

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

**ADDITIONS, DELETIONS, & SUBSTITUTIONS**

**APRIL 22, 2025**

<u>PAGE</u>	<u>ITEM</u>	
9	4D1	* <b>ADD-ON</b> / (County Attorney) / <b>Staff recommends motion granting</b> the County Attorney's request to (1) schedule a private meeting for an attorney-client session between the Board of County Commissioners, the County Administrator, the County Attorney, Chief Assistant County Attorney, and Assistant County Attorney's pursuant to Section 286.011(8), Florida Statutes to discuss settlement negotiations in pending litigation, which Palm Beach County is presently a party: In re: Avenir Development, LLC. V. Palm Beach County, Florida; and (2) to give public notice of a private meeting for an attorney-client session to be held at 1:00 p.m. on May 6, 2025, in the McEaddy Conference Room at 301 North Olive Avenue, 12th Floor, West Palm Beach, Florida, and placing further notice of the private meeting Board of County Commissioners' meeting Agenda. The following persons will attend the meeting with the members of the Board of County Commissioners who are present at that time: Verdenia Baker, County Administrator; Denise Coffman, County Attorney; David Ottey, Chief Assistant County Attorney; Maureen Martinez, Sean Fahey, and Ryan Maher, Assistant County Attorneys. <b>SUMMARY:</b> The Board will discuss settlement negotiations. <u>Countywide</u> (DO)

**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  
PALM BEACH COUNTY, FLORIDA**

**APRIL 22, 2025**

**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 2 - 3)**

**4. REGULAR AGENDA (Pages 4 - 9)**

**5. WORKSHOP SESSION 9:30 A.M.**

- A.** Consolidated Plan for Fiscal Years 2025 – 2029 and  
Action Plan for Fiscal Year 2025-2026 (HED)

**6. BOARD DIRECTION (Page 10)**

**7. ADJOURNMENT (Page 10)**

3. CONSENT AGENDA

A. CLERK AND COMPTROLLER

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

B. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve:

- A) an annual contract with the following contractor for roofing services on an as-needed basis through November 16, 2025; and

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
Critical Path Construction, LLC	Local	S/MBE

- B) Work Order No. 25-006 (Work Order) to the annual roofing contract with Critical Path Construction, LLC (Contractor) in the amount of \$49,355 for the Gulfstream Park Caretaker’s House-Roof Replacement (Re-Bid) project for a period of 60 calendar days from notice to proceed.

**SUMMARY:** On November 17, 2020, the Board of County Commissioners (BCC) approved the annual roofing contract (R2020-1693 through R2020-1700). The work consists of roof repair and replacement services to County-owned properties on an as needed basis. The contractor now joins the list of 15 prequalified contractors for a total of 16 prequalified contractors with a contract expiration date of November 16, 2025. The specific requirements of the work will be determined by individual work orders issued against this annual roofing contract. These contracts are five (5) year indefinite-quantity contracts with a maximum cumulative value of \$10,000,000 across all prequalified contractors. Work will be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors.

3. CONSENT AGENDA

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

1. **SUMMARY (cont'd.):** Contractors may qualify at any time and be added to this annual roofing contract before the term ends. Projects less than \$150,000 are bid among the pool of prequalified contractors. Projects \$150,000 or greater are advertised on the vendor self-service (VSS) website and are bid among the pool of pre-qualified contractors while projects \$200,000 or greater are additionally advertised in the newspaper. The bidding pool is further expanded, for projects \$150,000 or greater, to include additional bidders responding to the specific project advertisement that submit a qualification application at least ten (10) calendar days before the bid due date. Actual Small/ Minority/ Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for all work orders issued. The Gulfstream Park Caretaker's House-Roof Replacement (Re-Bid) project was advertised on VSS contrary to the aforementioned standard procedure due to certain changes which occurred at the time of advertisement. The Gulfstream Park Caretaker's House roofing system has outlived its useful life and is in need of replacement. This Work Order authorizes the construction services necessary to furnish all labor, equipment, devices, tools, materials, transportation, professional services, supervision, drawings, permitting and all miscellaneous requirements necessary to remove the existing roofing system and replace with a new Johns Manville SBS roofing system. The new roofing system will provide years of weather protection. This project was competitively advertised and new contractors were invited to bid on the project by submitting prequalification documents prior to the submission of the bid response. The annual roofing contract was presented to the Goal Setting Committee on July 15, 2020 and the Committee established Affirmative Procurement Initiatives (APIs) of sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or an SBE contractor will be given a price preference if its bid is within 10% of the lowest non-small business bid. 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 roofing contract will have an API of an SBE Price Preference where an SBE contractor will be given a price preference if its bid is within 10% of the lowest non-small business bid for each project. There SBE participation on this Work Order is 100%. To date, the Contractor has 100% SBE participation. To date, the overall SBE participation on the annual roofing contract is 23.49%. Funding for this project is from the Park Improvement Fund. (Capital Improvements) Countywide/District 4 (MWJ)

4. REGULAR AGENDA

A. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to receive and file: presentation on property values. **SUMMARY:** The Property Appraiser will provide a presentation with a market update and a preliminary outlook on property values. Countywide (DB)

B. HOUSING & ECONOMIC DEVELOPMENT

1. Staff recommends motion to:

**A) approve** an Heirs' Property Family Wealth Protection Fund Agreement (Agreement) with the Federal Home Loan Bank of Atlanta (FHLBank Atlanta) for an Heirs' Property Family Wealth Protection Fund (Heirs') grant in the amount of \$500,000, effective upon execution by FHLBank Atlanta through September 30, 2026;

**B) approve** a Budget Amendment of \$1,000,000 in the FHLBank Atlanta Heirs' Grant Fund to recognize the receipt of \$500,000 in grant revenue and the transfer of \$500,000 from the Housing Initiative Fund as the required match; and

**C) approve** a Budget Transfer of \$500,000 in the Housing Initiative Fund to recognize the required local match allocated to the project.

**SUMMARY:** On September 23, 2024, the FHLBank Atlanta announced its 2024 Heirs' grant fund opportunity, allocating \$5 million to assist organizations with the prevention and resolution of heirs' property issues. On October 22, 2024, the Palm Beach County Board of County Commissioners (BCC) approved three (3) motions to: A) authorize the Department of Housing and Economic Development (DHED) to apply for a \$500,000 Heirs' grant; B) conceptually approve up to \$500,000 from the Housing Initiative Fund as the required match; and C) authorize the County Administrator or the Director of DHED to execute the Agreement. The grant required a FHLBank Atlanta member to submit the application. The Housing Finance Authority of Palm Beach County (Authority) supported the BCC's grant proposal and submitted the application on October 31, 2024.

4. REGULAR AGENDA

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

1. **SUMMARY (cont'd.)** FHLBank Atlanta notified the Authority and DHED on March 31, 2025, that it had been selected for a \$500,000 Heirs' grant, the maximum allowable award. The grant requires broader indemnification by the County than that approved by PPM CW-F-049. It requires the County and its officers, agents, or employees to indemnify, defend, and hold harmless the Bank and the Member, as well as their respective directors, officers, shareholders, employees and agents from and against any and all injuries, damages, losses, liabilities, claims, judgments and settlements (including, without limitation, all reasonable costs, expenses and attorney fees) arising from or related to (a) any negligent or willful act or omission by the Grant Recipient or its subcontractors, officers, agents or employees, or (b) any breach of any of the Grant Recipient's binding representations, warranties, or agreements in this Agreement. 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. Without the proper legal process, low-to-moderate income households often experience roadblocks preventing home equity from being passed down as property owners intend. Family homes and properties are key to generational wealth building, but all too often, this legacy is lost due to inadequate legal documentation. A recent survey sponsored by the FHLBank Atlanta found that most homeowners (90%) expect the equity in their home to benefit their heirs when they die, yet more than four (4) in ten (10) do not have a will/trust or estate plan. The survey also showed that roughly one (1) in five (5) homeowners did not have, or were not sure whether they have, a clear title or recorded deed. The County will partner with the Legal Aid Society of Palm Beach County, Inc. for project implementation. Underlying eligible properties must be located within low-to-moderate income census tracts as designated by the Federal Financial Institution Examination Council (FFIEC). All services must be 100% free of cost to property owners. **The FHLBank Atlanta Heirs' grant requires a 1:1 local match.** Countywide (HJF)

4. REGULAR AGENDA

C. AIRPORTS

1. Staff recommends motion to approve: Food, Beverage and Retail Concession Agreement (Agreement) with Host Hudson, LLC (Host) for the development and operation of a food, beverage and retail concession at the Palm Beach International Airport (PBI), with a transition period commencing on May 1, 2025, and expiring upon the earlier of the completion of construction of the final concession unit or September 30, 2028 (Transition Period), and a primary term commencing upon the expiration of the Transition Period and expiring ten (10) years thereafter (Primary Term); and providing for payment of privilege fees based on a percentage of monthly gross revenues during the Transition Period and payment of the greater of a minimum annual guarantee (MAG) of \$2,000,000 or privilege fees based on a percentage of annual gross revenues during the Primary Term. **SUMMARY:** Request for Proposals No. PB 24-10 (RFP) was issued in accordance with PPM AF-F-037 on May 29, 2024, for replacement of all restaurants, shops and vending machines at PBI in two (2) packages. Package 1 consisted of concession units on Concourse B, Concourse A and portions of the main terminal. Package 2 consisted of concession units on Concourse C and portions of the main terminal. On November 6, 2024, proposals for Package 1 were submitted by Host and SSP America PBI, LLC. On January 8, 2025, after evaluating the proposals based upon the selection criteria in the RFP and hearing oral presentations, the selection committee recommended Package 1 be awarded to Host. The Agreement provides for the development and operation of a food, beverage and retail concession at PBI by Host. Host's proposal provided for a mix of food, beverage and retail concepts that reflect local, regional and national name brand operators, products and suppliers. A detailed list of concepts included in the Agreement can be found in Attachment 1. The Agreement provides for a Transition Period for the design, permitting and construction of improvements, which will expire upon the completion of construction of the final concession unit or September 30, 2028, whichever occurs first. During the Transition Period, Host will pay privilege fees ranging from 12% to 18% of monthly gross revenues from the sale of food, beverages and merchandise from each concession unit.

4. REGULAR AGENDA

C. AIRPORTS (cont'd.)

1. **SUMMARY (cont'd.):** The MAG will be adjusted annually to an amount equal to the prior year's MAG or 85% of the prior year's annual privilege fees, whichever is greater. The Agreement provides for a minimum capital investment of \$15,944,000 to be spent on the design, permitting and construction of improvements and minimum mid-term capital investment of \$4,784,000. Supporting storage and office areas will be made available for use by facilities use permits at the then current terminal rental rate applicable to non-signatory airlines established in accordance with the Signatory Airline Agreement (R2019-1155). Host is a Delaware limited liability company, with its principal place of business in Bethesda, Maryland. The RFP established an Airport Concessions Disadvantaged Business Enterprise (ACDBE) participation goal of 25%. Host is a joint venture between Host International, Inc., and Hudson Group Retail, LLC. Host committed to 26% ACDBE participation by forming two (2) joint ventures with ACDBE providers, which include Tarra Enterprises, Inc., Chandler & Campbelle Investment Group, LLC dba Chandler Campbelle and Daschle, Montes and Pitkonen LLC, and Pioneer Concessions, LLC. The selection committee recommended that Package 2 be awarded to Paradies Lagardere @ PBI, LLC, which will be considered in a separate agenda item. Countywide (AH)
  
2. **Staff recommends motion to approve:** Food, Beverage and Retail Concession Agreement (Agreement) with Paradies Lagardere @ PBI, LLC (Paradies) for the development and operation of a food, beverage and retail concession at the Palm Beach International Airport (PBI), with a transition period commencing on May 1, 2025, and expiring upon the earlier of the completion of construction of the final concession unit or September 30, 2028 (Transition Period), and a primary term commencing upon the expiration of the Transition Period and expiring ten (10) years thereafter (Primary Term); and providing for payment of privilege fees based on a percentage of monthly gross revenues during the Transition Period and payment of the greater of a minimum annual guarantee (MAG) of \$2,000,000 or privilege fees based on a percentage of annual gross revenues during the Primary Term.



4. REGULAR AGENDA

C. AIRPORTS (cont'd.)

2. **SUMMARY:** Request for Proposals No. PB 24-10 (RFP) was issued in accordance with PPM AF-F-037 on May 29, 2024, for replacement of all restaurants, shops and vending machines at PBI in two (2) packages. Package 1 consisted of concession units on Concourse B, Concourse A and portions of the main terminal. Package 2 consisted of concession units on Concourse C and portions of the main terminal. On November 6, 2024, proposals for Package 2 were submitted by Host Hudson, LLC, Mitchell Estes Olsen PBI, LLC, Paradies and SSP America PBI, LLC. On January 8, 2025, after evaluating the proposals based upon the selection criteria in the RFP and hearing oral presentations, the selection committee recommended Package 2 be awarded to Paradies. The Agreement provides for the development and operation of a food, beverage and retail concession at PBI by Paradies. Paradies' proposal provided for a mix of food, beverage and retail concepts that reflect local, regional and national name brand operators, products and suppliers. A detailed list of concepts included in the Agreement can be found in Attachment 1. The Agreement provides for a Transition Period for the design, permitting and construction of improvements, which will expire upon the completion of construction of the final concession unit or September 30, 2028, whichever occurs first. During the Transition Period, Paradies will pay privilege fees ranging from 12% to 18% of monthly gross revenues from the sale of food, beverages and merchandise from each concession unit. The Agreement requires that construction of each concession unit must be completed within 180 days from the date it is transferred to Paradies for build out. The Primary Term will expire ten (10) years after the expiration of the Transition Period. During the Primary Term, Paradies will pay the greater of a MAG of \$2,000,000 or privilege fees ranging from 12% to 18% of annual gross revenues from the sale of food, beverages and merchandise from each concession unit. The MAG will be adjusted annually to an amount equal to the prior year's MAG or 85% of the prior year's annual privilege fees, whichever is greater. The Agreement provides for a minimum capital investment of \$14,952,193 to be spent on the design, permitting and construction of improvements and minimum mid-term capital investment of \$4,639,675.

4. REGULAR AGENDA

C. AIRPORTS (cont'd.)

2. **SUMMARY (cont'd.):** Supporting storage and office areas will be made available for use by facilities use permits at the then current terminal rental rate applicable to non-signatory airlines established in accordance with the Signatory Airline Agreement (R2019-1155). Paradies is a Georgia limited liability company, with its principal place of business in Atlanta, Georgia. The RFP established an Airport Concessions Disadvantaged Business Enterprise (ACDBE) participation goal of 25%. Paradies committed to 25% ACDBE participation by utilizing ACDBE providers, which include SMP Concessions, LLC and Tito Enterprises, LLC. The selection committee recommended that Package 1 be awarded to Host Hudson, LLC, which will be considered in a separate agenda item. Countywide (AH)

D. COUNTY ATTORNEY

1. Staff recommends motion granting: the County Attorney's request to (1) schedule a private meeting for an attorney-client session between the Board of County Commissioners, the County Administrator, the County Attorney, Chief Assistant County Attorney, and Assistant County Attorney's pursuant to Section 286.011(8), Florida Statutes to discuss settlement negotiations in pending litigation, which Palm Beach County is presently a party: In re: Avenir Development, LLC. V. Palm Beach County, Florida; and (2) to give public notice of a private meeting for an attorney-client session to be held at 1:00 p.m. on May 6, 2025, in the McEaddy Conference Room at 301 North Olive Avenue, 12th Floor, West Palm Beach, Florida, and placing further notice of the private meeting Board of County Commissioners' meeting Agenda. The following persons will attend the meeting with the members of the Board of County Commissioners who are present at that time: Verdenia Baker, County Administrator; Denise Coffman, County Attorney; David Ottey, Chief Assistant County Attorney; Maureen Martinez, Sean Fahey, and Ryan Maher, Assistant County Attorneys. **SUMMARY:** The Board will discuss settlement negotiations. Countywide (DO)

**APRIL 22, 2025**

**6. BOARD DIRECTION**

**7. ADJOURN**

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