

BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA

ADDITIONS, DELETIONS, & SUBSTITUTIONS

JUNE 3, 2025

<u>PAGE</u>	<u>ITEM</u>	
32	4F	*DELETED – moved to 7/8/25 BCC meeting. (Doug Wise Commendation)
20	3J1	*REVISED MOTION / TITLE / SUMMARY – MOVED TO 7A1 / Staff recommends motion to approve: Appointment of one (1) at-large member to the Planning Commission for the term June 4, 2025 to June 6, 2028.

<u>Name</u>	<u>Seat #</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Selena Samios	8	At-Large	Vice Mayor Baxter

OR

<u>Bill Reicherter</u>	<u>8</u>	<u>At-Large</u>	<u>Commissioner Woodward</u>
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SUMMARY: The Planning Commission was created by Ordinance 2008-003 which replaced the Land Use Advisory Board established by Resolution No. R-90-1987. The Unified Land Development Code (ULDC) Article 2.G.3.J provides for the membership of the Planning Commission (PLC) to have 16 members, consisting of 15 voting members appointed by the Board of County Commissioners (BCC) and one (1) non-voting representative of the School District. Each District Commissioner appoints two (2) members and one (1) member is appointed at-large by a majority vote of the BCC. This at-large position is to fill an existing vacancy. A memorandum for an at-large nomination was sent to the BCC on March 5, 2025. Two nominations were received. The term of office of each member is for three (3) years. The board has 15 voting members with 11 seats currently filled and a diversity count of Caucasian: 6 (54%), African-American: 1 (10%), Hispanic-American: 2 (18%) and Asian American: 2 (18%). The gender ratio (male: female) is 8:3. Ms. Samios is a Caucasian female and Mr. Reicherter is a Caucasian male. Staff will continue to address the need to increase diversity on our boards. . If chosen, Mr. Reicherter will have to resign from the Construction Board of Adjustment and Appeals to avoid violating the Constitutional dual office holding prohibition. Unincorporated (DL)

38	6C5	*ADD-ON / (ADMIN) / Staff recommends motion to approve: A Resolution of the Board of County Commissioners (BCC) condemning the killings of Yaron Lischinsky and Sarah Pilgrim in Washington DC, denouncing the rising threat of antisemitism and hate, and affirming support for local initiatives promoting interfaith dialogue and community unity. SUMMARY: The BCC directed staff at the Zoning meeting on Thursday, May 22, 2025 to prepare a resolution condemning the killings of Yaron Lischinsky and Sarah Milgrim in an anti-Semitic attack in Washington DC on May 21, 2025. The Resolution denounces the rise of antisemitism and hate in all forms; pledges to strengthen efforts to protect vulnerable communities across Palm Beach County; calls for an end to the hate-filled rhetoric that has permeated public discourse; reaffirms the BCC's commitment to civil discourse, interfaith understanding, and public engagement rooted in mutual respect; and supports and commends local initiatives and the American Jewish Congress for their efforts in promoting interfaith dialogue, community unity, and the eradication of hate. <u>Countywide</u> (AH)
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<u>PAGE</u>	<u>ITEM</u>	
39	6D-1	<p>*REVISED MOTION/TITLE/SUMMARY (CTY ATTORNEY) / Staff recommends motion for:</p> <p><u>A) Board Direction addressing Executive Order (EO) 14168 and EO 14173 regarding the President of the United States’ (President) position on “gender identity” prohibiting federal funds to be used to “promote gender ideology” and prohibiting grant recipients from having “illegal” race- and sex-based diversity, equity and inclusion (DEI) and/or diversity, equity, inclusion, and accessibility (DEIA) programs and complying with federal grants incorporating EO 14168, EO 14173, and other EOs;</u></p> <p><u>B) approval of a waiver of the notice requirements of Section 125.66(2), Florida Statutes, declaring that an emergency exists and that the immediate enactment of an Emergency Ordinance is necessary; and</u></p> <p><u>C) approval of an EMERGENCY 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, PERTAINING TO THE EQUAL BUSINESS OPPORTUNITY PROGRAM; PROVIDING FOR COMMERCIAL NONDISCRIMINATION POLICY; PROVIDING FOR SUSPENSION OF PALM BEACH COUNTY DIVERSITY EQUITY AND INCLUSION (“DEI”) PROGRAMS; 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 AND EFFECTIVE DATE. Four-fifths vote is required for approval.</u></p> <p><u>SUMMARY: Staff is requesting approval of an Emergency Ordinance to incorporate changes to respond to recent EOs prohibiting “illegal DEI Programs”. On January 20, 2025, the President signed EO 14168 opposing “gender identity” and prohibiting federal funds to be used to “promote gender ideology.” On January 21, 2025, the President signed EO 14173 stating opposition to “so-called diversity, equity and inclusion (DEI) or diversity, equity, inclusion, and accessibility (DEIA)” programs. On April 24, 2025, the Secretary of the United States Department of Transportation (DOT) issued a letter addressed to “All Recipients of U.S. Department of Transportation Funding” indicating that “any policy, program, or activity that is premised on a prohibited classification, including discriminatory policies or practices designed to achieve so-called ‘diversity, equity, and inclusion,’ or ‘DEI,’ goals, presumptively violates Federal law.” The letter “provides notice of the Department’s existing interpretation of Federal law” and “failure to cooperate generally with Federal authorities in the enforcement of Federal law, will jeopardize [the grant recipient’s] continued receipt of Federal financial assistance from DOT and could lead to a loss of Federal funding from DOT”.</u></p>

BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA

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39	6D-1	<p><u>SUMMARY (cont'd):</u> EO 14173, EO 14168 and other EOs are being incorporated expressly by reference in federal government grant agreements. The Justice Department has launched an initiative targeting grant recipients with False Claims Act (“FCA”) prosecution for violation of the terms of the federal grants that incorporated the EOs. There are numerous courts across the country that have received challenges of the EOs that are incorporated in the federal grant awards. This item requests that the BCC approve an Emergency Ordinance regarding continued receipt of grant funding and asks the BCC to approve an Emergency Ordinance suspending certain Palm Beach County (County) ordinances or portions thereof, policies and programs to limit legal liability and preserve the County’s access to federal funding pending further interpretation and clarification of federal law as it relates to recent EOs and federal grant requirements. The approval of an Emergency Ordinance best preserves the County’s access to federal funding sources, and limits potential civil and criminal liability. This option requires BCC direction to modify current policies to ensure race and gender neutral policies are in effect throughout the County. The proposed Emergency Ordinance suspends portions of the County’s Equal Business Opportunity Ordinance to return to a small business enterprise program with no enforcement or utilization of preferences or distinctions based on sex or race. In addition, reporting related to not hiring individuals of certain underrepresented race and/or gender pursuant to the Equal Employment Opportunity/Affirmative Action Plan is suspended pending further guidance by the federal government. The Office of Diversity, Equity and Inclusion will be eliminated which will have no impact as it has never been staffed. Staff, with the assistance of the County Attorney’s Office, may need to amend applicable Policy and Procedures Memoranda (PPMs) and other ordinances to ensure consistency with the requirements of the Emergency Ordinance. Approval of the Emergency Ordinance requires a waiver of the Notice Requirements of Section 125.66(2). The BCC must declare that an emergency exists and the immediate enactment of the Emergency Ordinance is necessary. The County is in receipt of federal grant opportunities that incorporate the EOs. These grants must be accepted and executed within limited time constraints, and there is insufficient time to follow the customary process outlined in Section 125.66(2). The Emergency Ordinance must be approved by a four-fifths vote of the BCC. Countywide (MM)</p>

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 (*).

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

JUNE 3, 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 7 - 31)**
- 4. SPECIAL PRESENTATIONS (Page 32)**
- 5. PUBLIC HEARING (Pages 33 - 34)**
- 6. REGULAR AGENDA (Pages 35 - 43)**
- 7. BOARD APPOINTMENTS (Page 44)**
- 8. STAFF COMMENTS (Page 45)**
- 9. BCC DIRECTION (Page 45)**
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- 3B-3 Contracts and claims settlements list
- 3B-4 Change orders, work task orders, minor contracts, final payments, etc.
- 3B-5 Bond Sufficiency Report

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- 3C-3 Resolution designating Parcel 102 as road right-of-way for the drainage improvements at Belvedere Road and Wynne Drive project.

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- 3F-2 General Aeronautical Services Permit with ERMCA Aviation LLC to provide services to airlines operating at PBI.
- 3F-3 License Agreement with AGI Ground, Inc. providing for temporary relocation of AGI at PBI to accommodate on-going construction activities.

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- 3F-4 Operating Permit with National Air Cargo Group Inc. for authorized use of terminal facilities at PBI.
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- 3H-1 Notice to extend Governmental Center Lease Agreement with LJI Food Management Inc. d/b/a The Hideout Kitchen & Café for continued operation of food and beverage services.

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- 3H-4 Amendment No. 4 with Jacobs Project Management Co. to provide program management services for the General Government Capital Program.

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- 4B National Caribbean American Heritage Month
- 4C Mr. Henry Simmons Remembrance Day
- 4D Pride Month
- 4E Juneteenth Day
- 4F Commendation for Doug Wise
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6C-1 Interim Contract for Interim County Administrator with employee Todd Bonlarron.

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6C-3 Request from County Commissioners regarding interview process for applicants for the County Administrator position.

6C-4 Request direction Board of County Commissioners increased participation in the County's selection processes for competitive procurements.

D. COUNTY ATTORNEY

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6D-1 Emergency Ordinance regarding Diversity, Equity and Inclusion (DEI) Programs within Palm Beach County.

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MATTERS BY THE PUBLIC – 2:00 P.M. (Page 47)

ADJOURNMENT (Page 48)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to approve:

A) the list from the Palm Beach County Administrator Task Force (CATF) of the applicants for the County Administrator position; and

B) the scheduled interviews with the selected applicants.

SUMMARY: On May 14, 2025, through a public process, the CATF selected seven (7) applicants from the applicant pool to move forward in the recruitment and retention process. On May 20, 2025, the BCC was presented six (6) applicants, due to the withdrawal of one (1) and directed staff to bring the these applicants directly to the BCC for scheduled interviews. Due to an additional applicant withdrawal from a scheduling conflict, the number has changed to five (5) of the remaining applicants for consideration in the County Administrator recruitment and retention process. Staff is requesting authorization to continue with the scheduling of the meetings and interviews for the following dates: Monday, June 16, 2025, for one-on-one meetings with each of the Commissioners and a Public Reception, and Tuesday, June 17, 2025, for a public meeting where the BCC will interview the five (5) applicants. As indicated, presented to you for consideration are the applicants who have submitted their applications and have been determined to move forward from the applicant pool that met the prescribed minimum qualifications pursuant to Section 2.4, Palm Beach County Charter and the advertised job description. Countywide (DO)

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:

Meeting Date	Meeting Type
February 27, 2025	Zoning
March 27, 2025	Zoning
April 22, 2025	Workshop
April 24, 2025	Zoning

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

A) review for sufficiency Report of County Officials Bonds dated June 2025, and

B) receive and file Report of County Officials Bonds dated June 2025.

SUMMARY: Ordinance No. 98-51 sets the various bond amounts for specified County officers and provides for examination of the sufficiency of all the bonds at the regular meeting of the Board of County Commissioners in January and June of each year. Countywide (DB)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to:

A) **adopt** a Resolution supporting the Transportation Alternatives Set-Aside Program (TAP) Funding Application through the Palm Beach Transportation Planning Agency (TPA) to the Florida Department of Transportation (FDOT) for funding to construct a shared use path on Kirk Road between 10th Avenue North and Canal 9 Road (Project), committing to fund the local share of Project delivery and the associated ongoing operation and maintenance expenses, and providing for an effective date; and

B) **ratify** the FDOT TAP Funding Application.

SUMMARY: Adopting this Resolution will support Palm Beach County's (County) TAP application submittal for funding to construct a concrete shared use path that will replace the existing sidewalk on the east side of Kirk Road for an approximate 0.75-mile segment. This road segment is adjacent to residential communities, and is in close proximity to an elementary school, parks, and Palm Tran routes. The Project will enhance the safety of pedestrians and bicyclists along Kirk Road between 10th Avenue North and Canal 9 Road. If selected, the Project will be built within the existing County road right-of-way, and the County will enter into a grant reimbursement agreement with the FDOT. As part of the application process, the TPA requires this Resolution supporting the TAP application submittal, and the County's commitment to design, construct, operate and maintain the Project after construction. The TAP grant will fund 100% of the Project's construction at an estimated cost of \$1,343,073.69. In order to submit the application on time, the Engineering and Public Works Department executed the application on February 13, 2025. **The County's local participation is estimated at \$1,050,000 for the Project's design and construction management.** Funding provided by the TAP for construction will be programmed in 2028. District 3 (YBH)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to receive and file: the report of License Plate Reader (LPR) permits issued from January 1, 2022 through December 31, 2024. **SUMMARY:** Based on direction from the Board of County Commissioners (BCC) on December 3, 2019, a municipality or local law enforcement agency that requests placing and maintaining LPRs within Palm Beach County (County) maintained rights-of-way shall apply for a Right-of-Way Permit in accordance with the Right-of-Way Permitting Ordinance 2019-030, as may be amended. This report is a summary of the LPR permits issued from January 1, 2022 through December 31, 2024. This report covers the first two (2) years of the program as there was no report provided for the first year of the program. Going forward, reports will be provided annually as required by the Department of Engineering and Public Works (EPW) PPM EL-O-3609, governing the LPR permit process by the County Engineer. LPRs provide information from license plate images to law enforcement agencies in support of their official duties and serve a public purpose by enhancing the safety and security of the public. The County has not been notified of any data collection or privacy issues with the LPRs in place. Countywide (YBH)
3. Staff recommends motion to adopt: a Resolution designating Parcel 102, a Palm Beach County (County) owned property of approximately 38,071 square feet (0.874 acres) in Section 26, Township 43 South, Range 42 East (Property) as road right-of-way for the drainage improvements at Belvedere Road and Wynnewood Drive (Project); and providing for an effective date. **SUMMARY:** Adoption of the Resolution will designate the Property as road right-of-way for the Project to add drainage for the Wynnewood Acres subdivision, and County maintained residential streets. The Property is currently under the control of Palm Beach County's Facilities Development and Operations (FDO) Department and was acquired on May 28, 1971, as part of a larger parcel (approximately 40,845 square feet) due to the owner not paying taxes, recorded in the Official Records Book 1902, page 1322. District 2 (YBH)

D. COUNTY ATTORNEY

1. Staff recommends motion to approve: a settlement, in the total amount of \$120,894 inclusive of attorney's fees, expert fees, and costs, in the eminent domain action styled Palm Beach County v. Elaine Novalien, et al., Case No.: 502024CA008859XXXMB. **SUMMARY:** Under the proposed settlement in this pending eminent domain proceeding, compensation for Parcel 209 is \$89,400 in addition to statutory attorney's fees, experts' fees and costs of \$31,494, for a total amount of \$120,894. This settlement will completely resolve this eminent domain proceeding as it relates to parcel 209. District 6 (DO)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. Staff recommends motion to receive and file: Consent to Sublease (Consent), consenting to a Facility Tenant Agreement for the sublease of space at the Palm Beach International Airport (PBI) by Jet Aviation Associates, Ltd. (Jet Aviation) with Wheels Up Private Jets, LLC (Wheels), effective as of January 1, 2025. **SUMMARY:** Jet Aviation provides fixed based operator services for general aviation aircraft at PBI pursuant to the Amended and Restated Fixed Base Operator Lease Agreement dated September 17, 2024 (R2024-1202), which provides for the sublease of space subject to the County's consent. Jet Aviation entered into a Facility Tenant Agreement with Wheels on January 1, 2025, for the sublease of hangar and office space. Resolution 94-1453 authorizes the County Administrator or designee, in this case, the Director of the Department of Airports, to execute the standard form Consent. Countywide (AH)
2. Staff recommends motion to receive and file: General Aeronautical Services Permit (Permit) with ERMCA Aviation LLC (ERMCA), commencing March 7, 2025, and expiring September 30, 2025, with automatic renewals on a year-to-year basis each October 1st unless cancelled. **SUMMARY:** The Permit authorizes ERMCA to provide aeronautical support services to airlines operating at the Palm Beach International Airport (PBI) and provides for payment of service fees in the amount of seven percent (7%) of gross revenues, excluding revenues derived from services provided to signatory airlines. Resolution 2010-0708 authorizes the County Administrator or designee, in this case, the Director of the Department of Airports, to execute the standard form Permit. Countywide (AH)
3. Staff recommends motion to receive and file: License Agreement (License) with AGI Ground, Inc. (AGI), commencing March 7, 2025, and expiring August 31, 2025, providing for the temporary relocation of AGI from approximately 124 square feet of office space leased by AGI in the Palm Beach International Airport (PBI) terminal building pursuant to a Terminal Space Lease Agreement dated November 17, 2015 (R2016-0049) (Lease), to an alternative office space, consisting of approximately 208 square feet of space, at no cost, to accommodate on-going construction activities at PBI. **SUMMARY:** Ongoing construction at PBI requires AGI to vacate a portion of its leased office space in the PBI terminal building. AGI will temporarily relocate to a nearby office space, containing approximately 208 square feet at no additional cost. AGI agreed to the temporary relocation and will continue to pay rental for its leased office space during the period of displacement. Resolution 2007-2070 authorizes the County Administrator or designee, in this case, the Director of the Department of Airports, to execute the standard form License. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

4. Staff recommends motion to receive and file: Operating Permit with National Air Cargo Group Inc., d/b/a National Airlines (National), a Florida corporation, authorizing the use of terminal facilities at the Palm Beach International Airport (PBI) for a single flight operation to Orlando International Airport (MCO) on February 24, 2025, for payment of fees by National in the amount of \$3,113.10. **SUMMARY:** The Operating Permit authorized National to use the terminal facilities at PBI for a single charter flight to MCO on February 24, 2025. Charges include landing, ticket counter, gate, baggage handling, and federal inspection service facility usage fees in the amount of \$3,113.10. Resolution 2014-1709 authorizes the County Administrator or designee, in this case, the Director of the Department of Airports, to execute the standard form Operating Permit. Countywide (AH)
5. Staff recommends motion to receive and file: Operating Permit with DHL Air (UK) Limited (DHL), a United Kingdom limited liability company, authorizing use of facilities at the Palm Beach International Airport (PBI) for a single flight operation to Adolfo Suárez Madrid–Barajas Airport (MAD) on February 22, 2025, and providing for payment of fees by DHL in the amount of \$2,014.20. **SUMMARY:** The Operating Permit authorized DHL to use the facilities at PBI for a single charter flight to MAD on February 22, 2025. Charges include landing, parking, and escort fees in the amount of \$2,014.20. Resolution 2014-1709 authorizes the County Administrator or designee, in this case, the Director of the Department of Airports, to execute the standard form Operating Permit. Countywide (AH)
6. Staff recommends motion to approve: a Declaration of Easement (Declaration) for water utility improvements serving the development of new facilities on County-owned property leased to Signature Flight Support, LLC (Signature) pursuant to a Fixed Base Operator Lease Agreement (R2016-0560) (Lease). **SUMMARY:** Signature provides fixed based operator services for general aviation aircraft at Palm Beach International Airport (PBI) pursuant to the Lease. Signature is constructing a new terminal building, hangars and fuel farm at its facility at PBI. The Water Utilities Department (WUD) is requesting the Declaration to provide water utility services to these facilities. The Declaration provides for the installation, operation and maintenance of water transmission and distribution facilities on Signature's leasehold. Signature has provided a joinder and consent to the Declaration, which serves to acknowledge the creation of the Declaration on its leasehold. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

7. Staff recommends motion to:

- A) **approve** a Letter of Release (Release) from the Federal Aviation Administration (FAA), releasing approximately 740 square feet (0.017 acres) of unimproved property (Haverhill Road Property) located at the northeast corner of Lynnwood Drive and Haverhill Road west of the Palm Beach International Airport (PBI) from the terms, conditions and obligations of grant assurances with the FAA, subject to the conditions imposed by the FAA in the Release;
- B) **adopt** a Resolution (Bond Resolution) determining the Haverhill Road Property is not necessary for airport purposes and disposition of the Haverhill Road Property shall not impair the operating efficiency or reduce the revenue producing capability of the County's Airport System;
- C) **adopt** a Resolution (Right-of-Way Resolution) imposing certain easements, covenants and restrictions on the Haverhill Road Property (Declaration), and designating the Haverhill Road Property for Palm Beach County (County) road right-of-way purposes, subject to the Declaration; and
- D) **approve** a First Amendment (Amendment) to Amended and Restated Development Site Lease Agreement (R2024-1316) (Lease) with Airport Logistics Park, LLC (ALP), amending the legal description of the leasehold premises to remove the Haverhill Road Property and providing for a reduction in rental in the amount of \$740 per year and a rent credit in the amount of \$4,800 for reimbursement of survey costs.

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

7. **SUMMARY:** ALP leases land west of PBI for the development and operation of industrial warehouse space. Two (2) phases of development have been completed, and ALP is currently developing a third phase on approximately 6.43 acres of its leasehold. The County's Roadway Production Division imposed a condition of site plan approval (DRO-2024-00140) requiring dedication of the Haverhill Road Property as public road right-of-way. The Release releases the Haverhill Road Property from the terms, conditions and obligations of FAA grant assurances. The Bond Resolution is required to allow the Haverhill Road Property to be used for non-airport purposes. The Right-of-Way Resolution designates the Haverhill Road Property for County road right-of-way purposes, subject to the Declaration, which will be recorded in the public records. The Release and the Lease both require payment of the fair market value of the Haverhill Road Property by ALP for the conversion of the use from airport purposes to road right-of-way. An appraisal was completed August 28, 2024, which determined the fair market value to be \$18,500. ALP has paid the County appraised value of the Haverhill Road Property. The Amendment provides for the removal of the Haverhill Road Property from ALP's leasehold and reduction in rental in the amount of \$740 per year. Countywide (HJF)

8. Staff recommends motion to receive and file: An Amendment for Extension (Amendment) of Public Transportation Grant Agreement (PTGA) No. 453348-1- 94-01 (R2023-1755) with the Florida Department of Transportation (FDOT) for Design Runway 10L-28R Surface Pavement Rehabilitation at Palm Beach International Airport (PBI). **SUMMARY:** The PTGA provides partial funding for the design of a pavement rehabilitation project for Runway 10L/28R (Project), the primary runway at PBI, in amount not to exceed \$250,000. The contract for design of the Project by Garver LLC (Garver) was approved on November 19, 2024 (R2024-1612), by the Board of County Commissioners (BCC). The PTGA was scheduled to expire on July 31, 2025. The Amendment extends the term of the PTGA to April 1, 2026, to provide Garver with additional time to complete the design of the Project. Federal Aviation Administration (FAA) Grant 3-12-0085-077-2024 (R2024-1613) provides funding for 75% of the design cost in an amount not to exceed \$1,500,000. The non-federal match of \$500,000 for the FAA grant consists of \$250,000 of local funds and \$250,000 of FDOT funds provided by the PTGA. Resolution 2020-1017 authorizes the County Administrator or designee, in this case, the Director of the Department of Airports, to execute the Amendment. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

9. Staff recommends motion to approve: Amendment No. 6 (Amendment) to the Contract for Consulting/Professional Services (Agreement) with Ricondo & Associates, Inc. (Ricondo) in the amount of \$870,184.31 for the provision of professional consulting services for the Department of Airports (DOA). **SUMMARY:** The Agreement with Ricondo was approved on August 23, 2022 (R2022-0888) in the amount of \$2,021,165 for the provision of professional consulting services for the DOA. Amendment No. 1 through Amendment No. 5 increased the contract amount by \$3,394,600.03 and provided for various services, including, but not limited to, the Palm Beach County Park Airport (LNA) Safety Assessment, LNA Master Plan Update, Palm Beach International Airport (PBI) Cyber Security Implementation Support, 2024 Bond Feasibility Report, and PBI Consolidated Rental Car Facility (CONRAC) Advanced Planning, PBI 2025 Cyber Security Program Support Services, North Palm Beach County General Aviation Airport (F45) Conceptual Fixed Base Operator (FBO) Site Plan, Triennial Review Appraisals, and exercised the first one (1) year renewal option. A detailed contract history is included in Attachment 1. This Amendment will increase the contract amount by \$870,184.31, resulting in a total contract amount of \$6,285,949.34. This Amendment includes the following Consultant Services Authorizations (CSAs): Task I Services - Parking Advisory Services #2, F45 Airport Layout Plan Update, PHK Airport Layout Plan Update, LNA Aviation Easements, LNA Safety Assessment Supplement #2, Task II Services- PFC Application Support, CIP Planning and Implementation Support. Task II Services are annual services required to be performed on a recurring annual basis and defined in the Agreement. Ricondo is based in Chicago, Illinois; however, the majority of the work will be managed through its Miami, Florida office. The Agreement was presented to the Goal Setting Committee (Committee) on September 1, 2021, and the Committee established an Affirmative Procurement Initiative (API) of a mandatory 10% Small Business Enterprise (SBE) subcontracting goal and a Minority/Women Business Enterprise (M/WBE) Evaluation Preference of up to 15%. Ricondo committed to 11% SBE participation. The proposed SBE participation for this Amendment is 0%. To date, the overall participation achieved on this Agreement is 10%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to receive and file: The Annual Report and Financial Statements for the Fiscal Year ending September 30, 2024 from the Boynton Beach Community Redevelopment Agency (BB CRA). **SUMMARY:** The BB CRA has submitted its Annual Report and Financial Statements for the Fiscal Year ending September 30, 2024 as per section number 163.387(6)(b), Florida Statutes. Countywide (DB)
2. Staff recommends motion to receive and file: The Annual Report for the Fiscal Year ending September 30, 2024 from the Village of Palm Springs Community Redevelopment Agency (VPS CRA). **SUMMARY:** The VPS CRA has submitted its Annual Report for the Fiscal Year ending September 30, 2024 as per section number 163.387(6)(b), Florida Statutes. Countywide (DB)
3. Staff recommends motion to receive and file: Annual Report for the Fiscal Year ending September 30, 2024 from the West Palm Beach Community Redevelopment Agency (WPB CRA). **SUMMARY:** The WPB CRA has submitted its Annual Report for the Fiscal Year ending September 30, 2023 as per section number 163.387(6)(b), Florida Statutes. Countywide (DB)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to receive and file: a notice to exercise an option to extend the Governmental Center Lease Agreement (R2019-1059) (Lease) with LJJ Food Management Inc. d/b/a The Hideout Kitchen & Café (Hideout) for the continued operation of food and beverage services at the Governmental Center Parking Garage located at 215 North Olive Avenue in West Palm Beach, extending the term from August 1, 2024 through July 31, 2029, with a current annual rent of \$23,185.70 (\$1,932.14/month) increasing 2% each year. **SUMMARY:** On July 25, 2019, the Board of County Commissioners (BCC) approved the current Lease with Hideout to provide food and beverage services at the Governmental Center Parking Garage for a term of five (5) years at an initial annual rent of \$21,000 (\$1,750/month), with 2% annual rent increases on each anniversary of the commencement date for the duration of the term. The Lease provided Hideout with one (1) option to extend the Lease term for a period of five (5) years. On April 23, 2024, Hideout provided timely notice of its intent to exercise its extension option. This extension extends the Lease Term from August 1, 2024 through July 31, 2029, with a current monthly rental rate of \$1,932.14 in accordance with the terms of the Lease which shall continue to increase 2% each year. All other terms and conditions of the Agreement shall remain in full force and effect. The Property and Real Estate Management Division will continue to have management responsibilities for this lease. (Property & Real Estate Management) District 7 (HJF)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 2 to the continuing consulting services/design professional contract for architectural/engineering services (R2025-0078) with Colome & Associates, Inc. (Consultant) in the amount of \$236,680.02 for the Dubois Pioneer Residence Renovation project. **SUMMARY:** On January 14, 2025, the Board of County Commissioners (BCC) approved the continuing consulting services/design professional contract for architectural/engineering services (R2025-0078) with the Consultant to provide architectural and engineering services for capital improvement or renovation projects countywide on an as needed basis. The Parks and Recreation Department desires to renovate/repair the existing historic Dubois Pioneer Residence and associated adjacent building structures. This item will authorize the professional services for the Dubois Pioneer Residence Renovation project. Under CSA No. 2, the Consultant will provide professional services which include archaeological site assessment, construction document preparation, cost estimating, permitting, bidding and construction administration phase services necessary for the renovation to the existing two (2)-story residence and associated adjacent building structures. The project includes, but is not limited to, surveying the property, archaeological site assessment, architectural conceptual design, floor plan layouts, and building elevations of the proposed two (2)-story residence, including developing an accessible route from the lower proposed parking area. This continuing contract was pursuant to the requirements of the Equal Business Opportunity Ordinance. This continuing contract was presented to the Goal Setting Committee on May 15, 2024, and the Committee established Affirmative Procurement Initiatives of a 25% mandatory Small Business Enterprise (SBE) subcontracting goal on the contract and a Minority Business Enterprise evaluation preference for African American (AA) owned businesses. The Consultant committed to 99% SBE participation, of which 36% is AA owned businesses. The SBE participation on this CSA is 94.47% of which 18.27% is AA owned businesses. To date, the overall SBE participation on the contract is 95.06% of which 17.20% is AA owned businesses. The Consultant is a certified SBE. **Funding for this project is from the Infrastructure Sales Tax Fund.** (Capital Improvements Division) District 1 (MWJ)

3. CONSENT AGENDA APPROVAL

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

3. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 3 to the continuing consulting services/design professional contract for architectural/engineering services (R2025-0078) with Colome & Associates, Inc. (Consultant) in the amount of \$524,909.74 for the Palm Beach County (PBC) Breath, Alcohol Testing (B.A.T.) Unit Relocation to Stockade project. **SUMMARY:** On January 14, 2025, the Board of County Commissioners (BCC) approved the continuing consulting services/design professional contract for architectural/engineering services (R2025-0078) with the Consultant to provide architectural and engineering services for capital improvement or renovation projects countywide on an as needed basis. The Palm Beach County Sheriff's Office desires to renovate a portion of the interior and exterior of the existing Palm Beach County Stockade (located at 673 Fairgrounds Rd, West Palm Beach) to accommodate B.A.T. operations. This item will authorize the professional services for the PBC B.A.T. Unit Relocation to Stockade project. Under CSA No. 3, the Consultant will provide professional services which include architectural conceptual design, construction document preparation, cost estimating, permitting, bidding and construction administration phase services necessary for the renovation to the existing PBC Stockade buildings T, U, V, W, X, Y, and Z. The project includes, but is not limited to, architectural conceptual design, reconfiguration of portions of the existing floor areas, roof replacement, new covered canopies, new fire alarm system, new card access at building entrances and select interior areas. This continuing contract was pursuant to the requirements of the Equal Business Opportunity Ordinance. This continuing contract was presented to the Goal Setting Committee on May 15, 2024, and the Committee established Affirmative Procurement Initiatives of a 25% mandatory Small Business Enterprise (SBE) subcontracting goal on the contract and a Minority Business Enterprise evaluation preference for African American (AA) owned businesses. The Consultant committed to 99% SBE participation, of which 36% is AA owned businesses. The SBE participation on this CSA is 100% of which 23.47% is AA owned businesses. To date, the overall SBE participation on the contract is 98.18% of which 21.16% is AA owned businesses. The Consultant is a certified SBE. Funding for this project is from the General Fund and Public Building Improvement Fund. (Capital Improvements Division) District 6 (MWJ)

3. CONSENT AGENDA APPROVAL

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

4. Staff recommends motion to approve: Amendment No. 4 to extend the term of the contract (R2017-0773) with Jacobs Project Management Co. (Jacobs) to provide program management services for the General Government Capital Program (GGCP) from June 6, 2025 through June 5, 2026, and increase labor rates as allowed by contract provisions. **SUMMARY:** On June 6, 2017, the Board of County Commissioners (BCC) approved the contract (R2017-0773) with Jacobs to provide program management services to assist the Facilities Development Operations Department (FDO)/Capital Improvements Division (CID) with the implementation of the GGCP, which includes the Infrastructure Sales Tax Program and general government 5-Year Capital Improvement Plan. The original contract term was five (5) years with an option to renew for five (5) additional one (1)-year terms. On May 17, 2022, the BCC approved Amendment No. 1 (R2022-0487) for the first renewal which authorized revisions to contract terms and conditions; set new hourly rates (labor rates and multiplier), incorporated the E-verify language, and added two (2) staff members (i.e., an estimator and a project manager) to the personnel complement provided by Jacobs. On May 16, 2023, the BCC approved Amendment No. 2 (R2023-0665) for the second renewal which authorized revisions to contract terms and conditions, and set new hourly rates (labor rates) for Jacobs' personnel and subconsultants performing services during the term of the contract. On June 4, 2024, the BCC approved Amendment No. 3 (R2024-0627) for the third renewal which authorized revisions to contract terms and conditions, and set new hourly rates (labor rates) for Jacobs' personnel and subconsultants performing services during the term of the contract. The contract is set to expire on June 5, 2025. Amendment No. 4 exercises the fourth renewal option to extend the contract through June 5, 2026. Additionally, Amendment No. 4 sets new hourly rates (labor rates) for Jacobs' personnel and subconsultants that will perform services during the term of the contract. The contract allows the raw labor rates to be adjusted for the Consumer Price Index up to 3% after the first two (2) years. Unlike typical consultant contracts, a Notice to Proceed (NTP) is issued annually by October 1st for approval as part of the annual GGCP in the upcoming budget year. The NTP will be issued administratively in an amount not to exceed the amount approved as part of the annual capital improvement program. If the NTP is not issued by October 1st of each fiscal year (FY), then the County may terminate the contract. The contract value under Amendment No. 4 is for a not to exceed amount of \$1,816,384.25.

3. CONSENT AGENDA APPROVAL

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

4. **SUMMARY (cont'd.):** However, this item only authorizes expenses for the remainder of FY 2025 of \$605,461.42, which will be reflected in the NTP issued to Jacobs following the approval of this item. The Office of Equal Business Opportunity (OEBO) has reviewed the existing Small Business Enterprise (SBE) participation and approved this extension request under the existing SBE contract terms. This contract was advertised according to the County's prior SBE program where a 15% subcontracting goal was applied. The SBE participation on this Amendment is 17.19%. Jacobs is not a certified SBE firm but has an office located in Palm Beach County. **All program management costs (Estimator, Project Executive, Sr. Project Manager, Program Controls Manager and project controls set-up) will be capitalized to the Infrastructure Sales Tax projects and the costs associated with the Project Managers and Field Inspectors will be charged to the applicable projects.** (Capital Improvements Division) Countywide (MWJ)

J. ~~PLANNING, ZONING & BUILDING~~

1. ~~Staff recommends motion to approve:~~ Appointment of one (1) at-large member to the Planning Commission (PLC) for the term June 4, 2025 to June 6, 2028.

<u>Name</u>	<u>Seat #</u>	<u>Nominated By</u>
Selena Samios	8	Vice Mayor Baxter

SUMMARY: ~~The PLC was created by Ordinance 2008-003 which replaced the Land Use Advisory Board established by Resolution No. R-90-1987. The Unified Land Development Code (ULDC) Article 2.G.3.J provides for the membership of the PLC to have 16 members, consisting of 15 voting members appointed by the Board of County Commissioners (BCC) and one (1) non-voting representative of the School District. Each District Commissioner appoints two (2) members and one (1) member is appointed at-large by a majority vote of the BCC. This at-large position is to fill an existing vacancy. A memorandum for an at-large nomination was sent to the BCC on March 5, 2025. No other nominations were received. The term of office of each member is for three (3) years. The board has 15 voting members with 11 seats currently filled and a diversity count of Caucasian: 6 (54%), African-American: 1 (10%), Hispanic-American: 2 (18%) and Asian American: 2 (18%). The gender ratio (male: female) is 8:3. Ms. Samios is a Caucasian female. Staff is addressing the need to increase diversity within our boards and will continue to encourage this to expand this Board's diversity. Unincorporated (DL)~~

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: the following four (4) executed Special Events Rental Agreements (Agreements):

- A) CC Leisure LLC, for the Big Bounce America event at John Prince Park, from January 14, 2025 through January 28, 2025. This event generated \$7,126 in revenue, with \$1,726 in direct expenses; thus providing a net fiscal impact of \$5,400;
- B) Lights 4 Hope Inc., for the Lights 4 Hope event at Okeeheelee Park, from October 25, 2024 through January 31, 2025. This event generated \$6,500 in revenue, with \$0 in direct expenses; thus providing a net fiscal impact of \$6,500;
- C) FOMO Entertainment Group LLC, for the South Florida Strawberry Festival at Burt Aaronson South County Regional Park, from January 13, 2025 through January 21, 2025. This event generated \$12,544 in revenue, with \$3,082 in direct expenses; thus providing a net fiscal impact of \$9,462; and
- D) Battle Bros LLC, for the South Florida Bacon & Brunch Festival at Burt Aaronson South County Regional Park, from January 23, 2025 through January 27, 2025. This event generated \$3,911 in revenue, with \$1,233 in direct expenses; thus providing a net fiscal impact of \$2,678.

SUMMARY: These Agreements have been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department (Parks) in accordance with Resolution R2021-1552. Parks is now submitting these Agreements in accordance with PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating department to the BCC as a receive and file agenda item. Districts 2, 3 & 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (cont'd.)

2. Staff recommends motion to receive and file: the following three (3) executed Sound and Light Production Service Contractor Agreements (Agreements):

- A) Sanderford Sound, Inc., in an amount not to exceed \$1,240 for the Spring Fest 2025 event at Sunset Cove Amphitheater on February 8, 2025;
- B) Sanderford Sound, Inc., in an amount not to exceed \$3,567 for the Carlin Park After Dark: Solid Brass concert at Seabreeze Amphitheater on February 8, 2025; and
- C) Sanderford Sound, Inc., in an amount not to exceed \$1,240 for the Blackluxe Picnic event at Sunset Cove Amphitheater on February 15, 2025 through February 16, 2025.

SUMMARY: These Agreements have been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department (Parks) in accordance with Resolution 2009-0592, amended 2010-0645, 2014-0167, 2017-1368 and 2018-0179. Parks is now submitting these Agreements in accordance with PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating department to the BCC as a receive and file agenda item. Districts 1 & 5 (AH)

3. Staff recommends motion to receive and file: the following two (2) executed Promoter Amphitheater Rental Agreements (Agreements):

- A) DEUTERMANPRODUCTIONS.COM.LLC, for the Jupiter Seafood Festival at Seabreeze Amphitheater, for the period of February 12, 2025 through February 17, 2025. This event generated \$13,737 in revenue, with \$1,737 in direct expenses; thus providing a net fiscal impact of \$12,000; and
- B) FOMO Entertainment Group, LLC, for the Ribs and Beer Festival at Sunset Cove Amphitheater, for the period of February 22, 2025 through February 23, 2025. This event generated \$8,178 in revenue, with \$2,436 in direct expenses; thus providing a net fiscal impact of \$5,742.

SUMMARY: These Agreements have been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department (Parks) in accordance with Resolution 2023-0423. Parks is now submitting these Agreements in accordance with PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating department to the BCC as a receive and file agenda item. Districts 1 & 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (cont'd.)

4. Staff recommends motion to approve: an Agreement with Faith's Place Center For Arts Education, Inc., (Faith's Place) for the Operation of Summer Camp at Westgate Park and Recreation Center (WPRC) effective June 6, 2025 through July 25, 2025. **SUMMARY:** The Parks and Recreation Department (Parks) wishes to continue its summer day camp programming by partnering with not-for-profit organizations for the operation of summer camps at certain County owned recreation centers. Faith's Place, will utilize space at WPRC for up to 100 children. Registration will be open to the public and Youth Services Department's Summer Camp scholarship recipients are eligible to attend. Faith's Place is responsible for all operating expenses and ensuring compliance with Center for Disease Control guidelines associated with summer day camp programs. In exchange, Parks will provide use of the facility at no charge. District 7 (AH)

X. PUBLIC SAFETY

1. Staff recommends motion to ratify: the Mayor's signature on the Federally Funded Subaward and Grant Agreement for DR-4834-Hurricane Milton Agreement Number: Z4603 (Agreement) with the State of Florida, Division of Emergency Management (FDEM) to authorize projects related to Hurricane Milton and for reimbursement for eligible project expenses. **SUMMARY:** On October 11, 2024, the President of the United States issued a major disaster declaration designated FEMA-4834-DR for the State of Florida as a result of Hurricane Milton authorizing Public Assistance (PA) funding for eligible Florida Counties. PA is a federal grant to aid state and local governments in returning a disaster area to pre-disaster conditions. Expenses associated with Hurricane Milton and eligible for reimbursement were projected at \$3,900,000 which included Category A (Debris Removal), Category B (Emergency Protective Measures), Category E (Buildings and Equipment) and Category G (Parks, Recreational, Other). The federal share of the eligible costs is 75% and the nonfederal share will be the remaining amount. Payment of a specified portion of the nonfederal share is contingent upon future State appropriations. Typically, the State of Florida will contribute a 12.5% share of the qualified actual expenditures incurred, leaving the County responsible for absorbing the remaining 12.5%. The emergency process is being utilized due to the FDEM requested subaward applicants to submit expedited projects. Countywide (DB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (cont'd.)

2. Staff recommends motion to approve: One (1) At Large appointment to the Emergency Medical Services (EMS) Advisory Council Emergency Room (ER) Nurses Forum seat. The term will be from June 3, 2025 to September 30, 2027.

<u>Nominee</u>	<u>Seat</u>	<u>Designation</u>	<u>Nominated by</u>
Amber Burch	2	ER Nurses Forum	PBC ER Nurses Forum

SUMMARY: The EMS Council advises the Board of County Commissioners (BCC) on matters relating to EMS; in addition to proposing and discussing ideas and projects which might improve the quality of EMS in Palm Beach County. Per Resolutions R2014-0100 and R2016-1824, the BCC approved a representative make-up of the EMS Council to include 20 members. On September 30, 2024, the ER Nurses Forum seat term expired and the former Council member relocated out of Palm Beach County. A memo was sent to the affiliation for appointment of a new member to fill this seat. One (1) nominee responded to represent the ER Nurses Forum. Thirteen (13) members are representatives of the various components of the EMS system with specific requirements and seven (7) members are Commission District Consumer appointments. The EMS Council currently has 19 seats filled, with a diversity count as follows: Caucasian: 18 (95%) and African American: 1 (5%). The gender ratio (male: female) is 14:5. Staff is addressing the need to increase diversity within its Council and will continue to encourage this in an effort to expand the Council's diversity. Countywide (SB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (cont'd.)

3. Staff recommends motion to:

A) ratify the Mayor's signature on the Florida Department of Juvenile Justice (DJJ)'s Solicitation #10769 – Aftercare Resource Navigator Program (ARNP) application, in the amount of \$1,551,250 for an award period of January 1, 2025 through December 31, 2028; and

B) delegate authority to the County Administrator or designee to sign future applications and execute contracts and contract amendments with DJJ for youth reentry on behalf of the Board of County Commissioners (BCC), after approval of legal sufficiency by the County Attorney's Office (CAO), and within budget allocations, that do not substantially change the scope of work, terms or conditions of the original contract.

SUMMARY: The purpose of the DJJ Solicitation #10769- ARNP funding is to increase positive outcomes for youth who are reentering the community from a residential commitment facility by identifying and establishing relationships with resources that address the service needs of youth and their families. This funding aligns seamlessly with services currently being offered by Public Safety Department, Justice Services, Youth Reentry Program. Outcomes of the program are intended to reduce recidivism among reentry youth who are transitioning back to Palm Beach County (PBC), as well as reduce future victimization, enhance public safety, and improve the quality of life of all residents. With the additional funds requested from DJJ, the PBC Youth Reentry Program will be able to sustain and expand current reentry services. The contract provides funds to support three (3) existing positions, a Senior Program Specialist, paygrade 38; Case Manager II, paygrade 27; and a Community Outreach Specialist I, paygrade 20; as well as two (2) new Aftercare Navigator positions paygrade 27. The two (2) new Aftercare Navigator positions will be approved for the length of the contract funding and will be deleted from Public Safety Department, Division of Justice Services complement if funding ceases. The County's emergency signature process was utilized for this application because we were notified of the opportunity on October 30, 2024 and there was not sufficient time to submit these forms through the regular agenda process to meet the November 6, 2024 deadline for electronic submission. **No County matching funds are required for this contract.** Countywide (RS)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (cont'd.)

4. Staff recommends motion to approve:

- A) the payback of \$23,117.68 in unexpended grant funds received in advance from subcontract 23FVP26 with the Florida Council Against Sexual Violence (FCASV) for the first year, December 1, 2023 through June 30, 2024, of a two (2)-year grant period ending June 30, 2025 (R2024-0570); and
- B) a downward Budget Amendment of \$69,252 in the Public Safety Grants Fund to reduce the budget by the total unspent amount of the first year of the grant period.

SUMMARY: Palm Beach County, Department of Public Safety, Division of Victim Services (DVS) was awarded a US Department of Health and Human Services, Family Violence Prevention and Services Act (FVPSA) (CFDA#16.017) award from the FCASV. This award ensures the continuity of sexual assault services for sexual assault survivors and their dependents. Although, the subcontract was retroactive to December 1, 2023, the FCASV was not authorized to release the subcontracts until January 23, 2024. The subcontract was fully executed on April 3, 2024. On May 14, 2024, the Board of County Commissioners (BCC) approved the agenda item to receive and file the subcontract, add a position, and approve the budget amendment to recognize grant award. Due to the delay in execution by FCASV of the subcontract, DVS only had two (2) months to spend down the entire grant award. Therefore, only \$38,390.32 of the \$107,642 award was spent by the end of the grant period on June 30, 2024. Since FCASV pays the County a fixed monthly amount, the County received a total of \$61,508. However, only \$38,390.32 was spent, resulting in an overpayment of \$23,117.68 that must be returned to FCASV. Per Grant Administration PPM CW-F-003, the payback of unexpended funds over \$5,000 must be approved by the BCC. The First Amendment to the subcontract for the second year of funding, totaling \$215,284 was received and filed by the BCC on October 8, 2024 (R2024-1337). This amendment continues to fund the Victim Advocate, a temporary FRS position, and contracted therapy services for the duration of the grant. These positions will be deleted from the complement once grant funding ends. **No County matching funds are required for this grant.** Countywide (RS)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (cont'd.)

5. Staff recommends motion to receive and file: acceptance of the U.S. Department of Justice (DOJ), Office on Violence Against Women (OVW) FY 2024 Grants to Improve the Criminal Justice Response (ICJR) Program (15JOVW-24-GG-01618-ICJR) in the amount of \$1,200,000 for the period of October 1, 2024 through September 30, 2027. **SUMMARY:** On March 25, 2024, Palm Beach County Board of County Commissioners (BCC) former Mayor authorized the Department of Public Safety to electronically submit a grant application to the U.S. DOJ, OVW, for the FY2024 Grant to ICJR Program. The grant application was for a continuation grant for a 36-month period beginning October 1, 2024 through September 30, 2027 in the amount of \$1,200,000. The emergency signature process was used because DOJ was only accepting applications electronically and the deadline was rapidly approaching. The Public Safety Department's application under the funding opportunity entitled 2024 OVW Fiscal Year 2024 Grants to Improve the Criminal Justice Response (ICJR) Program (CFDA# 16.590) was approved on September 20, 2024. The purpose of this ICJR continuation grant is to elevate victim safety and ensure offender accountability through the enhancement of our Coordinated Community Response (CCR) to domestic violence, dating violence, sexual assault and stalking in Palm Beach County. The CCR will provide consistent response protocols, comprehensive services and referrals for victims and accountability for offenders. Project partners are the Criminal Justice Commission (CJC) and Aid to Victims of Domestic Abuse (AVDA). The outcomes of this project will include comprehensive victim safety and support measures, improved options to address offender accountability, multi-sector collaboration, training and capacity building, enriched cultural sensitivity and diversity, and policy and systemic changes. Approximately 60 percent of the project activities will address domestic violence, dating violence, and stalking. The grant provides funds for contractual services, office supplies, travel and training. Additionally, the continuation grant will fund two (2) existing positions in the Public Safety Department, a grant coordinator and a victim advocate. These positions will be deleted from the Public Safety Department complement if the funding is discontinued. This agenda item is being submitted as a receive and file and will facilitate the appropriate grant number to process the acceptance of the grant. **No County matching funds are required for this grant.** Countywide (RS)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

1. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office (PBSO), a second donation from the Howard E. Hill Foundation, Inc., in the amount, of \$25,000 for the period October 16, 2024 through September 30, 2025; and

B) approve a Budget Amendment of \$25,000 in the Sheriff's Grant Fund.

SUMMARY: On April 1, 2025, the Board of County Commissioners (BCC) accepted a \$25,000 Grant Award on behalf of the PBSO from the Howard Hill Foundation, Inc. for the period October 16, 2024 through September 30, 2025, to offset the contractual services cost of a ShotSpotter System for our Gunfire Detection and Location Project. On April 22, 2025, the Howard Hill Foundation awarded an additional \$25,000 donation to continue to support the ShotSpotter System. Countywide (RS)

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) which provides \$75,000 in supplementing funding through the FY2024-2025 State Assistance for Fentanyl Eradication (SAFE) in Florida Program;

B) accept a Grant Award letter on behalf of PBSO from FDLE which provides \$180,000 in supplementing funding through the FY2024-2025 SAFE in Florida Program; and

C) approve a Budget Amendment of \$255,000 in the Sheriff's Grant Fund.

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (cont'd.)

2. **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 SAFE Program for the period July 1, 2023 through June 30, 2024, to conduct joint operations, investigations and other activities as authorized by the SAFE Program (R2024-0266). On August 20, 2024, the BCC accepted a Grant Adjustment Notice, which extended the period of performance through June 30, 2025 (R2024-0990). On September 17, 2024, the BCC accepted \$200,000 in supplemental funding to continue SAFE operations (R2024-1261). On December 10, 2024, the BCC accepted \$150,000 in supplemental funding to continue SAFE operations (R2024-3CC2). On April 1, 2025, the BCC accepted \$208,000 in supplemental funding to continue SAFE operations. On April 11, 2025, FDLE awarded PBSO an additional \$75,000 in grant funding to continue to conduct SAFE operations and investigations. On April 30, 2025, FDLE awarded PBSO \$180,000 in supplemental funding to continue to conduct SAFE operations and investigations. The total Grant Award is \$1,288,000. **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

DD. CAREERSOURCE

1. Staff recommends motion to approve: one (1) appointment to the CareerSource Palm Beach County, Inc. Board of Directors (Board) for the seat and term June 3, 2025 to June 2, 2029.

<u>Appointment</u>	<u>Seat No.</u>	<u>Area of Representation</u>	<u>Nominated By</u>
Matthew Rocco	3	Private Sector Representative	CareerSouce Palm Beach County, Inc. Board of Directors

SUMMARY: The Board's mission is to develop a more efficient system to prepare Floridians for high skill and high wage jobs, and to oversee Welfare Reform, School-to-Work, and Adult/Literacy educational training. On October 22, 2024, the Board of County Commissioners (BCC) approved the Interlocal Agreement Palm Beach Workforce Development Consortium (R2024-1435) (Agreement), which replaced prior Agreements. The Agreement states the BCC will appoint private sector board members to assure a minimum 51% private sector majority. The federal Workforce Innovation and Opportunity Act requests that an emphasis be placed on Chief Executive Officers or highest level of management positions for both community and business sector appointments. CareerSource Palm Beach County Board of Directors approved the nomination of Matthew Rocco at their April 24, 2025 meeting. Matthew Rocco is the President of the South Florida Manufacturers Association. The Board is comprised of a minimum of 19 members with representation established as noted in Attachment 4. The Board has a maximum of 33 seats, 21 currently filled and a diversity count of Caucasian: 17 (81%), African-American: 2 (10%) and Hispanic: 2 (10%). The gender ratio (female:male) is: 8:13. Matthew Rocco is a Caucasian male. Staff is addressing the need to increase diversity within our boards and will continue to encourage this to expand this Board's diversity. Countywide (HH)

3. CONSENT AGENDA APPROVAL

EE. OFFICE OF EQUAL EMPLOYMENT OPPORTUNITY

1. Staff recommends motion to approve: appointment of one (1) At-large member to the Fair Housing/Equal Employment (FH/EE) Board, for seat number nine (9) to complete the unexpired term beginning on June 3, 2025 to September 30, 2026.

<u>Appoint</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Kenneth Reid	PBC Resident	Mayor Marino Commissioner Weiss Commissioner Woodard Commissioner Sachs

SUMMARY: The FH/EE board serves as a quasi-judicial body empowered to hear and decide upon the merits of employment and housing discrimination complaints investigated by the Office of Equal Opportunity. The FH/EE board is comprised of nine (9) members, consisting of seven (7) district appointments and two (2) At-large members. Following the resignation of At-large appointee Zade Shamsi-Basha, Kenneth Reid submitted an application. A memo dated March 27, 2025 was circulated to the Board of County Commissioners (BCC) requesting their support or asking for additional nominations. No additional nominations were received. Five (5) of the board's nine (9) seats are currently filled with a diversity count of Caucasian: 2 (40%), African American: 1 (20%) and Hispanic: 2 (40%). The gender ratio (female: male) is 1:4. This nominee is a Caucasian male. Staff continues to address the need for increased diversity within our boards and will encourage expansion of this board's diversity. Countywide (JW)

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JUNE 3, 2025

4. SPECIAL PRESENTATIONS – 9:30 A.M.

- A)** Proclamation recognizing Palm Beach County Fire Rescue's First K-9 Therapy Team. (District 5)
- B)** Proclamation declaring June 2025 as National Caribbean American Heritage Month. (District 3)
- C)** Proclamation declaring June 7, 2025 as Mr. Henry Simmons Remembrance Day. (District 2)
- D)** Proclamation declaring June 2025 as Pride Month. (District 3)
- E)** Proclamation declaring June 19, 2025 as Juneteenth Day. (District 7)
- ~~**F)** Certificate of Commendation presented to Doug Wise. (District 1)~~
- G)** Proclamation honoring Juneteenth of PBC Inc. for its Cultural Impact on Palm Beach County. (District 7)
- H)** Proclamation declaring June 17, 2025 as Dump the Pump Day. (District 1)

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

A. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to:

A) adopt an Ordinance amending Palm Beach County (County) Code Chapter 17, Article I, Ordinance No. 95-23 reimposing the six (6) cent local option fuel tax upon every gallon of motor fuel and diesel fuel sold in the County; providing for relevy; effective dates; distribution of proceeds; severability; repeal of ordinances in conflict; inclusion in the code of laws and ordinances; captions; and an effective date;

B) approve the 2025 Interlocal Agreement to Re-determine, Re-adopt, and Ratify the existing distribution formula for the six (6) cent local option fuel tax (ILA) with the Town of Highland Beach; and

C) approve the ILA with the City of Palm Beach Gardens.

SUMMARY: On April 8, 2025, the Board of County Commissioners (BCC) approved this Ordinance amending Ordinance No. 95-23 on preliminary reading and authorized advertisement for today's Public Hearing for final adoption. This Ordinance reimposes at the current rate and levies the six (6) cent local option fuel tax (Tax) that expires on August 31, 2025. This Tax will be effective beginning September 1, 2025 through August 31, 2055. Section 336.025, Florida Statutes (Statute), authorizes the BCC to levy fuel taxes on the sale of every gallon of motor fuel and diesel fuel sold in the County. This Tax is pursuant to Section 336.025(1)(a), Florida Statutes, and is one of several taxes levied on the sale of fuel. The Tax was originally levied by Ordinance No. 83-14 at a rate of two (2) cents, and increased to four (4) cents by Ordinance No. 85-19. Ordinance No 86-23 increased the levy to six (6) cents effective through August 1995, and Ordinance No. 95-23 extended the effective date through August 31, 2025. The County currently receives 66.5648% of this Tax revenue and municipalities collectively share the remaining 33.4352%, pursuant to the distribution formula based upon population and roadway lane miles.

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

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

1. **SUMMARY (cont'd.):** Use of proceeds from this Tax is restricted to transportation expenditures that include: a) public transportation operations and maintenance; b) roadway and right-of-way maintenance and equipment and structures used primarily for the storage and maintenance of such equipment; c) roadway and right-of-way drainage; d) street lighting installation, operation, maintenance, and repair; e) traffic signs, traffic engineering, signalization, and pavement markings, installation, operation maintenance, and repair; f) bridge maintenance and operation; g) debt service and current expenditures for transportation capital projects in the foregoing program areas, including construction or reconstruction of roads and sidewalks. These two (2) ILAs, in addition to the 27 ILAs that were approved on April 8, 2025 and May 6, 2025, represent a 73.9% majority of the population of the incorporated area. The ILA was prepared in coordination with the League of Cities (League), reviewed by the Engineering and Public Works Department (EPW), the Office of Financial Management and Budget (OFMB), and the County Attorney's Office. The League conducted outreach to all eligible municipalities in the County for ILA execution and forwarded the ILAs to the County for approval upon receipt. The Engineering and Public Works Department advertised this public hearing on May 16, 2025. Countywide (YBH)

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6. REGULAR AGENDA

A. OFFICE OF RESILIENCE

1. **Staff recommends motion to approve: on preliminary reading and permission to advertise for public hearing on July 8, 2025 at 9:30 A.M.:** an Ordinance of the Board of County Commissioners of Palm Beach County (PBC), Florida, amending PBC Code, Chapter 17, Article XVII, (Ordinance 2017-012 as amended by 2022-030) section 17-504 through section 17-508, regarding the Property Assessed Clean Energy Program (PACE), providing for publication, providing for minutes, providing for a savings clause, providing for repeal of laws in conflict, providing for severability, providing for inclusion in the code of laws and ordinances; providing for enforcement; providing for penalties; providing for captions; and providing for an effective date. **SUMMARY:** On July 1, 2024, 2024-273 Florida Statutes went into effect, updating the requirements of the PACE program in Florida. This revision included updates to definitions, increased consumer protections, increased consumer disclosure requirements, expanded the qualifying improvements eligible for financing under the program, clarified that PACE program administrators may only offer PACE financing in counties or municipalities that have authorized them to do so, and bifurcated residential and commercial program requirements. Staff is recommending updates to the PBC PACE Ordinance to maintain compliance and consistency with state law. Staff have met with local PACE representatives multiple times to collaborate on these efforts. Additionally, staff have worked with the Tax Collector's Office on these recommendations. Upon final direction, staff will advertise the proposed ordinance amendments for adoption at the July 8, 2025, BCC meeting. Countywide (RM)

6. REGULAR AGENDA

B. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: a Third Amendment to the Lease Agreement with RREEF America REIT II Corp. S (RREEF) for the continued use of 76,603 square feet of space located at 7835 Byron Drive, Unit 1 in Riviera Beach (Premises), for warehouse storage, extending the term from January 1, 2027 through December 31, 2031, at an annual rental rate of \$991,760 with yearly increases of four percent (4%). **SUMMARY:** The County has leased 76,603 square feet of warehouse and office space from RREEF since 2009 for the Supervisor of Elections (SOE) warehouse operations. On September 22, 2015, the Board of County Commissioners (BCC) approved Lease Agreement (R2015-1342) with RREEF which has been amended twice and has a current expiration date of December 31, 2026. While SOE operations have been relocated to the new SOE facility at Cherry Road, there is a continued need to lease the Premises. Since SOE's relocation, the Premises has been used for storage by the County's Information Systems Services (ISS), Fire Rescue (FR) and Facilities Development and Operations (FDO) departments. This Third Amendment extends the lease term for an additional five (5) years from January 1, 2027 through December 31, 2031, with two (2) three (3) year renewal options. Commencing January 1, 2027, the annual rent shall be \$991,760 (\$12.95/sf), subject to 4% annual increases. The County will continue to be responsible for its share of taxes and expenses for the Premises. All other terms and conditions of the Lease shall remain in full force and effect. PREM will continue to have administrative responsibility for this Lease. (Property & Real Estate Management) District 7 (HJF)

6. REGULAR AGENDA

C. ADMINISTRATION

1. Staff recommends a motion to approve: the Employment Contract between Palm Beach County Board of County Commissioners (BCC) and Todd Bonlarron (Bonlarron) for the position of Interim County Administrator. **SUMMARY:** The County Administrator is retiring effective May 31, 2025 and the BCC is scheduled to interview applicants for the position on June 17, 2025. Accordingly, on May 20, 2025, the BCC appointed Assistant County Administrator Bonlarron, to serve as the Interim County Administrator. Bonlarron will serve as Interim County Administrator until the BCC appoints the next County Administrator. The proposed contract provides for an annual salary of \$355,000 a pro-rated deferred compensation contribution, auto allowance, and other benefits afforded to County employees. Countywide (DO)

2. Staff recommends motion to:

A) approve the Performance Reviews for the following Contractual Employees: the County Attorney and the County Internal Auditor conducted by the Board of County Commissioners (BCC); and

B) authorize the Department of Human Resources to file a copy of the results into the prospective employee file.

SUMMARY: On March 11, 2025, the BCC approved a tool, timeline, and process to evaluate the performance for the Contractual Employees, which included the County Administrator, the County Attorney and the County Internal Auditor. This process included completing the approved tool and submitting the information at a Public BCC meeting. In keeping with the process, staff is recommending approval of the Performance Reviews; and authorization for the Department of Human Resources to file a copy of the results with the prospective employee's file. The former County Administrator was exempt from the Performance Review process for 2025, as a result of retiring from Palm Beach County effective May 31, 2025. Countywide (DO)

6. REGULAR AGENDA

C. ADMINISTRATION (cont'd.)

3. Staff requests Board direction: on the process to be used for interviewing the recommended applicants for the County Administrator position. **SUMMARY:** On Tuesday, June 17, 2025, the BCC is scheduled to interview the recommended applicants for the position of County Administrator. In preparation, staff is requesting direction from the County Commissioners on the following: Countywide (DO)
 - a) the interview process to be utilized to interview the applicants publicly;
 - b) the development of questions to present to the applicants during the interview process; and
 - c) the methodology that will be used by the BCC to select the County Administrator from the applicants interviewed.
4. Staff requests Board direction: regarding the Board of County Commissioners' (BCC) increased participation in the County's selection processes for competitive procurements. **SUMMARY:** During its April 8, 2025, regular meeting the BCC directed staff to return at a future date with an overview of existing procurement processes and recommendations to provide for the BCC's increased participation in the same. This item provides: 1) an overview of current processes, 2) options for increased BCC involvement, 3) key factors for the BCC to consider if it decides to pursue increased participation, and 4) benchmarking data for six comparable counties. The options detailed in this item are based on staff's understanding of the BCC's interest based on comments made by Commissioners during public meetings. Following discussion by the BCC, staff may be directed to return at a later time with additional options for consideration. Once the BCC decides what options it would like to implement, staff will need to revise applicable Policy and Procedures Memoranda (PPMs) accordingly in order to operationalize the direction received. (Administration) Countywide (MWJ)

6. REGULAR AGENDA

C. ADMINISTRATION (cont'd.)

5. Staff recommends motion to approve: a Resolution of the Board of County Commissioners (BCC) condemning the killings of Yaron Lischinsky and Sarah Pilgrim in Washington DC, denouncing the rising threat of antisemitism and hate, and affirming support for local initiatives promoting interfaith dialogue and community unity. **SUMMARY:** The BCC directed staff at the Zoning meeting on Thursday, May 22, 2025 to prepare a resolution condemning the killings of Yaron Lischinsky and Sarah Milgrim in an anti-Semitic attack in Washington DC on May 21, 2025. The Resolution denounces the rise of antisemitism and hate in all forms; pledges to strengthen efforts to protect vulnerable communities across Palm Beach County; calls for an end to the hate-filled rhetoric that has permeated public discourse; reaffirms the BCC's commitment to civil discourse, interfaith understanding, and public engagement rooted in mutual respect; and supports and commends local initiatives and the American Jewish Congress for their efforts in promoting interfaith dialogue, community unity, and the eradication of hate. Countywide (AH)

6. REGULAR AGENDA

D. COUNTY ATTORNEY

1. Staff recommends motion for:

A) Board Direction addressing Executive Order (EO) 14168 and EO 14173 regarding the President of the United States' (President) position on "gender identity" prohibiting federal funds to be used to "promote gender ideology" and prohibiting grant recipients from having "illegal" race- and sex-based diversity, equity and inclusion (DEI) and/or diversity, equity, inclusion, and accessibility (DEIA) programs and complying with federal grants incorporating EO 14168, EO 14173, and other EOs;

B) approval of a waiver of the notice requirements of Section 125.66(2), Florida Statutes, declaring that an emergency exists and that the immediate enactment of an Emergency Ordinance is necessary; and

C) approval of an EMERGENCY 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, PERTAINING TO THE EQUAL BUSINESS OPPORTUNITY PROGRAM; PROVIDING FOR COMMERCIAL NONDISCRIMINATION POLICY; PROVIDING FOR SUSPENSION OF PALM BEACH COUNTY DIVERSITY EQUITY AND INCLUSION ("DEI") PROGRAMS; 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 AND EFFECTIVE DATE. Four-fifths vote is required for approval.

SUMMARY: Staff is requesting approval of an Emergency Ordinance to incorporate changes to respond to recent EOs prohibiting "illegal DEI Programs". On January 20, 2025, the President signed EO 14168 opposing "gender identity" and prohibiting federal funds to be used to "promote gender ideology." On January 21, 2025, the President signed EO 14173 stating opposition to "so-called diversity, equity and inclusion (DEI) or diversity, equity, inclusion, and accessibility (DEIA)" programs. On April 24, 2025, the Secretary of the United States Department of Transportation (DOT) issued a letter addressed to "All Recipients of U.S. Department of Transportation Funding" indicating that "any policy, program, or activity that is premised on a prohibited classification, including discriminatory policies or practices designed to achieve so-called 'diversity, equity, and inclusion,' or 'DEI,' goals, presumptively violates Federal law."

6. REGULAR AGENDA

D. COUNTY ATTORNEY (cont'd.)

1. **SUMMARY (cont'd.):** The letter “provides notice of the Department’s existing interpretation of Federal law” and “failure to cooperate generally with Federal authorities in the enforcement of Federal law, will jeopardize [the grant recipient’s] continued receipt of Federal financial assistance from DOT and could lead to a loss of Federal funding from DOT”. EO 14173, EO 14168 and other EOs are being incorporated expressly by reference in federal government grant agreements. The Justice Department has launched an initiative targeting grant recipients with False Claims Act (“FCA”) prosecution for violation of the terms of the federal grants that incorporated the EOs. There are numerous courts across the country that have received challenges of the EOs that are incorporated in the federal grant awards. This item requests that the BCC approve an Emergency Ordinance regarding continued receipt of grant funding and asks the BCC to approve an Emergency Ordinance suspending certain Palm Beach County (County) ordinances or portions thereof, policies and programs to limit legal liability and preserve the County’s access to federal funding pending further interpretation and clarification of federal law as it relates to recent EOs and federal grant requirements. The approval of an Emergency Ordinance best preserves the County’s access to federal funding sources, and limits potential civil and criminal liability. This option requires BCC direction to modify current policies to ensure race and gender neutral policies are in effect throughout the County. The proposed Emergency Ordinance suspends portions of the County’s Equal Business Opportunity Ordinance to return to a small business enterprise program with no enforcement or utilization of preferences or distinctions based on sex or race. In addition, reporting related to not hiring individuals of certain underrepresented race and/or gender pursuant to the Equal Employment Opportunity/Affirmative Action Plan is suspended pending further guidance by the federal government. The Office of Diversity, Equity and Inclusion will be eliminated which will have no impact as it has never been staffed. Staff, with the assistance of the County Attorney’s Office, may need to amend applicable Policy and Procedures Memoranda (PPMs) and other ordinances to ensure consistency with the requirements of the Emergency Ordinance.

6. REGULAR AGENDA

D. COUNTY ATTORNEY (cont'd.)

1. **SUMMARY (cont'd.):** Approval of the Emergency Ordinance requires a waiver of the Notice Requirements of Section 125.66(2). The BCC must declare that an emergency exists and the immediate enactment of the Emergency Ordinance is necessary. The County is in receipt of federal grant opportunities that incorporate the EOs. These grants must be accepted and executed within limited time constraints, and there is insufficient time to follow the customary process outlined in Section 125.66(2). The Emergency Ordinance must be approved by a four-fifths vote of the BCC. Countywide (MM)

6. REGULAR AGENDA

D. COUNTY ATTORNEY (cont'd.)

2. Staff recommends motion to adopt:

- A) a resolution of the Board of County Commissioners of Palm Beach County, Florida (BCC), repealing and replacing R2017-1770; stating the policy that Palm Beach County shall neither do business with nor appropriate funds to any entity that practices discrimination on the basis of race, color, national origin, religion, ancestry, sex, age, marital status, familial status, sexual orientation, disability, or genetic information; and
- B) a resolution of the BCC repealing that portion of Resolution R2021-0764 that created the Office of Diversity, Equity, and Inclusion, which has remained unstaffed since it was created by Amendment of the Palm Beach County Administrative Code in June of 2021.

SUMMARY: The BCC adopted a non-discrimination resolution in December of 2017, (R2017-1770), stating the County policy that it would neither do business with nor appropriate funds to any entity that practices discrimination on several bases, including “gender identity or expression.” The words “gender identity or expression” in the non-discrimination resolution are superfluous because the resolution also prohibits discrimination on the basis of “sex” which encompasses “gender identity or expression.” *Bostock v. Clayton County*, 590 U.S. 644 (2020). Staff believes it is in the best interest of the County to remove “gender identity or expression” from the County’s non-discrimination policy because several entities with which the County contracts have objected to inclusion of these words in the County’s contract, based on Executive Order (EO) 14168 signed by the President of the United States on January 20, 2025. Additionally, in June of 2021, the BCC amended the Palm Beach County Administrative Code to add an Office of Diversity, Equity, and Inclusion (R2021-0764); however, that Office has remained unstaffed to date. On January 21, 2025, the President of the United States signed EO 14173 stating the administration’s opposition to “so-called ‘diversity, equity and inclusion (DEI)’”, declaring such policies “illegal”, and directing the head of each federal agency to include in every contract or grant award a term requiring the grant recipient to certify that it does not operate any program promoting DEI. Based on EO 14173, staff believes it is in the best interest of the County to eliminate the unstaffed Office of Diversity, Equity and Inclusion. Countywide. (HH)

6. REGULAR AGENDA

E. AIRPORTS

1. Staff recommends motion to:

- A) **approve** Federal Aviation Administration (FAA) Grant Agreement Number 3-12-0085-079-2025 (Grant) in the amount of \$10,000,000, for the Concourse B Expansion – Phase 2B (R2025-0108) (Project) at Palm Beach International Airport (PBI);
- B) **delegate authority** to the County Administrator or designee to execute the Grant on behalf of the County;
- C) **approve** a Budget Amendment in the amount of \$10,000,000 to recognize the receipt of grant funding from the Federal Aviation Administration (FAA); and
- D) **approve** a Budget Amendment to recognize the transfer of \$10,000,000 from the Airport's Improvement and Development Fund to the Airport's Operating Fund.

SUMMARY: On October 22, 2024, the Department of Transportation issued a Notice of Award (NOA) under the Infrastructure Investment and Jobs Act, Airport Terminal Program for fiscal year 2025 in the amount of \$10,000,000 for the Project. On January 14, 2025, the Board of County Commissioners (BCC) approved Amendment No. 3 to the Construction Manager (CM) at Risk Contract with Suffolk Construction Company, Inc. (R2025-0108) in the amount of \$114,884,560 for the Project, which is the final phase of the Concourse B expansion project. A transfer from the Airport's Operating Fund in the amount of \$10,000,000 was approved by the BCC pending receipt of the Grant to ensure the timely completion of the Project. The FAA has issued a Grant Offer (Assistance Listing Number 20.106) for Grant Agreement Number 3-12-0085-079-2025, reflecting its commitment of funding in the amount of \$10,000,000 for the final phase of the Project in accordance with the NOA. **The Grant requires a 20% local match in the amount of \$2,500,000, which is calculated based on \$12,500,000 of allowable Project costs.** Approval of this item provides for the transfer of \$10,000,000 into the Airport's Operating Fund. FAA grants are required to be signed electronically by the County and County Attorney's Office on or before the expiration date of the grant offer. Delegation of authority to the County Administrator or designee will ensure the Grant is timely executed in accordance with FAA requirements. This Grant contains the revised language referenced in Item 6D-1 on this agenda, which is a companion to this item. Approval of this item is contingent on the BCC's approval of the Emergency Ordinance as further explained on the companion item. Countywide (AH)

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7. BOARD APPOINTMENTS

A. PLANNING, ZONING & BUILDING

1. Staff recommends motion to approve: Appointment of one (1) at-large member to the Planning Commission for the term June 4, 2025 to June 6, 2028.

<u>Name</u>	<u>Seat #</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Selena Samios	8	At-Large	Vice Mayor Baxter

OR

Bill Reicherter	8	At-Large	Commissioner Woodward
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SUMMARY: The Planning Commission was created by Ordinance 2008-003 which replaced the Land Use Advisory Board established by Resolution No. R-90-1987. The Unified Land Development Code (ULDC) Article 2.G.3.J provides for the membership of the Planning Commission (PLC) to have 16 members, consisting of 15 voting members appointed by the Board of County Commissioners (BCC) and one (1) non-voting representative of the School District. Each District Commissioner appoints two (2) members and one (1) member is appointed at-large by a majority vote of the BCC. This at-large position is to fill an existing vacancy. A memorandum for an at-large nomination was sent to the BCC on March 5, 2025. Two nominations were received. The term of office of each member is for three (3) years. The board has 15 voting members with 11 seats currently filled and a diversity count of Caucasian: 6 (54%), African-American: 1 (10%), Hispanic-American: 2 (18%) and Asian American: 2 (18%). The gender ratio (male: female) is 8:3. Ms. Samios is a Caucasian female and Mr. Reicherter is a Caucasian male. Staff will continue to address the need to increase diversity on our boards. . If chosen, Mr. Reicherter will have to resign from the Construction Board of Adjustment and Appeals to avoid violating the Constitutional dual office holding prohibition. Unincorporated (DL)

B. COMMISSION DISTRICT APPOINTMENTS

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JUNE 3, 2025

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

9. BCC DIRECTION

JUNE 3, 2025

10. COMMISSIONER COMMENTS

District 1 – COMMISSIONER MARIA G. MARINO

District 2 – COMMISSIONER GREGG K. WEISS

District 3 – COMMISSIONER JOEL G. FLORES

Requesting off-site approval for Proclamation recognizing the 75th Anniversary of the Start of the Korean War.

District 4 – COMMISSIONER MARCI WOODWARD

District 5 - COMMISSIONER MARIA SACHS

District 6 - COMMISSIONER SARA BAXTER

District 7 – COMMISSIONER BOBBY POWELL JR.

Requesting off-site approval for Proclamation declaring June 18th as Unified Members of the Palm Beaches Day.

Requesting off-site approval for Proclamation recognizing the 10th Anniversary of New Leaders Council Palm Beach.

Requesting off-site approval for Proclamation declaring June 2025 as Summer Reading Month.

JUNE 3, 2025

11. MATTERS BY THE PUBLIC – 2:00 P.M.

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JUNE 3, 2025

12. 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."

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