTUNITY

1. SUMMARY (cont'd.):

- 4) Adding language to SBE Price Preference for construction contracts where there are no opportunities for subcontracting to indicate that the majority of the work must be performed by the Prime SBE respondent;
- 5) Adding language to vendor invoice and payment procedures for payment of undisputed invoices and included Local Government Prompt Payment Act language as defined in Section 218.70 et seq., Florida Statutes;
- 6) Adding language to evaluation and preference provisions to prioritize the participation of Small Business Enterprise (SBE) respondents and bidders;
- 7) Updating fees for Special Master Hearing appeal bond to align with the Procurement Code, ensuring transparency of the fee structure; and
- 8) Clarifying frequency of reporting requirements as follows: The OEBO will issue quarterly performance reports to be submitted to the Board of County Commissioners (BCC) as receive and file agenda items; semiannual and annual reports will be presented to the BCC and County Administration; and elements of reporting that do not reflect the current capabilities of the existing reporting system will be removed. Countywide (RS)

6. REGULAR AGENDA

E. PLANNING, ZONING & BUILDING

1. Staff recommends motion to: proceed with the issuance of the Countywide Transportation Master Plan Request for Proposal. **SUMMARY:** Staff will provide an update of the Countywide Transportation Master Plan (CTMP) Request for Proposal (RFP) for consultant services, including the goals, scope of work, and preliminary timelines (see Attachments 1 and 2). The CTMP will establish a multijurisdictional process and planning framework that provides for a countywide vision for a multimodal system that safely connects people to places. The update will also provide additional information on the CTMP development process once a Consultant is selected that will include the various project components, from project initiation, data collection, analysis and preparation of the CTMP, through presentation of the CTMP and recommendations to the Board of County Commissioners (BCC). As part of the CTMP development process, the Consultant will be working with County staff and a core technical group of stakeholders regularly in the development of the CTMP, in preparation for the presentations to all stakeholders at key project milestones and in various geographical locations within PBC. The Consultant will be tasked with providing a methodology to build consensus through engagement with multiple public, private, and civic stakeholders. Countywide (DWL)

6. REGULAR AGENDA

F. PARKS & RECREATION

1. Staff recommends motion to approve: The County Parks and Recreation Long-Range Master Plan through 2035. **SUMMARY:** This Plan represents Parks and Recreation’s mission statement, vision statement, and long-range goals and objectives in conjunction with the Council for Accreditation of Parks and Recreation Agencies (CAPRA) standards. It is a guiding document developed in part through a statistically valid public needs assessment survey, community focus groups, and stakeholder interviews. The Plan contains an inventory of Countywide recreation areas and level-of-service analysis, a demographic trends analysis, a leisure trends analysis as well as recommended strategies for the long-term growth and operation of the Department. Highlights of the Plan through 2035 include:
 - The public values our park system, our maintenance standards, and variety of offerings.
 - The County-wide needs assessment identified the highest priorities for the public as: providing access to beaches, more shade, added restrooms, additional neighborhood level parks, connectivity through nature trails, and increased active sports fields/courts.
 - The recreation pursuits of our changing population demographics will require continued adaptation.
 - Opportunities exist to provide both indoor and outdoor multi-field/court sports venues to further the sports tourism economy locally and meet public needs.
 - Opportunities exist to better reflect our communities through public art in parks and through recreation programming, creating a greater sense of belonging and social connection.
 - Long-term land acquisition and recreation venue redesign strategies will be required to keep pace with population growth, address park deserts, and meet demands for active recreation.
 - Long-range park system infrastructure investment is needed to both sustain and modernize facilities for long term level of service.

Countywide (AH)

6. REGULAR AGENDA

G. OFFICE OF EQUAL OPPORTUNITY

1. Staff recommends motion to receive and file: an annual report of the Advisory Commission on Women (ACW) 2023 activities per Resolution R2018-0188 as extended per Resolution R2023-0098. **SUMMARY:** The ACW serves as an advisory body to focus on matters pertaining specifically to women. Per Resolution R2018-0188, the Board of County Commissioners (BCC) established the ACW and per Resolution R2023-0098 extended its service. The resolution requires the ACW to present an annual report. The annual report is now being presented to the BCC to receive and file. **No County funds are required.** Countywide (JW)

* * * * *

DECEMBER 10, 2024

7. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

8. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

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

B. COUNTY ATTORNEY

* * * * *

DECEMBER 10, 2024

9. COMMISSIONER COMMENTS

District 1 – COMMISSIONER MARIA G. MARINO

District 2 – COMMISSIONER GREGG K. WEISS

District 3 – COMMISSIONER JOEL FLORES

District 4 – COMMISSIONER MARCI WOODWARD

District 5 - COMMISSIONER MARIA SACHS

District 6 - COMMISSIONER SARA BAXTER

District 7 – COMMISSIONER BOBBY POWELL JR.

* * * * *

DECEMBER 10, 2024

10. ADJOURNMENT

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

* * * * *