

July 12, 2022
9:30am

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

JULY 12, 2022

<u>PAGE</u>	<u>ITEM</u>	
78	4C*	ADD-ON: Certificate of Recognition presented to Emanuel Jackson Senior Project, Inc. in honor of the many years of dedicated service and commitment to the youth of Palm Beach County. (District 7)
44	3H-2*	MOVED TO REGULAR (NOW 6B-5) (FDO)
76	3HH-3	DELETED FOR FURTHER STAFF REVIEW (TDC)
76	3HH-4	DELETED FOR FURTHER STAFF REVIEW (TDC)
77	3HH-5	DELETED FOR FURTHER STAFF REVIEW (TDC)
93	6D-4	DELETED FOR FURTHER STAFF REVIEW (HED)
94	6D-5	REVISED SUMMARY: Calusa Pointe II (the Project) by developer SP Field LLC (an affiliate of Southport Development) entails the new construction of a 144-unit multifamily rental apartment complex at the southeast quadrant of State Road 80 and County Road 827 in the City of Belle Glade. The Project includes 114 units for households at 60% Area Median Income (AMI) and 30 units for households at 50% AMI. All 144 housing units (96 two-bedroom / 48 three-bedroom) in the Project will remain affordable for 30 <u>50</u> years. (HED)

REVISED MOTION AND SUMMARY: C) Amendment No. 2 to R2016-1105 with Locke Lord, LLP, formalizing the firm's continued representation of the County in connection with the proposed Housing and ~~Environmental~~ General Obligation Bonds (GO Bonds) and Roger Dean Chevrolet Stadium Revenue Bond (Revenue Bond); and **D)** an agreement for disclosure counsel services with the law firm of Greenberg Traurig, P.A. in connection with the proposed GO Bonds ~~and Revenue Bond~~. **SUMMARY:** On March 24, 2022, the County Finance Committee (the CFC) reviewed RFP proposals for County bond counsel and disclosure counsel. Greenberg Traurig, P.A. received the highest rank of the six proposers. Locke Lord, LLP received the second highest rank of the six proposers. Accordingly, the CFC recommends that Greenberg Traurig, P.A. be retained as the County's bond counsel and Locke Lord, LLP be retained as the County's disclosure counsel, with contracts effective October 1, 2022 through September 30, 2025. The agreements also contain one additional three-year term renewal at the County's option. Further, staff recommends an amendment to the current bond counsel contract with Locke Lord, LLP, which is in effect until September 30, 2022, formalizing the firm's continued representation of the County in connection with the County's GO Bonds and Revenue Bond. The firm's representation on these matters dates back to 2020. The continued representation on the GO Bonds is contingent on the issuances being authorized at the November 8, 2022 general election. The continued representation on the Revenue Bond is contingent on the bonds being issued on or before April 30, 2024. Finally, staff recommends a separate agreement with Greenberg Traurig, P.A. for disclosure counsel services solely in connection with the GO Bonds ~~and Revenue Bond~~, under the same contingencies expressed above. The County's disclosure counsel services in connection with the GO Bond are not anticipated to be needed will not be performed until after October 1, 2022 and, while these services would ordinarily go to Locke Lord, LLP under its new disclosure counsel agreement, the firm cannot simultaneously serve as both bond and disclosure counsel. As such, as the highest ranked firm under the RFP, staff recommends that the disclosure counsel services for the GO Bonds be performed by Greenberg Traurig, P.A. solely for these three specific issuances under the contingencies expressed above. (Attorney)

ADD-ON: Staff recommends motion to approve: a mediated settlement in the amount of \$1,170,579 including compensation for the taking, business damages, attorney's fees and costs in the eminent domain action styled Palm Beach County v. Jan Real Estate Company Limited Partnership et al., Case No.: 502020CA014166XXXMB. The condemnation is for the construction of a right turn lane for southbound traffic on North Military Trail to travel westbound on PGA Boulevard. **SUMMARY:** This settlement relates to the taking of Parcel 101 in fee simple and a permanent easement designated as Parcel 201, which Palm Beach County acquired to construct the above-referenced project. The County acquired the parcels from the property at the Garden Square Shoppes anchored by a Publix supermarket in Palm Beach Gardens. Parcel 201 was used for the relocation of FPL power lines, sloping, and other construction activities. Countywide (DO) (Attorney)

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

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

JULY 12, 2022

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

**COMMISSION
CHAMBERS**

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

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

- 3. CONSENT AGENDA (Pages 12-77)**

- 4. SPECIAL PRESENTATIONS (Page 78)**

- 5. PUBLIC HEARINGS - 9:30 A.M. (Pages 79-82)**

- 6. REGULAR AGENDA (Pages 83-100)**

- 7. BOARD APPOINTMENTS (Page 101)**

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- 9. BCC COMMENTS (Page 103)**

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JULY 12, 2022

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MATTERS BY THE PUBLIC – 2:00PM (Page 104)

ADJOURNMENT (Page 105)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to approve: the appointment of one individual to the Health Facilities Authority for the term of July 12, 2022 to April 30, 2023:

<u>Appoint</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Jerry Fedele	3	Resident of PBC	Mayor Weinroth Commissioner Marino Commissioner Kerner Commissioner McKinlay Commissioner Bernard

SUMMARY: Per Section 154.207, Florida Statutes and Resolution Nos. R77-379, R77-398 and R92-563, the Health Facilities Authority (HFA) is composed of five members appointed at-large by the Board of County Commissioners (BCC). A memo dated May 31, 2022 was circulated to the BCC notifying the Board of this appointment and requesting their support or asking for additional nominations. No additional nominations have been received. The HFA's current diversity is four Caucasian (80%) and one African-American (20%). The gender ratio male:female is 4:1. Staff is continuously working towards increased diversity. Countywide (HH)

2. Staff recommends motion to adopt: a resolution supporting the submission of community project funding requests by U.S. Representative Lois Frankel for the FY 2023 budget year. **SUMMARY:** With the reinstatement of earmarks recommended by the House Select Committee on the Modernization of Congress during the 116th Congress, members of Congress were, for the second year, asked to propose direct federal funding for up to 15 projects located in their district for the FY 2023 budget. U.S. Congresswoman Lois Frankel, put out a call to local governments and non-profit organizations for project requests and received over 70 applications. The Congresswoman made final selections after a period of vetting and site visits, with consideration to impact, sustainability, and alternative avenues for federal funding. Congresswoman Frankel has submitted 15 projects, totaling \$ 31,699,024, for consideration. Countywide (SS)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

3. [Staff recommends motion to approve:](#) the reappointment of 17 current members and the appointment of 1 new member to the CareerSource Palm Beach County, Inc. Board of Directors (Board) for the seat and term indicated below.

<u>Reappointment</u>	<u>Seat No.</u>	<u>Term</u>	<u>Area of Representation</u>	<u>Nominated By</u>
Libbey Webb	2	7/12/22-7/11/26	Private Sector	Dawson-Williams, Inc.
George Elmore	4	7/12/22-7/11/26	Private Sector	Business Development Board of Palm Beach County, Inc.
Alyssa Freeman	5	7/12/22-7/11/26	Private Sector	Marine Industries Association of Palm Beach County, Inc.
Ricky Wade	6	7/12/22-7/11/28	Private Sector	McDonald's Restaurants
Christopher Cothran	7	7/12/22-7/11/26	Private Sector	NextEra Energy, Inc.
David Talley	12	7/12/22-7/11/28	Private Sector	Business Development Board of Palm Beach County, Inc.
Alex Dobin	17	7/12/22-7/11/30	Private Sector	Florida Power & Light Company
David Markarian	27	7/12/22-7/11/28	Private Sector	The Markarian Group
John Boggess	10	7/12/22-7/11/30	Labor Organization Youth	The School District of Palm Beach County, Florida
Dwight Mattingly	13	7/12/22-7/11/26	Labor Organization Local Labor Federation / Apprenticeship Program	Palm Beach-Treasure Coast AFL-CIO Central Labor Council
Dr. Laurie George	14	7/12/22-7/11/24	Labor Community-Based Organization	United Way of Palm Beach County
Dr. Mel Coleman	3	7/12/22-7/11/28	Education and Training Activities	Nova Southeastern University Florida Palm Beach
Ava Parker	11	7/12/22-7/11/28	Education and Training Activities	Palm Beach State College
Richard Radcliffe	9	7/12/22-7/11/26	Governmental and Economic and Community Development Entities	Palm Beach County League of Cities, Inc.
Timothy Dougher	16	7/12/22-7/11/28	Governmental and Economic and Community Development Entities	Business Development Board of Palm Beach County, Inc.
Shirley Erazo	19	7/12/22-7/11/26	Governmental and Economic and Community Development Entities	Delray Beach Housing Authority
Cynthia Gaber	24	7/12/22-7/11/30	Governmental and Economic and Community Development Entities	Florida Department of Education, Division of Vocational Rehabilitation
<u>Appointment</u>	<u>Seat No.</u>	<u>Term</u>	<u>Area of Representation</u>	<u>Nominated By</u>
Zachary Cassidy	18	7/12/22-7/11/30	Labor Organization Local Labor Federation / Apprenticeship Program	Palm Beach-Treasure Coast AFL-CIO

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

3. **(Cont'd) SUMMARY:** The reappointment of the CareerSource Palm Beach County, Inc. Board is necessary due to a change in the Workforce Innovation Act of 2000, Section 445.007(2)(a), Florida Statutes as amended effective July 1, 2021. Members of a Workforce Board shall serve staggered terms and may not serve for more than eight consecutive years unless such member is a representative of a governmental entity. Service in a term of office, which commenced before July 1, 2021, does not count toward the eight-year limitation. As a result of the change in the law, all Florida Workforce Boards are required to and have realigned and reappointed their board in accordance with Section 445.007(2)(a), Florida Statutes. On June 16, 2022, CareerSource Palm Beach County, Inc. approved the realignment and reappointment of its Board, subject to the approval of Palm Beach County, Florida as Chief Elected Official. Workforce Boards are subject to State and Federal law and regulations, and not Palm Beach County's Advisory Board Resolution. The CareerSource Palm Beach County, Inc. Board is comprised of a minimum of 19 members with representation established in Attachment 4 to this agenda item. The Board has a maximum of 33 seats, 20 currently filled and a diversity count of Caucasian: 14 (70%), African-American: 3 (15%) and Hispanic: 3 (15%). The gender ratio (female:male) is: 8:12. The nominees are 3 Caucasian females, 2 African-American females, 1 Hispanic female, 10 Caucasian males, 1 African-American male and 1 Hispanic male. Countywide (HJF)

B. CLERK & COMPTROLLER

1. **Staff recommends motion to receive and file:** Warrant List – Backup information can be viewed in the Clerk & Comptroller's Office.
2. **Staff recommends motion to approve:** the following final minutes of the Board of County Commissioners' meetings:

<u>Meeting Date</u>	<u>Meeting Type</u>
December 15, 2021	Zoning
February 24, 2022	Zoning
March 08, 2022	Regular
March 22, 2022	Regular

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

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve:

A) a work order in the amount of \$325,811.80 to Palm Beach County's (County) annual traffic signal contract dated September 10, 2019 (R2019-1260), as amended on July 7, 2020 (R2020-0759) with Gerelco Traffic Controls, Inc. (Gerelco) to construct a new mast arm traffic signal at the intersection of Silver Beach Road and Avenue S, County Intersection ID Number 19055 (Project); and

B) a budget amendment of \$116,734 in the Road Impact Fee Zone 1 Fund to recognize reimbursement funding from the developer and appropriate it to the Project.

SUMMARY: Approval of this work order will allow Gerelco to construct the Project. Per County PPM CW-F-050, this work order exceeds the threshold relating to staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners (BCC). Prior to this work order, \$1,223,785.03 of Gerelco's \$9,000,000 contract has been spent or encumbered. The Office of Equal Business Opportunity has granted a waiver of the Affirmative Procurement Initiatives based on the limited availability of highly specialized and qualified small, minority, and woman owned businesses to perform the specialized construction of traffic signals. On September 10, 2019, the BCC approved the annual traffic signal contract with Gerelco to provide for and install various signal components for traffic control devices. On July 7, 2020, the BCC approved the first amendment to the contract, which increased the amount to \$9,000,000 and extended the expiration date until September 9, 2022. District 7 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

2. Staff recommends motion to approve: Work Order 2020055-68 in the amount of \$311,000 to construct improvements at the Okeechobee Boulevard and Church Street intersection (Project) utilizing Palm Beach County's (County) annual pathway and minor construction contract R2020-1641 (Contract) with Wynn & Sons Environmental Construction Co., Inc. (Wynn). **SUMMARY:** Per County PPM CW-F-050, this work order exceeds the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners (BCC). Approval of this work order will allow the contractual services necessary to construct the Project. Prior to this meeting date, approximately \$2 million of Wynn's \$25 million Contract has been spent or encumbered. This Contract is one of three annual pathway and minor construction contracts that had an available total of \$25 million. The Affirmative Procurement Initiative selected for this Contract on March 4, 2020 by the Goal Setting Committee is a 15% minimum mandatory Small Business Enterprise (SBE) participation. Wynn agreed to 90.9% SBE participation for the Contract. On November 17, 2020, the BCC approved the Contract with Wynn to provide pathway and minor construction services for countywide projects. Approval of this work order will result in a cumulative SBE participation of 100% for all the work orders issued under the Contract. District 7 (YBH)

3. Staff recommends motion to approve: Supplement No. 1 (Supplement) to the Work Task Order (WTO) dated October 22, 2019 (R2019-1594) for the Annual Structural Engineering professional services contract (R2017-0137) (Contract) with Stantec Consulting Services Inc. (SCSI) in the amount of \$126,704.13 for professional services for Belvedere Road over LWDD E-3 Canal (Project). **SUMMARY:** Approval of this Supplement will authorize the professional services necessary to design a cantilever platform and Palm Beach County Water Utilities Department (PBCWUD) utility plans for the Project. A portion of this Supplement is funded by PBCWUD. The Contract was approved on February 7, 2017, prior to the effective date of the Equal Business Opportunity Ordinance and pursuant to the Small Business Enterprise (SBE) Ordinance at the time. The SBE goal for all contracts was 15%. SCSI agreed to 31% SBE participation for the Contract. SCSI agreed to 49.5% SBE participation for this Supplement. The cumulative SBE participation to date for the Contract including this Supplement is 41.43%. SCSI has an office located in Palm Beach County. **This Project is included in the infrastructure sales tax.** District 2 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

4. Staff recommends motion to approve: a Consultant Service Authorization (CSA) No. 5 to the Annual Construction Engineering Inspection (CEI) Professional Services Contract (R2021-0882) dated July 13, 2021 (Contract) with Mehta and Associates, Inc. (MAI) in the amount of \$603,370.92 for the Donald Ross Road Bascule Bridge (Project). **SUMMARY:** The Donald Ross Road Bascule Bridge is a Palm Beach County (County) maintained structure built in 1998 in need of the replacement of hydraulic, electrical and mechanical equipment to extend its service life. Approval of this CSA will authorize the CEI services necessary to replace the equipment within the bridge structure. The Affirmative Procurement Initiatives selected for this Contract on November 6, 2019 by the Goal Setting Committee are a 20% minimum mandatory Small Business Enterprise (SBE) participation and an SBE evaluation preference. MAI agreed to 20% SBE participation for the Contract. MAI agreed to 22.31% SBE participation for this CSA. The cumulative SBE participation to date for the Contract including this CSA is 21.44%. MAI has an office located in the County. **This Project is included in the Five-Year Road Program. District 1 (YBH)**

5. Staff recommends motion to receive and file: a report of plat recordations from October 1, 2021 through March 31, 2022. **SUMMARY:** This report is a bi-annual summary of subdivision plats recorded during the fiscal quarters since the previous report. There were 25 plats recorded during this period. This report is required by the Department of Engineering and Public Works Policies and Procedures Manual Item No. EL-O-2618, governing administrative approval of plats by the County Engineer. Countywide (YBH)

6. Staff recommends motion to approve: a contract with Johnson-Davis, Incorporated (JDI) in the amount of \$403,611 for the C-51 Canal Culvert Failure repair (Project). **SUMMARY:** Approval of this contract will authorize the construction services necessary for the replacement of four culvert outfalls servicing Gun Club Road and Gun Club Estates. Both Gun Club Road and the roadways within Gun Club Estates are maintained by Palm Beach County. The Affirmative Procurement Initiative selected for this contract on December 15, 2021 by the Goal Setting Committee is a 5% minimum mandatory Small Business Enterprise (SBE) participation. JDI agreed to 6.45% SBE participation. Bids for the contract were received by the Engineering & Public Works Department on February 15, 2022. JDI was the lowest responsive bidder of two bidders. The contract time for the Project is 120 calendar days. JDI has an office located in Palm Beach County. **This Project is included in the Five-Year Road Program. District 3 (YBH)**

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

7. Staff recommends motion to approve: Supplement No. 2 (Supplement) to the contract (R2020-0991), dated August 25, 2020 (Contract) with Propel Engineering, Inc. (PEI) in the amount of \$111,504 for Lyons Road north of Lake Worth Drainage District L-30 Canal to Boynton Beach Boulevard (Project). **SUMMARY:** Approval of this Supplement will authorize the professional services necessary for the preparation of design plans and construction bid documents to revise the design to allow existing right turn lanes to remain at subdivision entrances within the limits of the Project. The solicitation for design professionals was advertised on April 8, 2018 and April 15, 2018, prior to the effective date of the Equal Business Opportunity Ordinance and pursuant to the Small Business Enterprise (SBE) Ordinance at the time with final selection taking place on July 25, 2018. The SBE goal for all contracts was 15%. PEI agreed to 80% SBE participation for the Contract. PEI agreed to 100% SBE participation for this Supplement. The cumulative SBE participation to date for the Contract including this Supplement is 90.1%. PEI has an office located in Palm Beach County and is a certified SBE company. **The Project is included in the Five-Year Road Program. District 5 (YBH)**

8. Staff recommends motion to approve: Work Order 2021050-19 in the amount of \$725,000 to mill and resurface Ellison Wilson Road from McLaren Road to Donald Ross Road utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2021-0984 (Contract) with Ranger Construction Industries, Inc. (Ranger). **SUMMARY:** Per County PPM CW-F-050, this work order exceeds the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners (BCC). Approval of this work order will allow the contractual services necessary to construct the improvements. Prior to this meeting date, approximately \$9 million of Ranger's \$50 million Contract that was approved on August 17, 2021, by the BCC, has been spent or encumbered. This Contract is one of three contracts with an available cumulative total of \$50 million for the annual asphalt milling and resurfacing program. The Affirmative Procurement Initiative selected for this Contract on September 16, 2020 by the Goal Setting Committee is a 15% minimum mandatory Small Business Enterprise (SBE) participation. Ranger agreed to 15% SBE participation for the Contract and 15.24% SBE participation for this work order. The cumulative SBE participation, including this work order is 15%. District 1 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

9. Staff recommends motion to approve: a contract with Scalar Consulting Group Inc. (SCGI) in the amount of \$1,324,527.90 for Lyons Road from Atlantic Avenue to south of Flavor Pict Road (Project). **SUMMARY:** Approval of this contract will provide the professional services necessary for the preparation of design plans and construction bid documents to widen and reconstruct Lyons Road from its existing 2-lanes to a 4-lane divided roadway within the limits of the Project. The Affirmative Procurement Initiatives selected for this contract on September 2, 2020 by the Goal Setting Committee are a 20% minimum mandatory Small Business Enterprise (SBE) participation and an SBE evaluation preference. SCGI agreed to 45% SBE participation for the Contract. On October 13, 2021, the Consultant's Competitive Negotiations Act Selection Committee selected SCGI and, in accordance with PPM No. CW-O-048, the Board of County Commissioners was notified of the selection on October 19, 2021. SCGI has an office located in Palm Beach County. **This Project is included in the Five-Year Road Program. District 5** (YBH)

10. Staff recommends motion to:

A) adopt a resolution approving a Highway Maintenance Memorandum of Agreement (HMMOA) with the Florida Department of Transportation (FDOT) for roadway reconstruction on State Road 710/Beeline Highway, including intersection improvements at Northlake Boulevard, Jog Road, and Haverhill Road (Project); and

B) approve the HMMOA with the FDOT for the Project.

SUMMARY: Adoption of this resolution and approval of the HMMOA will support the FDOT's construction of the Project, and require Palm Beach County (County) to maintain those portions of the Project within FDOT and County rights-of-way (ROW), with the exception of traffic control devices within the municipal boundaries of the City of West Palm Beach (City). The portions of the Project within FDOT ROW will be operated and maintained by the County in accordance with the terms of the Traffic Signal Maintenance and Compensation Agreement (R2018-0886). The Project includes installation of other traffic control devices, including signs and pavement markings within County ROW that are within the City's municipal boundaries that will be maintained by the FDOT. The Project will be completed by FDOT. The construction and design shall be funded by FDOT at an estimated cost of \$144,400,000. The County will have no financial obligations for construction and design of the Project. Upon completion of the Project, certain operation and maintenance responsibilities will revert to the County. Districts 1, 2 & 7 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

11. Staff recommends motion to approve: Delivery Order 17058D-117 in the amount of \$650,000 for the storm drainage repairs on Nickels Boulevard over the Lake Worth Drainage District (LWDD) L-23 Canal utilizing Palm Beach County's (County) annual "Crews with Equipment, Rental of" term contract 17-058D (Contract) with Hinterland Group, Inc. (Hinterland). **SUMMARY:** Approval of this delivery order will allow the contractual services necessary to construct storm water drainage repairs on Nickels Boulevard over the LWDD L-23 Canal. The proposed work consists of the replacement of the pipe and headwalls; and road restoration to repair the integrity of the existing storm drainage pipe system. This delivery order utilizes an existing purchasing contract. The Contract was solicited by the Purchasing Department on June 1, 2017, prior to the effective date of the Equal Business Opportunity Ordinance and pursuant to the Small Business Enterprise (SBE) Ordinance at the time. On August 15, 2017, the Board of County Commissioners approved the Contract with Hinterland to provide crews with equipment and materials for countywide drainage projects. The Contract was last renewed on September 1, 2021. Hinterland agreed to 15% SBE participation for the Contract and 100% SBE participation for this delivery order. Hinterland has achieved 100% SBE participation for all delivery orders performed under this Contract for a total amount of \$5.6 million to date. Hinterland has an office located in Palm Beach County and is an SBE company. District 2 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

12. Staff recommends motion to:

A) approve a contract with R & D Paving, LLC (RDP) in the amount of \$514,885.25 for construction of the Lantana Road and Congress Avenue Intersection Improvements (Project);

B) receive and file an Interlocal Agreement (ILA) with the City of Lake Worth Beach (City) for utility improvements in the amount of \$35,535.50 for the Project; and

C) approve a budget amendment of \$35,536 in the Transportation Improvement Fund to recognize reimbursement funding from the City and appropriate it to the Project.

SUMMARY: Approval of this contract will authorize the construction services necessary to reconstruct the median on Lantana Road to extend the eastbound to northbound dual left turn lanes at Congress Avenue. Approval of the budget amendment will recognize the reimbursement funding from the City, as agreed to in the ILA, for utility work they requested. The City shall be responsible for operation and maintenance of their utility work upon completion of the Project. The ILA with the City was approved by the County Engineer by way of delegated authority in accordance with the Palm Beach County Administrative Code Section 404.00. The ILA is submitted in accordance with Countywide PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating department as a receive and file as part of the corresponding agenda item. The Affirmative Procurement Initiative selected for this contract on March 3, 2022 by the Goal Setting Committee is a 20% minimum mandatory Small Business Enterprise (SBE) participation. RDP agreed to 82.8% SBE participation. Bids for the contract were received by the Engineering Department on February 22, 2022. RDP was the lowest responsive bidder of three bidders. The contract time for the Project is 180 calendar days. RDP has an office located in Palm Beach County and is a certified SBE company. **This Project is included in the Five-Year Road Program. Districts 2 & 3 (YBH)**

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. Staff recommends motion to receive and file: agreement between Palm Beach County and Municode, LLC for ordinance codification and looseleaf supplement services, effective August 1, 2022 through September 30, 2025, with one additional two year term renewal at the County's option. **SUMMARY:** The current agreement for codification services expires on September 30, 2022. Because of the widespread use of the service among all local municipalities, independent constitutional officers, and the general public, the vendor is considered a sole source of the services being provided. Accordingly, pursuant to the Director of Purchasing's delegated authority, the County has entered into a new agreement, whereby Municode, LLC will continue to provide ordinance codification and looseleaf supplement services without an interruption in service. Countywide (DB)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. [Staff recommends motion to approve:](#) the appointments of three new members and the reappointment of one current member to the Community Action Advisory Board (CAAB), effective July 12, 2022:

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Term Ending</u>	<u>Nominated By</u>
7	Linda Williams	Private Sector Representative	07/11/25	CAAB
8	Alesia Keller	Private Sector Representative	07/11/25	CAAB
11	Xzavious Wiley	Representative of the Low-Income Sector	07/11/25	Democratically selected in Belle Glade
<u>Seat No.</u>	<u>Reappointment</u>	<u>Seat Requirement</u>	<u>Term Ending</u>	<u>Nominated By</u>
9	Carol Jones-Gilbert	Private Sector Representative	07/11/25	CAAB

SUMMARY: Per Resolution No. R2018-0372, adopted April 10, 2018, amending Resolution R2014-0588, the total membership for CAAB shall be no more than 15 at-large members, comprised of one-third elected public officials or their representatives, one-third private sector members recommended by the CAAB and one-third low-income representatives selected by a democratic process in the target neighborhoods served or recommended by an agency that serves low-income populations. Members will fully participate in the planning, implementation, and evaluation of the Community Services Block Grant program to serve low-income communities. The appointments meet all applicable guidelines and requirements outlined in the resolution. The diversity count for the 10 seats that are currently filled is African-American: 7 (70%); Caucasian: 2 (20%); and Hispanic American: 1 (10%). The gender ratio (female: male) is 6:4. Ms. Williams, Ms. Jones-Gilbert and Mr. Wiley are African-American. Ms. Keller is Caucasian. Staff conducts targeted outreach in an effort to proffer candidates for appointments that maintain a diverse composition of the board. (Community Action Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. **Staff recommends motion to approve:** Amendment No. 001 to Standard Agreement No. IA022-9500 (R2022-0170) for the Older Americans Act (OAA) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), for the period January 1, 2022 through December 31, 2022, to amend, revise, and replace portions of the standard agreement, to provide in-home services and community-based services to seniors, with no change to the total grant amount of \$2,889,947. **SUMMARY:** This amendment allows the Division of Senior and Veteran Services (DSVS) to provide services to seniors and their caregivers. The OAA (CFDA No. 93.044, 93.045 & 93.052) has several programs that serve seniors. In Calendar Year (CY) 2021, the congregate meal program serviced 2,585 seniors, the home-delivered meal program served 1,312 seniors and the in-home services program served 112 seniors. OAA program services are funded with \$2,889,947 in federal funds. Services are provided to eligible Palm Beach County seniors age 60 and older and their caregivers to provide in-home and community-based services to seniors. DSVS is responsible for providing services north of Hypoluxo Road. The areas of service include all of the districts, excluding Districts 2, 4, 5 and 7 south of Hypoluxo Road. The Mae Volen Center, Inc. is responsible for providing services in the areas south of Hypoluxo Road. **No County match is required.** (DSVS) Countywide except for portions of Districts 2, 4, 5, and 7 south of Hypoluxo Road. (HH)

3. **Staff recommends motion to receive and file:** Amendment No.0003 to the Unified Homeless Grant Contract No. #IP004 (R2021-0781) with the Florida Department of Children and Families (DCF), for the period July 1, 2019 through June 30, 2022, to revise the Emergency Solutions Grant – Coronavirus Aid, Relief and Economic Security (CARES) Act (ESG-CV2) funds fiscal year payment tables for State Fiscal Year (SFY) 2020 - 2021 and SFY 2021 - 2022. **SUMMARY:** The Palm Beach County Division of Human Services (DHS) grant contract with DCF was amended to update the ESG-CV funds fiscal year payment tables. The shift in funding allows Palm Beach County Board of County Commissioners the opportunity to fully expend the ESG-CV award amounts that were not spent during SFY 2020 - 2021. On June 15, 2021, the Board of County Commissioners authorized the County Administrator or designee to execute documents for this purpose. In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by initiating department as a receive and file. The grant contract CSFA No. is 60.021. **No County match is required.** (Human Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

4. Staff recommends motion to:

A) ratify the signature of the Mayor on Modification No. 1 of the Federally Funded Subgrant Agreement No. E2016 (R2021-0783) with the Florida Department of Economic Opportunity (FDEO), for the period October 1, 2020 through March 30, 2023, to provide economic mobility and economic stability services by incorporating the new Low-Income Household Water Assistance Program (LIHWAP) for low-income households needing assistance; and

B) receive and file Notice of Grant Award/Fund Availability (NFA) modifications from FDEO, for the Community Services Block Grant (CSBG), the Low-Income Home Energy Assistance Program (LIHEAP) and the LIHWAP:

1) NFA No.041192 (Federal Award Identification Number (FAIN) G2201FLCOSR, CFDA 93.569), to allocate funding for Program Year (PY) 2022, for the period October 1, 2021 through September 30, 2023, in an amount not-to-exceed \$1,094,998, CSBG program;

2) NFA No. 041247 (FAIN G-2202FLLIEA, CFDA 93.568), to allocate funding for PY 2022, for the period October 1, 2021 through September 30, 2023, in an amount not-to-exceed \$5,214,899, for LIHEAP; and

3) NFA No. 041274 (FAIN G2102FLLWC6, CFDA 93.499), to allocate supplemental funding for PY 2021, for the period May 28, 2021 through September 30, 2023, in an amount not-to-exceed \$2,234,474, for LIHWAP-American Rescue Plan.

C) approve:

1) a budget amendment in the amount of \$571,441 in the CSBG fund to align the budget to the actual grant award; and

2) a budget amendment in the amount of \$5,007,322 in the LIHEAP fund to align the budget to the actual grant award.

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

4. **(Cont'd) SUMMARY:** On June 15, 2021, the Board of County Commissioners (BCC) ratified the Mayor's signature on the Federally Funded Subgrant Umbrella Agreement #E2016 (R2021-0783) with the FDEO, for the period October 1, 2020 through September 30, 2023, for the LIHEAP and CSBG programs. Modification No. 1 incorporates the new LIHWAP program. The modified agreement will allow the Community Action Program to continue providing economic mobility and economic stability services to 2,700 individuals and 1,040 families residing in Palm Beach County. Under the terms of the new umbrella agreement, FDEO will issue an NFA for each program award, and issue NFA amendments for any changes. These NFAs were issued to add or increase funding. Electric and water bill assistance will be provided to approximately 13,250 low-income individuals and 5,300 families. In Federal Fiscal Year (FFY) 2021, 3,414 households obtained electric bill assistance. The CSBG funds are used to provide economic mobility and economic stability services to approximately 2,300 low-income individuals and 900 families. Economic stability services include rent and utility assistance. Economic mobility services include employment skills training, job placement, resume writing training, financial management training, and case management. In FFY 2021, 3,799 households received rental assistance or emergency utility assistance and as a result, either prevented disconnection or restored their service. In addition, 86 clients enrolled in the self-sufficiency program, 14 of those obtained jobs above the living wage and 15 obtained jobs below the living wage, but increased their household income. The emergency signature process was utilized because there was not sufficient time to submit the grant modification through the regular BCC agenda process. **No County match is required.** (Community Action Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

5. Staff recommends motion to approve: contracts for Provision of Services with the below-listed agencies, for the period May 1, 2022 through September 30, 2022, in an amount totaling \$425,000 to provide food distribution services to low-income residents of Palm Beach County:

A) Christians Reaching Out to Society, Inc. (CROS), in an amount not-to-exceed \$75,000, to provide food pantry services; and

B) Palm Beach County Food Bank, Inc. (PBCFB), in an amount not-to-exceed \$350,000, to provide food pantry services.

SUMMARY: The above agencies have the space and resources to provide food pantry services for low-income residents of Palm Beach County (PBC). Funding is provided by the Community Services Block Grant. CROS operates seven food pantries in Palm Beach County, six brick and mortar pantries and one mobile "pop-up" pantry, serving 13 different locations in the following communities: Belle Glade, Wellington, Delray Beach, Lake Worth Beach, Greenacres, Haverhill, West Palm Beach, Riviera Beach and Jupiter. The pantries are located in areas considered high in food insecurity by PBC's Hunger Relief Plan. In 2021, CROS served 75,709 (duplicated) clients, of which 30% were children and 12% were seniors. Residents received food bags from CROS's seven food pantries. This total includes 5,399 individuals who sought food from the pantries for the very first time. To help end hunger needs in PBC, PBCFB distributes the majority of food to approximately 200 partners. In 2021, PBCFB was able to assist with 14.5 million meals distributed to low-income residents. **No County match is required.** (Community Action Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

6. Staff recommends motion to approve: agreement for Provision of Financial Assistance with Housing Partnership, Inc. (HPI), d/b/a Community Partners of South Florida, for the period May 1, 2022 through September 30, 2024, in an amount totaling \$72,500, of which \$12,500 is budgeted for FY 2022, with an anticipated annual allocation of \$30,000 in each subsequent fiscal year, contingent upon a budgetary appropriation by the Board of County Commissioners (BCC), for the term of this agreement, to provide for the administration of the AmeriCorp Vista Member Program. **SUMMARY:** On August 17, 2021, the BCC approved funding allocations for the FY 2022 Financially Assisted Agencies (FAA) Program. The Palm Beach County Community Services Department (CSD) is dedicated to promoting independence, and enhancing the quality of life in Palm Beach County by providing effective and essential services to residents in need. This program is designed to provide financial and technical assistance to the CSD Public Information Office and the FAA funded Economic Stability/Mobility Securing Our Future Initiative (SOFI) programs. SOFI programs support eligible families (at or below 50% AMI) experiencing poverty. HPI will manage and administrate the AmeriCorp Vista Member Program. AmeriCorp Vista Members will assist FAA SOFI agencies and CSD staff with building organizational capacity and sustainability measures in terms of public relations, community outreach. HPI will be the lead entity managing the list of available AmeriCorp Vista Members. HPI will maintain ultimate administrative AmeriCorp Vista Member responsibility. CSD is responsible for supervising and monitoring the AmeriCorp Vista Members day-to-day activities, and ensuring they have the support they need to achieve outlined specified goals. Lynda Charles is an employee of HPI and is a member of the Palm Beach County Commission on Affordable Housing. This board provides no regulation, oversight, management, or policy-setting recommendations regarding the agency listed above. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provision of Section 2-443, of the Palm Beach County Code of Ethics. (Financially Assisted Agencies) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

7. Staff recommends motion to approve: the agreement for Provision of Services with Rapid Results Institute, Inc. (RRI), for the period July 15, 2022 through March 31, 2023, in an amount not-to-exceed \$92,244, to facilitate and implement the 100-Day Palm Beach County Housing Cost Burden 100-Day Challenge (100-Day Challenge). **SUMMARY:** The Community Services Department will organize the 100-Day Challenge to provide housing for people experiencing homelessness, with an emphasis on populations more at risk of contracting the coronavirus (COVID-19). The services will include developing a strategy to recruit landlords, training and educating homeless providers on infectious disease prevention and mitigation, and implementing various strategies to reduce the spread of COVID-19. RRI has pioneered the 100-Day Challenge and is the only provider with the experience and expertise to coordinate these types of challenges. RRI has successfully coordinated 100-Day Challenges with nonprofits and governmental agencies nationally and internationally, including the Department of Housing and Urban Development and the U.S Department of Health and Human Services. RRI has lead two other 100-Day Challenges in Palm Beach County: the 100-Day Challenge to End Youth Homelessness, during which 120 youth were housed in 2017; and the 100-Day Challenge to End Veteran Homelessness, during which 79 veterans were housed in 2019. **No County match is required.** (Community Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

8. Staff recommends motion to approve: amendment to agreement between the Palm Beach County Board of County Commissioners and The Homeless Coalition of Palm Beach County, Inc. for mutual cooperation, for the period July 2, 2019 through September 30, 2029, to increase funding by an amount totaling \$2,425,000 for a new total agreement amount not-to-exceed \$3,962,500, of which \$37,500 was budgeted in FY 2019, \$150,000 was budgeted in FY 2020 and FY2021, \$300,000 is budgeted in FY2022, with an anticipated annual allocation of \$475,000 in each subsequent fiscal year, contingent upon a budgetary appropriation by the Board of County Commissioners (BCC); to support the implementation of, and provide fundraising activities for, the Community Plan to End Homelessness in Palm Beach County (Community Plan). **SUMMARY:** On July 2, 2019, the BCC approved a ten-year agreement with The Homeless Coalition of Palm Beach County, Inc. (Coalition) to fund the Homeless Coalition Executive Director and support staff to further the goals of the Community Plan. Since the execution of this Agreement, the County has entered into three other agreements (including one amendment to an agreement), for the provision of payment for hotel placement and other client services that require credit card as mechanism for payment. The Coalition has agreed to make payments on behalf of the County for these services as part of their commitment to end homelessness in Palm Beach County. Due to COVID and the drastic increase in rental prices, the need for hotel placement continues to grow. This amendment is needed to expedite hotel placements and reimbursement to the Coalition and alleviate staff time with numerous individual contracts and amendments. Funding for hotel placements will be primarily from grant funding. This agreement includes a one-time advance payment of \$75,000 for the Coalition to keep on hand to assist with cash flow. Since the COVID crisis began, the Division of Human Services and Community Action has placed more than 300 clients in hotels. Uwe Naujak, an employee of The Homeless Coalition of Palm Beach County, Inc., is also a member of the Homeless Advisory Board. This board provides no regulation, oversight, management, or policy-setting recommendations regarding the agency Agreement listed above. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Section 2-443, of the Palm Beach County Code of Ethics. (Division of Human Services and Community Action) Countywide (HH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. Staff recommends motion to receive and file: a summary of fees and charges for the standard form Hotel-Motel Courtesy Shuttle Operator Permit (Permit) at the Palm Beach International Airport (PBI) commencing October 1, 2022, pursuant to Resolution 2017-1020. **SUMMARY:** Commencing October 1, 2022, the annual fee for new or renewed Permits will increase from \$220 to \$230. Delegation of authority for increases by an amount not to exceed 5% per year was approved in R2017-1020. Countywide (AH)

2. Staff recommends motion to receive and file: Amendment No. 1 to the Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation (FDOT) for Perimeter Fence Improvements at Palm Beach County Park Airport (LNA), to correct a scrivener's error. Delegation of authority for execution of this amendment was approved by the BCC on August 25, 2020 (R2020-1017). **SUMMARY:** On January 15, 2019, the BCC adopted a resolution (R2019-0046) approving a PTGA (R2019-0047) with the FDOT in the amount of \$600,000 or 80% of the eligible project costs, whichever is less for Perimeter Fence Improvements at LNA. This project provides for the replacement of the existing fence at LNA to meet current standards for Palm Beach County airports. The FDOT has submitted Amendment No. 1 to the PTGA correcting Exhibit B - Schedule of Financial Assistance, Section B. Estimate of Project Costs by Grant Phase, to reflect the change from "Capital Equipment/Preventative Maintenance" to "Environmental/ Design/Construction", with no change to funding or project scope. This change requires execution of an amendment to the PTGA. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

3. Staff recommends motion to receive and file: four Consent to Sublease (Consent) documents, consenting to the sublease of space by Atlantic Aviation – West Palm Beach LLC d/b/a Atlantic Aviation PBI (Atlantic) at the Palm Beach International Airport (PBI), with the following subtenants:

- 1) Montague Aircraft Leasing, LLC effective as of 8/1/2021
- 2) Otter Inspirations LLC effective as of 12/1/2021
- 3) Thorpe LLC effective as of 4/1/2022
- 4) Winnepeg, L.L.C. effective as of 5/1/2021

SUMMARY: Atlantic provides fixed based operator services for general aviation aircraft at PBI pursuant to a Lease Agreement dated October 18, 2000 (R2000-1067, as amended). The lease agreement provides for the sublease of space subject to the County's consent. Delegation of authority for execution of the standard form consent to sublease was approved by the Board in R94-1453. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

4. Staff recommends motion to receive and file: five Consent to Sublease (Consent) documents, consenting to the sublease of space by Signature Flight Support LLC (Signature) at the Palm Beach International Airport (PBI), with the following subtenants:

- 1) Aircraft Detailing Solutions, effective as of 1/1/2022
- 2) Executive Jet Management, Inc. effective as of 3/1/2022
- 3) Private Consulting Partners LLC, effective as of 4/1/2022
- 4) Skyline Group MC, effective as of 2/1/2022
- 5) TRT Leasing, Inc., effective as of 3/1/2022

SUMMARY: Signature provides fixed based operator services for general aviation aircraft at PBI pursuant to a lease agreement dated September 30, 2004 (R2004-1990, as amended). The lease agreement provides for the sublease of space by Signature, subject to the County's consent. Delegation of authority for execution of the standard form consent to sublease was approved by the Board in R94-1453. Countywide (AH)

5. Staff recommends motion to receive and file: a License Agreement (Agreement) with Alen Construction Group, Inc. (Alen), commencing May 12, 2022, and expiring on May 31, 2023, providing for the use of approximately 2,603 square feet of space at the Palm Beach International Airport (PBI) for the storage of construction materials at no cost. **SUMMARY:** Alen, a Broward County, Florida company is a licensed general contractor and certified Minority Business Enterprise (MBE). On March 8, 2022, the Board approved a contract with Alen (R2022-0226) for project # PB 21-14, 400 Hz GPU Point of Use Replacement at PBI. No license fee is due as Alen is a contractor to County at PBI and the agreement is of mutual benefit. Delegation of authority for execution of the standard form license agreement was approved by the Board in R2007-2070. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

6. Staff recommends motion to approve: Amendment No. 4 to the Construction Manager (CM) at Risk Contract (Contract) with Lebolo Construction Management, Inc. (Lebolo) for Miscellaneous Airport Improvements for Palm Beach County Department of Airports (Department), exercising the second one-year renewal option for the continuation of services. **SUMMARY:** The Contract with Lebolo for CM at Risk Services for Miscellaneous Airport Improvements for the Department was approved by the Board on August 20, 2019 (R2019-1222). The Contract is for two years with three one-year renewal options and is a task/work order based contract for CM at Risk services for the Department. Lebolo is based in Boynton Beach, Florida. Lebolo along with their S/MBE teaming partner Hatcher Construction & Development, Inc. (Hatcher) were one of two firms selected to provide project management and construction supervision services. The County exercised the first year renewal option on July 13, 2021 (R2021-0888). The contract value to date is \$2,522,406.10. Approval of Amendment No. 4 will allow the County, at its sole discretion, to exercise the second one-year renewal option for the continuation of services provided under the CM at Risk Contract. The current cumulative S/M/WBE subcontractor participation for all work orders to-date under this contract is 69.6%. In addition, Lebolo's S/MBE teaming partner, Hatcher, will provide 15% of the Construction Management Fees on future projects to be assigned. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

7. Staff recommends motion to approve: Amendment No. 10 to the Construction Manager (CM) at Risk Contract (Contract) with The Morganti Group, Inc. (MGI) for CM at Risk Services for Miscellaneous Airport Improvements for Palm Beach County Department of Airports (Department) exercising the second one-year renewal option for the continuation of services. **SUMMARY:** The Contract with MGI for CM at Risk Services for Miscellaneous Airport Improvements for the Department was approved by the Board on August 20, 2019 (R2019-1221). The Contract is for two years with three one-year renewal options and is a task/work order based contract for CM at Risk services for the Department. MGI is a Danbury, Connecticut, based firm; however, the work will be directly managed by their southeast regional office in Palm Beach County. This solicitation for CM contractors was advertised on September 23, 2018 according to the Small Business Enterprise (SBE) Ordinance in place at the time, with a 15% SBE goal. MGI is on notice that all Guaranteed Maximum Price issued pursuant to this contract will be subject to the requirements of the Equal Business Opportunity Ordinance, including requesting Affirmative Procurement Initiatives be set prior to bidding the subcontracts. MGI along with their S/MBE teaming partner Cooper Construction Management and Consulting, Inc. (Cooper) were one of two firms selected to provide project management and construction supervision services. The Contract value to date is \$8,237,061.56. The County exercised the first year renewal option on August 17, 2021 (R2021-1023). Approval of Amendment No. 10 will allow the County, at its sole discretion, to exercise the second one-year renewal option for the continuation of services provided under the CM at Risk Contract. The current cumulative S/M/WBE subcontractor participation for all work orders to-date under this contract is 43.6%. In addition, MGI's S/MBE teaming partner, Cooper, will provide 15% of the Construction Management Fees. Countywide (AH)

8. Staff recommends motion to receive and file: Consent to Sublease (Consent), consenting to the sublease of space by Atlantic Aviation – West Palm Beach LLC d/b/a Atlantic Aviation PBI (Atlantic) to Infinity Aircraft Services, LLC at the Palm Beach International Airport (PBI) effective as of June 1, 2021. **SUMMARY:** Atlantic provides fixed based operator services for general aviation aircraft at PBI pursuant to a Lease Agreement dated October 18, 2000 (R2000-1067, as amended). The lease agreement provides for the sublease of space by Atlantic subject to the County's consent. Delegation of authority for execution of the standard form consent to sublease was approved by the Board in R94-1453. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

9. Staff recommends motion to receive and file: seven Consent to Sublease (Consent) documents, consenting to the sublease of space by Signature Flight Support, LLC f/k/a Signature Flight Support Corporation (Signature) at the Palm Beach International Airport (PBI), to the following subtenants:

- 1) Blade Urban Air Mobility, Inc., effective as of 11/1/2021
- 2) John Webb, effective as of 6/1/2021
- 3) Mannis Operations, LLC, effective as of 8/1/2021
- 4) Steven Shenouda, effective as of 7/1/2021
- 5) Tasco, LLC, effective as of 11/1/2021
- 6) Thomas J. Hilfiger c/o T Capital Management, effective as of 7/1/2021
- 7) Uberjets, LLC, effective as of 12/1/2021

SUMMARY: Signature provides fixed based operator services for general aviation aircraft at PBI pursuant to a Lease Agreement dated September 30, 2004 (R2004-1990, as amended). The lease agreement provides for the sublease of space by Signature, subject to the County's consent. Delegation of authority for execution of the standard form consent to sublease was approved by the Board in R94-1453. Countywide (AH)

10. Staff recommends motion to receive and file: Transportation Network Company (TNC) Ground Transportation Operating Permit (Permit) with Opio LLC, d/b/a Zoom Ride, commencing on January 6, 2022, and terminating on September 30, 2022, and automatically renewing on an annual basis each October 1st to September 30th until cancelled, providing for Zoom Ride to engage in TNC service at the Palm Beach International Airport (PBI), for payment of Per Trip Fees in the amount of \$2.50 per trip. **SUMMARY:** Delegation of authority for execution of the standard County agreement above was approved by the BCC in R2016-0758. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

11. Staff recommends motion to receive and file:

A) Non-signatory Airline Agreement (Airline Agreement) with Avelo Airlines, Inc. (Avelo), commencing December 16, 2021, terminating September 30, 2022, and automatically renewing on an annual basis each October 1st to September 30th until canceled; providing for Avelo to provide commercial air service at the Palm Beach International Airport (PBI); and

B) Airline Service Incentive Program Participation Agreement (Incentive Agreement) with Avelo, providing for waiver of landing, ticket counter and gate fees from December 16, 2021, through December 15, 2023, for flights from Tweed-New Haven Airport, Connecticut (HVN).

SUMMARY: The Airline Agreement permits Avelo to operate at PBI. The Incentive Agreement waives landing, ticket counter and gate fees for flights from HVN for two years. Delegation of authority for execution of the standard form Non-signatory Airline Agreement was approved by the Board in R2019-1156. Delegation of authority for execution of the standard Airline Service Incentive Agreement was approved by the Board in R2014-0251. Countywide (AH)

12. Staff recommends motion to approve: Amendment No. 4 to the Construction Manager (CM) at Risk Contract (Contract) with Turner Construction Company (Turner) for CM at Risk Services for Airport Improvements for Palm Beach County Department of Airports (Department) exercising the second one-year renewal option for the continuation of services. **SUMMARY:** The Contract with Turner for CM at Risk Services for Airport Improvements for the Department was approved by the Board on August 20, 2019 (R2019-1147). The Contract is for two years with three one-year renewal options and is a task/work order based contract for CM at Risk services for the Department. Turner is based in New York City, New York; however, the work will be directly managed by its southeast regional office in Miami-Dade County. Turner was one of two firms selected to provide project management and construction supervision services. The County exercised the first one-year renewal option on July 13, 2021 (R2021-0889). The contract value to date is \$12,584,947. Approval of Amendment No. 4 will allow the County, at its sole discretion, to exercise the second one-year renewal option for the continuation of services provided under the CM at Risk Contract. The Disadvantaged Business Enterprise (DBE) goal for this contract is 12%. The current cumulative DBE participation for all work orders to date is anticipated to be 12%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

13. Staff recommends motion to approve: Change Order No. 5 to Amendment No. 3 of the Construction Manager (CM) at Risk Contract (Contract) with The Morganti Group, Inc. (MGI) for CM at Risk Services for Miscellaneous Airport Improvements for Palm Beach County Department of Airports (Department) to extend the time by 60 calendar days for Work Order SMC 05: Terminal 2nd Level Temperature and Humidity Issues Corrections Phase 2 at Palm Beach International Airport (PBI). **SUMMARY:** Amendment No. 3 was approved by the Board on November 17, 2020 (R2020-1778) in the amount of \$3,148,984 and 406 calendar days. Change Orders 1-4 in the amount of \$102,193.34 and 90 calendar days were approved in accordance with the authority designated in PPM CW-F-050, which also requires that this change order be submitted to the Board for approval. There is no change in cost associated with this change order. This project is phase 2 of a multiphase project to address temperature, humidity and condensation issues that have been experienced within the terminal. The project was substantially complete; however, delays in the procurement of the equipment impact the schedule for the final inspection. Approval of Change Order No. 5 extending the time between substantial and final completion for 60 calendar days will provide the time to complete the final inspection and issue the Certificate of Completion. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

14. **Staff recommends motion to approve:** Change Order No. 2 to Amendment No. 2 to the Construction Manager (CM) at Risk Contract (Contract) with Lebolo Construction Management, Inc. (LCM) for CM at Risk Services for Miscellaneous Airport Improvements for Palm Beach County Department of Airports (Department) in the amount of \$277,037.22 and to extend the project time by 46 calendar days for Work Order SL 07: Terminal Building 4th Level Exterior Wall Repairs at Palm Beach International Airport (PBI). **SUMMARY:** Amendment No. 2 was approved by the Board on February 8, 2022 in the amount of \$777,546.69 and 241 calendar days (R2022-0135). Change Order No. 1 in the amount of \$33,698.89 was approved in accordance with the authority designated in PPM CW-F-050. Amendment No. 2 included the replacement of six ventilator fans. Approval of Change Order No. 2 in the amount of \$277,037.22 will provide funds for additional electrical work required under current code to support the replacement of the fans. Delays in shipment of the materials due to supply chain impacts of the global COVID-19 pandemic and current market conditions require the time be extended by 46 calendar days. This project was presented to the Goal Setting Committee on September 1, 2021 and an Affirmative Procurement Initiatives of 20% Small Business Enterprise (SBE) participation was applied. The S/MBE participation for this change order is 2.77%. The S/MBE subcontracting participation including this change order is 37.36%. Countywide (AH)
15. **Staff recommends motion to approve:** the appointment of the following individual to the Citizens' Committee on Airport Noise (CCAN) for a term of three years.

<u>SEAT</u>	<u>NAME</u>	<u>ACTION</u>	<u>ORGANIZATION</u>
10	Teresa Johnson, Ph.D.	Appointment	Palm Beach County League of Cities

SUMMARY: Per Resolution No. R-2013-1304, CCAN consists of 11 seats. Four seats are recommended for appointment by the organizations approved by the Palm Beach County Board of County Commissioners. The Palm Beach County League of Cities submitted its recommendation, Teresa Johnson, Ph.D., for representation on CCAN by letter. The diversity of the current six appointees is as follows: five Caucasian and One Unknown. The gender ratio (female: male) is 4:2. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

16. Staff recommends motion to approve: agreement to host Florida Airports Council 2023 FAC 54th Annual Conference and Exposition with the Florida Airport Manager's Association, Inc., d/b/a the Florida Airports Council (FAC), a Florida not for profit corporation, Boca Raton Airport Authority (BRAA), an independent special district of the State of Florida, and Discover Palm Beach County, Inc., d/b/a Discover The Palm Beaches (DTPB) a 501(c)6, private, not-for-profit corporation, providing for payment of a host conference fee in the amount of \$20,000. **SUMMARY:** The FAC has selected the Palm Beach County Convention Center as the location for the 54th FAC Annual Conference and Exposition to be held July 20, 2023 through July 26, 2023. The annual conference is the largest event FAC holds each year and attracts over 775 participants representing airports, state and federal agencies and aviation businesses from Florida and throughout the United States. The agreement provides that DTPB, BRAA and Palm Beach County, as the owner and operator of the Palm Beach International Airport, will serve as hosts for the annual conference. The conference hosts are required to contribute up to \$50,000 to offset the cost of holding the annual conference. DTPB has agreed to contribute \$20,000 and BRAA has agreed to contribute \$10,000 as co-hosts of the annual conference. The agreement provides for an additional \$20,000 contribution for participation by Palm Beach County as the primary commercial service airport host. Host responsibilities also include development of conference themes, on-site assistance with registration of participants, and coordination of conference topics. Countywide (AH)

17. Staff recommends motion to receive and file: Notice dated April 12, 2022, to 4R Services, LLC, a Florida limited liability company (4R Services), exercising County's option to renew the term of the Airport On-Demand Ground Transportation Services Agreement (R2021-0416) (Agreement) through September 30, 2022. **SUMMARY:** The Agreement provides for on-demand taxi and luxury sedan/SUV service at the Palm Beach International Airport (PBI). The Department of Airports continues to test and implement the ground transportation management system (GTMS) approved on August 17, 2021 (R2021-1162). Implementation of the GTMS has been delayed, in part, due to delays in the delivery and installation of certain parts and equipment necessary to manage access to the ground transportation staging area. The Agreement is renewable on a monthly basis at the County's sole option until September 30, 2023 upon written notice. Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to approve: a negotiated settlement offer in the amount of \$15,000 for the full satisfaction of a code enforcement lien that was entered against Daniel A. and Sueann Elefante on April 1, 2009. **SUMMARY:** The Code Enforcement Special Magistrate (CESM) entered an Order on January 7, 2009 for the property owned by Daniel A. and Sueann Elefante providing them until February 6, 2009 to bring their property located at 590 Seagrape Rd, Lake Worth, FL into full compliance. The property had been cited for: 1) overgrown landscape and vegetation in the front and backyards; 2) windows and doorframes in disrepair throughout the property; 3) address sign not posted; and 4) driveway in disrepair. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$50 per day was imposed. The CESM then entered a claim of lien against Daniel A. and Sueann Elefante on April 1, 2009. The Code Enforcement Division issued an Affidavit of Compliance for the property stating that the cited code violations had been fully corrected as of December 3, 2021. The total accrued lien amount through March 30, 2022, the date on which settlement discussions began, totaled \$360,474.40. Mrs. Elefante has agreed to pay Palm Beach County \$15,000 (4%) for full settlement of their outstanding Code Enforcement lien. District 7 (SF)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET (Cont'd)

2. Staff recommends motion to approve: the following budget transfers:

A) \$244,330,026 in the American Rescue Plan Act (ARPA) Fund 1162 to change the revenue replacement category;

B) \$244,330,026 in the General Fund 0001 to receive ARPA funds to use as revenue replacement to cover general government expenses; and

C) \$244,330,026 in the ARPA Response Projects Fund 1164 to establish project budgets based on previously approved categories.

SUMMARY: On March 8, 2022, the Palm Beach County Board of County Commissioners (Board) approved an agenda item to change the project categories approved by the Board on November 2, 2021 to revenue replacement within the ARPA. Per our auditors' recommendation, funds used as revenue replacement should be received in the General Fund to cover general government expenses. This will free up Ad Valorem funds to pay for projects previously approved by the Board. This agenda item will move ARPA funds previously received in Fund 1162 to the General Fund, and available funds will then be transferred to Fund 1164 to fund projects in their approved categories. This does not change the allocations previously approved by the Board, but properly accounts for the category of Revenue Replacement. Countywide (DB)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

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

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
Security & Sound Systems, Inc.	Local	SBE

SUMMARY: On August 17, 2021, the Board of County Commissioners (Board) approved the annual low voltage contract (R2021-1063 through R2021-1069). The work consists of low voltage services on an as needed basis. The contractor now joins the list of nine prequalified contractors for a total of ten prequalified contractors with a contract expiration date of August 16, 2026. The specific requirements of the work shall be determined by individual work orders issued against this annual contract. These contracts are five-year indefinite-quantity contracts with a maximum cumulative value of \$4,000,000 across all prequalified contractors. Work is to be awarded as work orders on a lump sum, competitively bid basis across all prequalified contractors. Contractors are allowed to qualify at any time and be added to this annual contract. Projects \$100,000 and over are advertised on the vendor self-service website while projects \$200,000 and over are also advertised in the newspaper. Projects under \$100,000 are bid among the pool of pre-qualified contractors and for projects over \$100,000, the bidding pool is expanded to include any additional bidders responding to the specific project advertisement that submit a qualification application at least ten days before the bid due date. The annual low voltage contract was presented to the Goal Setting Committee on March 17, 2021 and the Committee established Affirmative Procurement Initiatives of Sheltered Market for projects less than \$100,000 or 10% Small Business Enterprises price preference for projects \$100,000 or greater. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for all work orders issued. Current cumulative S/M/WBE participation for all work orders to-date under the low voltage annual contract is 47.56%. (Capital Improvements) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. ~~MOVED TO REGULAR/NOW 6B-5: Staff recommends motion to approve: a contract with Netta Architects, LLC (Consultant) in the amount of \$91,055 to provide professional architectural/ engineering design, programming, permitting, and construction administration services for phase 1 of the Governmental Center Renewal and Replacement (R/R) project, located at 301 North Olive Avenue, West Palm Beach. **SUMMARY:** The Governmental Center R/R project consists of upgrading and replacing select building finishes and systems including security, heating ventilation air condition, plumbing, fire alarm, fire sprinkler, electrical, low voltage, lighting, flooring and painting. Additional improvements to the facility may include building hardening, exterior improvements and interior structural work. Professional services for this project shall be implemented in phases. During the first phase of the project, the Consultant will conduct a building condition assessment, including an evaluation of the building's structural integrity. The County will evaluate the findings and recommendations of the aforementioned study in order to determine the most appropriate solution to be used as the scope of the project to be designed. The second phase of the project consists of design, permitting and construction administration services. This contract authorizes the initial building condition assessment phase of the project and a Consultant Service Authorization will be issued to authorize each subsequent phase. The solicitation for design professionals was advertised on July 11, 2021 according to the Equal Business Opportunity Ordinance, with the final selection on November 8, 2021. The project was presented to the Goal Setting Committee on July 7, 2021. The Committee established Affirmative Procurement Initiatives of a Minority/Women Business Enterprise (M/WBE) participation evaluation preference of up to 15 points based on the level of participation from African American firms for the selection of the Consultant and a minimum mandatory contract goal of 20% Small Business Enterprise (SBE) participation. The Consultant is not a certified SBE firm, but teamed up with four S/M/WBE sub-consultants on this project. The Consultant has committed to 33% SBE participation, of which 21% is from African American owned businesses for this contract. SBE participation for this phase of the project is 74.24%. The Consultant is a local firm. **Funding for this project is from the Infrastructure Sales Tax fund.** (Capital Improvements Division) District 7 (MWJ)~~

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to approve: an annual contract with the following contractor for electrical services on an as-needed basis through November 18, 2024.

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
Zabatt Engine Services, Inc. dba Zabatt Power Systems, Inc.	Non-Local	Non-SBE

SUMMARY: On November 19, 2019, the Board of County Commissioners (Board) approved the annual electrical contract (R2019-1752 through R2019-1758). The work consists of electrical repairs, improvements and renovations to County-owned properties on an as needed basis. The contractor now joins the list of 13 prequalified contractors for a total of 14 prequalified contractors with a contract expiration date of November 18, 2024. The specific requirements of the work shall be determined by individual work orders issued against this annual contract. These contracts are five-year indefinite-quantity contracts with a maximum cumulative value of \$3,000,000 across all prequalified contractors. Work is to be awarded as work orders on a lump sum, competitively bid basis across all prequalified contractors. Contractors are allowed to qualify at any time and be added to this annual contract. Projects \$100,000 and over are advertised on the vendor self-service website while projects \$200,000 and over are also advertised in the newspaper. Projects under \$100,000 are bid among the pool of pre-qualified contractors and for projects over \$100,000, the bidding pool is expanded to include any additional bidders responding to the specific project advertisement that submit a qualification application at least ten days before the bid due date. The electrical annual contract was presented to the Goal Setting Committee on June 5, 2019 and the committee established Affirmative Procurement Initiatives of Sheltered Market for projects less than \$100,000 or 10% Small Business Enterprise price preference for projects \$100,000 or greater. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for all work orders issued. Current cumulative S/M/WBE participation for all work orders to-date under the electrical annual is 77.52%. (Capital Improvements) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. Staff recommends motion to receive and file: State of Florida Department of Transportation (FDOT) Community Aesthetic Feature Agreement to wrap 23 FDOT traffic signal boxes located in municipal and unincorporated areas of Belle Glade, Pahokee and South Bay, for the period of April 26, 2022 through April 26, 2047. **SUMMARY:** On September 10, 2019, the Board of County Commissioners (Board) adopted a resolution (R2019-1304) approving the wrapping of traffic signal cabinets as community aesthetic features and funding all costs for their design, installation and maintenance, as required by FDOT in support of a Community Aesthetic Feature Agreement (Agreement). In addition, the Board authorized the County Administrator or designee to execute the Agreement. The Agreement has been fully executed on behalf of the Board by the Director of Facilities Development and Operations Department as designee for the County Administrator. In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The executed document is now being submitted to the Board to receive and file. (FDO Admin) Countywide (MWJ)

5. Staff recommends motion to approve: an increase in the maximum dollar value of the annual roofing contracts by \$3,000,000 for roofing services on an as-needed basis through November 16, 2025. **SUMMARY:** On November 17, 2020, the Board of County Commissioners (Board) approved annual roofing contracts (R2020-1693 through R2020-1700) for roof repair and replacement services. During the first two years of the contract, the County awarded \$2,517,816.30 in work orders. Staff is requesting the cumulative limit be increased by \$3,000,000 for a total cumulative value of \$6,000,000 in order to accommodate additional anticipated new projects required to be accomplished before the term of this contract expires on November 16, 2025. Work is to be awarded as work orders on a lump sum, competitively bid basis across all prequalified contractors. Contractors are allowed to qualify at any time and be added to this annual contract before the term ends. Projects \$100,000 and over are advertised on the vendor self-service website while projects \$200,000 and over are also advertised in the newspaper. Projects under \$100,000 are bid among the pool of pre-qualified contractors (currently 14 have pre-qualified) and for projects over \$100,000, the bidding pool is expanded to include any additional bidders responding to the specific project advertisement that submit a qualification application at least ten days before the bid due date. The annual roofing contract was presented to the Goal Setting Committee on July 15, 2020 and the committee established Affirmative Procurement Initiatives of Sheltered Market for projects less than \$100,000 or 10% Small Business Enterprises price preference for projects \$100,000 or greater. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for each work order issued. Current cumulative S/M/WBE participation for all work orders to-date under the annual roofing contract is 47.15%. (Capital Improvements) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

6. Staff recommends motion to approve: Work Order No. 22-002 to the annual overhead door replacement contract with Coast to Coast Garage Door LLC (Contractor) (R2020-1346) for Fire Rescue Station #42 – Bay Door Replacement project in the amount of \$398,800 for a period of 90 calendar days from permit issuance. **SUMMARY:** On September 15, 2020, the Board of County Commissioners (Board) approved the annual overhead door replacement contract with the Contractor for repair and replacement services for overhead and garage doors (rolling and sectional). Work Order No. 22-002 authorizes the replacement of 15 existing overhead bay doors with new hurricane rated overhead bay doors. The existing doors are at the end of their useful life and do not meet the current wind load requirements dictated by the building code. This project was competitively advertised, and new contractors were invited to bid on the project by submitting prequalification documents prior to the submission of the bid response. The Contractor will have 90 calendar days from permit issuance to substantially complete the project. Liquidated damages for failure to achieve certification of substantial completion within the contract time or approved time extension thereof are \$80 per day. On January 2, 2019, the Goal Setting Committee applied the following Affirmative Procurement Initiatives (API) for this annual contract: 1) Sheltered Market for projects less than \$100,000, when three or more Small Business Enterprises (SBE) are qualified; or 2) 10% SBE Price Preference for single-trade projects \$100,000 or more. Since this project is over \$100,000, the applicable API is 10% SBE Price Preference. The Contractor is not a SBE and committed to 0% SBE participation on this work order. To date, there is no SBE participation on the annual overhead door replacement contract. The Contractor is not a local business. Funding for this project is from the Fire Rescue Improvement fund. (Capital Improvements Division) District 5 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

7. Staff recommends motion to approve: an annual contract with the following contractor for painting and weatherproofing services on an as-needed basis through April 9, 2023.

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
Prime Tech Coatings, Inc	Local	SBE

SUMMARY: On April 10, 2018, the Board of County Commissioners (Board) approved the annual painting and weatherproofing contract (R2018-0392 through R2018-0396). The work consists of painting and weatherproofing services on an as needed basis. The contractor now joins the list of 17 prequalified contractors for a total of 18 prequalified contractors with a contract expiration date of April 9, 2023. The specific requirements of the work shall be determined by individual work orders issued against this annual contract. These contracts are five-year indefinite-quantity contracts with a maximum cumulative value of \$4,500,000 across all prequalified contractors. Work is to be awarded as work orders on a lump sum, competitively bid basis across all prequalified contractors. Contractors are allowed to qualify at any time and be added to this annual contract. Projects \$100,000 and over are advertised on the vendor self-service website while projects \$200,000 and over are also advertised in the newspaper. Projects under \$100,000 are bid among the pool of pre-qualified contractors and for projects over \$100,000, the bidding pool is expanded to include any additional bidders responding to the specific project advertisement that submit a qualification application at least ten days before the bid due date. The painting and weatherproofing annual contract was last presented to the Goal Setting Committee on January 2, 2019 and the Committee established Affirmative Procurement Initiatives of Sheltered Market for projects under \$100,000 or price preference for Small Business Enterprise contractors if their bid is within 10% of the lowest non-small business bid. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for all work orders issued. To date, the cumulative S/M/WBE participation for all work orders under the annual painting and weatherproofing contract is 71.02%. (Capital Improvements) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

8. Staff recommends motion to approve: an annual contract with the following contractor for Heating, Ventilation and Air Conditioning (HVAC) services on an as-needed basis through January 6, 2025.

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
CT/HX Services, LLC	Non-Local	Non-SBE

SUMMARY: On January 7, 2020, the Board of County Commissioners (Board) approved the annual HVAC contract (R2020-0019 through R2020-0023). The work consists of HVAC services related to system and component installations, upgrades, replacements, modifications and repairs. The contractor now joins the list of 18 prequalified contractors for a total of 19 with a contract expiration date of January 6, 2025. The specific requirements of the work shall be determined by individual work orders issued against this annual contract. These contracts are five-year indefinite-quantity contracts with a maximum cumulative value of \$13,000,000 across all prequalified contractors. Work is to be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors are allowed to qualify at any time and be added to this annual contract. Projects \$100,000 and over are advertised on the vendor self-service website while projects \$200,000 and over are also advertised in the newspaper. Projects under \$100,000 are bid among the pool of pre-qualified contractors and for projects over \$100,000, the bidding pool is expanded to include any additional bidders responding to the specific project advertisement that submit a qualification application at least ten days before the bid due date. The HVAC annual contract was presented to the Goal Setting Committee on August 21, 2019 and the committee established Affirmative Procurement Initiatives of Sheltered Market for projects less than \$100,000 or 10% Small Business Enterprises price preference for projects \$100,000 or greater. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for each work order issued. To date, the cumulative S/M/WBE participation for all work orders under the annual HVAC contract is 32.43%. (Capital Improvements) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

9. Staff recommends motion to approve: an annual contract with the following contractor for electrical services on an as-needed basis through November 18, 2024.

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
All Florida Contracting Services, LLC.	Non-Local	Non-SBE

SUMMARY: On November 19, 2019, the Board of County Commissioners (Board) approved the annual electrical contract (R2019-1752 through R2019-1758). The work consists of electrical repairs, improvements and renovations to County-owned properties on an as needed basis. The contractor now joins the list of 14 prequalified contractors for a total of 15 prequalified contractors with a contract expiration date of November 18, 2024. The specific requirements of the work shall be determined by individual work orders issued against this annual contract. These contracts are five-year indefinite-quantity contracts with a maximum cumulative value of \$3,000,000 across all prequalified contractors. Work is to be awarded as work orders on a lump sum, competitively bid basis across all prequalified contractors. Contractors are allowed to qualify at any time and be added to this annual contract. Projects \$100,000 and over are advertised on the vendor self-service website while projects \$200,000 and over are also advertised in the newspaper. Projects under \$100,000 are bid among the pool of pre-qualified contractors and for projects over \$100,000, the bidding pool is expanded to include any additional bidders responding to the specific project advertisement that submit a qualification application at least ten days before the bid due date. The electrical annual contract was last presented to the Goal Setting Committee on June 5, 2019 and the committee established Affirmative Procurement Initiatives of Sheltered Market for projects less than \$100,000 or 10% Small Business Enterprise price preference for projects \$100,000 or greater. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for all work orders issued. To date, the cumulative S/M/WBE participation for all work orders under the annual electrical contract is 77.52%. (Capital Improvements) Countywide (MWJ)

10. Staff recommends motion to approve: a Notice of Limitation of Use/Site Dedication over the Canyon District Park property to satisfy a grant funding requirement by the Florida Department of Environment Protection (FDEP). **SUMMARY:** On October 6, 2020, Palm Beach County, through its Parks and Recreation Department (Parks), was awarded a \$200,000 Recreation Development Assistance Grant from FDEP to fund a portion of the development cost for Canyon District Park. The grant requires a Notice of Limitation of Use/Site Dedication be recorded by the County dedicating the property in perpetuity for outdoor recreation purposes for the use and benefit of the general public. (Property & Real Estate Management) District 5 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

11. Staff recommends motion to approve: annual contracts with the following contractors for general minor construction services on an as-needed basis through February 10, 2025.

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
A) Garabar, Inc.	Local	Non-SBE
B) Walker Design & Construction Co.	Local	SBE

SUMMARY: On February 11, 2020, the Board of County Commissioners (Board) approved the annual minor construction contract (R2020-0142 through R2020-0151). The work consists of construction services associated with repairs, improvements and renovations to County properties. The 2 contractors now join the list of 32 prequalified contractors for a total of 34 prequalified contractors with a contract expiration date of February 10, 2025. The specific requirements of the work will be determined by individual work orders issued against this annual contract. These contracts are five-year indefinite-quantity contracts with a maximum cumulative value of \$15,000,000. Work is to be awarded as work orders on a lump sum, competitively bid basis across all prequalified contractors. Contractors are allowed to qualify at any time and be added to this annual contract. Projects \$100,000 and over are advertised on the vendor self-service website while projects \$200,000 and over are also advertised in the newspaper. Projects under \$100,000 are bid among the pool of pre-qualified contractors and for projects over \$100,000, the bidding pool is expanded to include any additional bidders responding to the specific project advertisement that submit a qualification application at least ten days before the bid due date. This minor construction annual contract was presented to the Goal Setting Committee on August 21, 2019. The Committee applied the following three Affirmative Procurement Initiatives: 1) Sheltered Market for projects less than \$100,000; or 2) 10% Small Business Enterprises (SBE) Price Preference for single-trade projects \$100,000 or greater; or 3) a minimum mandatory 25% SBE subcontracting goal for multi-trade projects. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for all work orders issued. To date, the cumulative S/M/WBE participation for all work orders under the annual minor construction contract is 79.67%. (Capital Improvements) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

12. Staff recommends motion to approve: Change Order No. 2 to the contract (R2021-0060) with Musco Sports Lighting, LLC (Musco) to furnish and deliver lighting systems for Ballfield 2 located at the Bert Winters Park in the amount of \$158,201 for the Sports Field Lighting Replacement -Phase 2 project. **SUMMARY:** On January 12, 2021, the Board of County Commissioners (Board) approved a contract with Musco to furnish the following: a) light-emitting diode (LED) sports field lighting systems for eight parks managed by the Parks and Recreation Department in the amount of \$2,134,566; b) lighting systems for additional parks anticipated to be added to the project list in an amount not to exceed \$500,000; and c) additional LED sports field lighting systems, as requested by Parks, for the base scope of work not to exceed \$100,000. The base scope of work for the light replacement project includes the procurement and delivery of materials, equipment and fixtures to re-lamp the existing poles and wall-mounted lighting systems, including the cross arms and mounting/support brackets for 103 sports fields and courts identified at eight parks. Under this contract, the County reserves the right to authorize Musco to furnish lighting systems for additional parks added to the project scope in an amount not to exceed \$500,000. On April 19, 2022, the Parks and Recreation Department added the Bert Winters Park Ballfield 2 to the project scope of work since the existing lighting system is older, inefficient and in need of replacement. Change Order No. 2 authorizes Musco to furnish additional light fixtures, material and equipment needed to replace the lighting systems at Ballfield 2 located at Bert Winters Park in the amount of \$158,201. On July 1, 2020, the Goal Setting Committee applied an Affirmative Procurement Initiative of Small Business Enterprise (SBE) evaluation preference for the selection of the lighting vendor. In its proposal, Musco committed to 4.4% SBE participation for this contract. Musco is not an SBE or a local business and there is no SBE participation on this change order. To date, the cumulative SBE participation on this contract is 4.37%. **The funding source for this project is from the Infrastructure Sales Tax Fund.** (Capital Improvements Division) District 1 (MWJ)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT

1. [Staff recommends motion to receive and file:](#) the following HOME funded amendments to agreements.

A) Amendment 001 to a HOME Community Housing Development Organizations (CHDO) Loan Agreement (R2021-1078) with Habitat Housing Solutions, Inc. for \$690,000, reducing the number of units to be constructed from five to four, reducing the HOME/CHDO funding amount from \$690,000 to \$552,000, and extending the completion date from December 31, 2022 to December 31, 2023; and

B) Amendment 001 to a HOME Loan Agreement (R2020-1888) with HTG Heron Estates Family, LLC for \$500,000 extending the completion date from September 30, 2022 to January 30, 2023.

C) Amendment 001 to a HOME Loan Agreement (R2020-1886) with HTG Banyan, LLC for \$550,000 extending the completion date from September 30, 2022 to January 30, 2023.

SUMMARY: The documents have been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development in accordance with Agenda Item 6D-4 and 5A-3, as approved by the BCC on November 17, 2020 and February 11, 2020 respectively. Agenda Item 5A-3 dated February 11, 2020, awarded HOME funds to successful respondents to Request for Proposal HES.2019.1, and Agenda Item 6D-4, dated November 17, 2020, awarded HOME/CHDO funds to successful respondents to Request for Proposal HES.2020.1. The Loan Agreement (R2021-1078) with Habitat Housing Solutions, Inc. provided \$625,000 in HOME funding and a \$65,000 HOME/CHDO grant towards the construction of five single-family homes in the Glades area. One site is plagued with soil issues and had to be removed from the project. The funding amounts for construction and CHDO expenses were reduced by 20% to reflect the lost unit. The COVID-19 resurgence and supply chain issues have impacted the progress of the project thereby extending the project completion date from December 31, 2022 to December 31, 2023. The Loan Agreement (R2020-1888) with HTG Heron Estates Family, LLC provided \$500,000 in HOME funding toward the construction of a 79 unit rental development in Riviera Beach of which 10 are HOME assisted. COVID-19 and supply chain issues have impacted the project thereby extending the project completion date from September 30, 2022 to January 30, 2023. The Loan Agreement (R2020-1886) with HTG Banyan, LLC provided \$550,000 in HOME funding toward the construction of a 94 unit rental development known as Flagler Station in West Palm Beach, of which 10 are HOME assisted. COVID-19 and supply chain issues have impacted the project thereby extending the completion date from September 30, 2022 to January 30, 2023. In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating department as a receive and file agenda item. **HOME Program grant funds are Federal funds, which require a 25% local match provided by SHIP funds.** Districts 2, 6 & 7 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT (Cont'd)

2. Staff recommends motion to receive and file: an agreement with the City of South Bay in the amount of \$368,680 for the period of October 1, 2021 through December 31, 2024 for the design/consulting services and park improvements at Cox Park. **SUMMARY:** The document has been executed on behalf of the Board of County Commissioners by the Director of the Department of Housing and Economic Development in accordance with Agenda Item 6C-1 (R2021-0948), as approved by the BCC on July 13, 2021. This agreement with the City of South Bay will provide Community Development Block Grant (CDBG) funding for design/consulting services and park improvements at Cox Park, located at 105th NW 8th Ave, in the City of South Bay. The project contained herein is being funded with \$368,680 in CDBG funds allocated to the City of South Bay via the Special Area of Hope funding contained in the County's FY 2021-2022 Action Plan. **These are Federal CDBG funds, which do not require a local match.** District 6 (HJF)

K. WATER UTILITIES

1. Staff recommends motion to approve: Change Order (CO) No. 1 with TLC Diversified, Inc. (Contractor) for the Improvements to Master Repump Station 9-North (Project) in the amount of \$98,042.81 and for an additional 14 calendar days of project time extension. **SUMMARY:** On July 13, 2021 the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract for the Improvements to Master Repump Station 9-North (Contract) (R2021-0908). The Contract provides for the rehabilitation of Master Repump Station 9-North. Work includes mechanical, electrical, and civil rehabilitation, including a new pump, piping, valve replacements, instrumentation, control panels, electrical switchgear, drives, a new standby generator and temporary bypass pumping. CO No. 1 provides for modifications needed to the original design, which include the addition of a 30-inch line stop on the discharge line. The addition of the line stop is owner initiated. CO No. 1 will increase the contract by \$98,042.81 and extend the contact time by 14 calendar days. The Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On January 20, 2021, the Goal Setting Committee applied an Affirmative Procurement Initiative of a minimum mandatory 20% Small Business Enterprise (SBE) participation. The Contract provides for 20.87% SBE participation. CO No.1 includes 0% SBE participation. The cumulative SBE participation including CO No. 1 is 20.23%. Contractor is headquartered in Palmetto, Florida, but maintains an office in Palm Beach County from which the majority of the work will be formed. The Project is included in the PBCWUD FY22 budget. (PBCWUD Project 18-036) District 5 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

2. Staff recommends motion to approve: an additional payment of \$1,149,358.10 under the "Utility Work by Highway Contractor Agreement (At Utility Expense)" (UWHCA) with Florida Department of Transportation (FDOT) dated July 16, 2021 County Resolution R2021-0813. **SUMMARY:** FDOT is proposing improvements to Lake Worth Road from the Palm Beach State College entrance to Raulerson Drive. These improvements include pavement widening and milling and resurfacing of Lake Worth Road. A report prepared by Mock, Roos & Associates, Inc., (MRA) has recommended replacement of the existing system of force mains within Lake Worth Road that have reached their useful service life with a new single force main of sufficient capacity to support not only existing demands but potentially future demands as adjacent unsewered properties connect to the wastewater collection system. The improvements to the force main will be incorporated into this FDOT project to minimize disruption to traffic and redundant surface restoration activities, resulting in cost savings to Palm Beach County. The proposed roadway improvements will also necessitate valve replacements and adjustments to final roadway grade. In order to include the replacement and adjustment of those facilities owned and maintained by Palm Beach County Water Utilities Department (PBCWUD) within the road improvement project, FDOT requires PBCWUD to enter into a UWHCA to reimburse FDOT for the work. The utility relocation plan was prepared by MRA and FDOT's contractor will perform construction. The UWHCA was based on the engineer's cost estimate, however the official authorized bid received on May 25, 2022 for the utility relocations requires that the funding be increased by \$1,149,358.10. Given the complexity of the project, removal of the utility relocation work would result in project delays, oversight conflicts, and additional project costs. (PBCWUD Project No. 20-076) District 3 (MWJ)

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to receive and file: Task Assignment No. PM1 to Contract No. FWC21149 (R2022-0361) with Florida Fish and Wildlife Conservation Commission (FWC) to provide aquatic vegetation control services for water bodies within the County and a cost reimbursement of \$6,000, for a term beginning April 28, 2022 to June 30, 2022. **SUMMARY:** On April 12, 2022, the Board of County Commissioners approved FWC Contract No. FWC21149 (R2022-0361) (Contract) for aquatic vegetation control services in the following lakes: Clarke, Ida, Osborne, and Pine. This Contract facilitates County treatment and control of aquatic exotic plants within the Chain of Lakes. County work is reimbursed by FWC. Delegated authority to execute all future time extensions, task assignments, certifications, and any other forms associated with this Contract was approved at that time. In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a receive and file agenda item. Countywide (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

2. Staff recommends a motion to adopt: a resolution supporting U.S. Senate Bill 46 and U.S. House Bill 160, the Restoring Resilient Reefs Act of 2021. **SUMMARY:** In November of 2019, the Board of County Commissioners passed a Resolution (R2019-1781) demonstrating Palm Beach County's support of U.S. Senate Bill 2429, the Restoring Resilient Reefs Act of 2019. Senate Bill 2429 later passed the Senate but stalled in the House of Representatives. This new bill, Senate Bill 46, entitled Restoring Resilient Reefs Act of 2021, mirrors the 2019 resolution and is accompanied by the companion House Bill 160. Senate Bill 46/House Bill 160 would reauthorize and reimagine the Coral Reef Conservation Act of 2000, taking a more robust approach to implementing coral reef conservation policies at the federal level and supporting and coordinating coral reef conservation policies at the state level. The Bill would also strengthen the federal response to coral reef emergencies including disease and bleaching situations, natural disasters, vessel groundings, hazardous spills, and coastal construction accidents. Monroe County has already approved a similar resolution and Martin County staff are working to draft their own resolution now. Countywide (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

3. Staff recommends motion to:

A) approve the Detailed Work Plan Budget – Arthropod Control (Budget) and Operational Work Plan for Mosquito Control (Work Plan) for the State Financial Assistance Recipient Agreement (Agreement) or State Mosquito Control Memorandum of Understanding (MOU) with the Florida Department of Agriculture and Consumer Services (FDACS) for fiscal year beginning October 1, 2022 and ending September 30, 2023; and

B) authorize the County Administrator, or designee to sign the State Financial Assistance Recipient Agreement or State Mosquito Control Memorandum of Understanding and Annual Certified Budget for Arthropod Control, when received by FDACS, and all future time extensions, task assignments, certifications, and other forms associated with the Agreement, and any necessary minor amendments that do not substantially change the scope of work, terms, or conditions of the Agreement.

SUMMARY: The Budget and Work Plan are due to FDACS by July 15, 2022, as part of the re-application process for state aid for FY2023. The current Memorandum of Understanding No. 28280 was approved by the Board of County Commissioners on February 8, 2022 (R2022-0127). The County anticipates receiving a new Agreement or MOU for FY2023 from FDACS in September to support mosquito control activities as approved by FDACS. An Agreement would be required if FDACS awards grant assistance to the County, but the County anticipates there will be no grant assistance awarded for FY2023. However, even if there is no Agreement for a grant award, an MOU would still be required by Florida Administrative Code (F.A.C) Rule 5E-13.022 for counties that are not eligible to receive state aid for control of arthropods, but want to remain in the state approved program. Under the MOU, the Mosquito Control Division would be responsible for the completion of monthly deliverables as stated in the MOU. State aid determination is based on a tier system. Based on Mosquito Control's Annual Certified Budget FY2022, FDACS placed Mosquito Control into Tier 1, which receives no state funding, which resulted in the current MOU instead of an Agreement. Countywide (SS)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: an executed Entertainment Contractor Agreement for NHS Consulting, Inc. in an amount not to exceed \$500 for the KRUSH Party Band at Canyon Amphitheater, on May 21, 2022. **SUMMARY:** The Parks and Recreation Department produces cultural activities to promote the quality of life in the communities it serves. A sponsorship in the amount of \$500 from Nostalgic America offset the expenses of the event at the Canyon Amphitheater. This Entertainment Contractor Agreement has been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution 2008-1109, amended by Resolutions 2010-0644, 2014-0168 and 2017-1367. The Department is now submitting this agreement in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a receive and file agenda item. District 5 (AH)

2. Staff recommends motion to receive and file: a Second Amendment to Professional Services Agreement (R2018-1221) with Elite Medical Specialists, LLC, in an amount not to exceed \$75,000, to provide medical director services for the Parks and Recreation Department's Ocean Rescue Section for the period June 1, 2018 to May 31, 2023. **SUMMARY:** On August 30, 2018, the County entered into an agreement (R2018-1221) with Elite Medical Specialists, LLC to provide medical director services for the Parks and Recreation Department's Ocean Rescue Section for the period of June 1, 2018 to May 31, 2021, with two one-year renewal options. The First Amendment (R2021-1110) to the agreement increased the not to exceed amount for the term of the contract from \$45,000 to \$60,000 and extended the term to May 31, 2022. This Second Amendment to the agreement increases the not to exceed amount for the term of the contract from \$60,000 to \$75,000 and extends the term to May 31, 2023. There are no renewal options remaining. Per the agreement, the Medical Director is to be paid \$1,250 a month or \$15,000 annually. This rate remains the same. In accordance with County PPM CW-O-051, all delegated agreements must be submitted by the initiating Department as a receive and file agenda item. This Professional Services Agreement has been fully executed on behalf of the Board of County Commissioners (Board) by the Director of Purchasing in accordance with section 2.53(e) of the Purchasing Code, and is now being submitted to the Board to receive and file. Countywide (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

3. Staff recommends motion to receive and file: a fully executed Change Order No. 1 to the State of Florida Coastal Zone Management Program Grant Agreement for ADA improvements at Phil Foster Park and purchase of five floating wheelchairs. This change order extends the deliverable due date for the survey, permit, purchase and installation of the Mobi-mat and purchase of the beach wheelchairs from June 30, 2022 to December 30, 2022. **SUMMARY:** On November 17, 2020, the Board authorized submission of a Florida Coastal Partnership Initiative grant application (R2020-1731) requesting \$25,000 for ADA improvements at Phil Foster Park. The Board also authorized the County Administrator or designee to execute the Project Agreement (DEP Agreement No. CZ420) and other standard state and/or federal grant forms related to this project if the grant was awarded. This grant was awarded, and was executed by the Director of Parks and Recreation, and submitted to the Board to receive and file on September 14, 2021 (R2021-1262). DEP approved Change Order No. 01 to the Agreement extending the deliverable due date for the survey, permit, purchase and installation of the Mobi-mat and purchase of the beach wheelchairs from June 30, 2022 to December 30, 2022. District 7 (AH)

4. Staff recommends motion to receive and file: an executed Special Events Rental Agreement for Spartan Race, Inc. for the Palm Beaches Spartan Race event at Burt Aaronson South County Regional Park, for the period April 14, 2022 through April 27, 2022. **SUMMARY:** The Parks and Recreation Department assists users in obtaining the necessary permits to hold special events in County Parks. The Palm Beach County Sports Commission supported the Spartan Race and agreed to offset the costs associated with the event in the amount of \$14,200. This Special Events Rental Agreement has been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution R2021-1552. The Department is now submitting this agreement in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a receive and file agenda item. District 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

5. Staff recommends motion to approve: an Interlocal Agreement with the School Board of Palm Beach County for mutual use of recreation facilities at West Boynton District Park and Park Vista Community High School facilities and parking. The initial term of the Agreement is for one year effective July 12, 2022 through July 11, 2023 and shall be automatically renewed up to four additional consecutive one year terms. **SUMMARY:** This agreement continues mutual use of recreation and associated parking facilities at West Boynton District Park and Park Vista Community High School beyond the scope of the existing School Board Interlocal Agreement (R2015-1501). This agreement enables students and faculty of Park Vista Community High School to use the major league baseball field, softball field, multi-purpose fields, batting cages, health trail and associated park amenities at West Boynton District Park. It provides for public use of Park Vista Community High School's tennis courts, multi-purpose courts and primary parking lot, County use of the gym, portable classrooms and associated restrooms for summer camp, and use of open space for employee parking. The School Board approved this agreement at its May 11, 2022 meeting. District 2 (AH)

P. COOPERATIVE EXTENSION SERVICE

1. Staff recommends motion to:
- A) accept** the donation of \$50,000 from the Friends of the Mounts Botanical Garden, Inc. (FMBG) to fund additional costs associated with the Mounts Botanical Garden (MBG) Welcome Center & Gift Shop capital project; and
- B) approve** a budget amendment in the Capital Outlay Fund (Fund 3900) in the amount of \$50,000.
- SUMMARY:** The FMBG voted for Palm Beach County to renovate and expand the existing gift shop/storage structure (Building #49) located near the 531 N. Military Trail MBG entrance into a multi-purpose Welcome Center & Gift Shop. The current space is utilized for MBG's retail operations. The \$50,000 donation is to pay for additional costs associated with renovations to the current gift shop (\$539,510.40). These costs include construction, staff costs, and contingency. District 7 (AH)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to:

A) receive and file three grant awards from the Florida Department of Law Enforcement (FDLE), Edward Byrne Memorial Justice Assistance Formula Federal FY20 (County FY21) Grant (JAG) in the amount of \$257,983 beginning October 1, 2020 through September 30, 2022 to fund:

1) The Palm Beach County Reentry Program (The Lord's Place) in the amount of \$68,839 (award number 2021-JAGC-PALM-5-3B-113);

2) The Palm Beach County Reentry Program (Gulfstream Goodwill Industries, Inc.) in the amount of \$24,611 (award number 2021-JAGC-PALM-6-3B-114); and

3) The Palm Beach County Reentry Program (City of Riviera Beach) in the amount of \$164,533 (award number 2021-JAGC-PALM-7-3B-115).

B) approve a budget amendment of \$12,733 in the Criminal Justice Grant Fund to adjust the budget to the actual grant award.

C) approve a budget amendment of \$12,733 in the Justice Service Grant Fund to recognize the transfer from the Criminal Justice Grant Fund.

SUMMARY: On November 2, 2021, the Board ratified the Mayor's signature on the JAG Grant applications (R2021-1623 through 1625). Palm Beach County was allocated \$277,983 in Federal FY20 (County FY21) (CFDA#16.738) to fund the Palm Beach County Reentry and PalmFuse Programs from October 1, 2020 through September 30, 2022. On February 8, 2022, the Board ratified the Mayor's signature for award number 2021-JAGC-PALM-4-3B-112 in the amount of \$20,000 to fund PalmFuse (R2022-0128). The PalmFuse Program was a three-year pilot project designed to break the cycle of incarceration and homelessness among individuals with complex behavioral health challenges. The Reentry Program provides transitional services to juveniles and adults reentering society from jail and prison. This award was executed on behalf of the Board by the Executive Director of the Criminal Justice Commission, in accordance with R2021-1623 through 1625. **No County match is required.** Countywide (HH)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

2. [Staff recommends motion to receive and file:](#) the Second Amendment to contract (R2021-0072, R2021-1940) for Consulting/Professional Services with The Lord's Place, Inc., (TLP) to revise the budget without changing the total contract amount. **SUMMARY:** The above-referenced amendment is in support of the Criminal Justice Commission's (CJC) work in the MacArthur Foundation's Safety and Justice Challenge to safely reduce the jail population and address racial and ethnic disparities in that population. The CJC contracted with TLP to implement the PalmFUSE pilot program. On January 12, 2021, the Board of County Commissioners (Board) approved a contract for Consulting/Professional Services with the TLP and authorized the County Administrator or designee to execute any amendments relating to said contract on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budget allocations. This amendment was executed by the CJC Executive Director pursuant to (R2021-0072). **No County match is required.** Countywide (HH)

S. FIRE RESCUE

1. [Staff recommends motion to receive and file:](#)
 - A) a lease agreement for the Use of School Facilities with the School Board of Palm Beach County, for Fire Rescue testing (Wellington High), on March 29-30, 2019, and;
 - B) a lease agreement for Use of School Facilities with the School Board of Palm Beach County, for Fire Rescue testing (Wellington High), on April 30, 2022.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The lease agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the Fire Rescue Administrator, in accordance with a delegation of authority from the Board (R2017-1072) through the County Administrator. These executed documents are now being submitted to the Board to receive and file. Countywide (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (Cont'd)

2. Staff recommends motion to approve: a Memorandum of Agreement (MOA) with the City of Miami (City) for the continued participation of Palm Beach County (County) in the Florida Task Force 2 of the National Urban Search and Rescue Response System, for a term of ten years, commencing upon execution by the City. **SUMMARY:** The South Florida Urban Search and Rescue (USAR) Task Force 2 is funded annually by the Federal Emergency Management Agency (FEMA). The City is the sponsoring agency with FEMA for Task Force 2, and the County has been a participating agency since 2003. This updated MOA is for a term of 10 years and can be terminated by either party upon 30 days written notice, except termination by the County requires written consent of the City during any time interval when the Florida Task Force 2 has been placed on alert status or has been activated. Countywide (SB)

3. Staff recommends motion to:

A) approve a Memorandum of Understanding (MOU) with the Miami Division of the Federal Bureau of Investigations (FBI) for clinical field experiences for a period of five years commencing on July 12, 2022; and

B) delegate authority to the County Administrator or designee to provide written notice of termination pursuant to Section H of the MOU.

SUMMARY: This MOU will allow Palm Beach County Fire Rescue to provide clinical field experience to FBI personnel assigned to duty as emergency medical technicians and paramedics in support of FBI operations. FBI participants will respond with County paramedics to observe and assist in delivering emergency medical care under actual emergency conditions. The clinical field experiences promotes public health, safety and welfare, and enhances the working relationship between the FBI and the County. Each party shall be responsible for its own acts, omissions and negligence and that of its employees, officers and agents. The MOU does not include any Indemnification language; this deviation from our standard language and practice has been approved by Risk Management and the County Attorney's Office. The MOU is for a period of five years and can be terminated by either party at any time, with or without cause, with written notification to the other party. Countywide (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (Cont'd)

4. Staff recommends motion to approve:

A) a first amendment to Letter of Understanding dated September 14, 2021 (R2021-1364) with the Treasure Coast Health Council, Inc., dba Health Council of Southeast Florida, increasing the contract amount by an additional \$33,405; extending the term to September 30, 2022 and adding standard State contract language; and

B) a budget amendment of \$33,405 within the Fire/Rescue MSTU Fund to recognize the additional funds.

SUMMARY: The Treasure Coast Health Council, Inc., dba Health Council of Southeast Florida, is administering the CDC Overdose Data to Action (OD2A) cooperative agreement awarded to the Florida Department of Health Palm Beach County. Under the Letter of Understanding, Palm Beach County Fire Rescue has been receiving funding for an existing unfunded 20-hour week on-call social worker, expanded hours for existing Community Paramedics, telehealth and field based intervention to support opioid-related prevention components of the OD2A cooperative agreement on a cost reimbursement basis up to \$398,595, with no County match required. This amendment will increase that amount to \$432,000 and extend the term from August 31, 2022 to September 30, 2022. Countywide (SB)

5. Staff recommends motion to approve: an Agreement Relating to Clinical Field Experience with the District Board of Trustees of Palm Beach State College for a period of five years commencing on July 13, 2022, through July 12, 2027. **SUMMARY:** This agreement will allow Palm Beach County Fire Rescue (Fire Rescue) to continue to provide clinical field experience to paramedic and emergency medical technicians (EMT) students of Palm Beach State College (PBSC). PBSC students will respond with Fire Rescue paramedics to observe and assist in delivering emergency medical care under actual emergency conditions. The clinical field experience promotes public health, safety and welfare, and enhances the available pool of qualified personnel. The agreement is for a period of five years and can be terminated by either party at any time, with or without cause, with written notification to the other party. Countywide (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (Cont'd)

6. Staff recommends motion to approve: an Interlocal Agreement with Solid Waste Authority of Palm Beach County (SWA), for Funding of Hazardous Materials Emergency Response Services for a period of ten years, commencing on October 1, 2022, through September 30, 2032. **SUMMARY:** This agreement provides \$2,528,561 of funding from SWA for FY2023 for the services of the countywide regional hazardous materials response teams, which are established through the Palm Beach County Regional Hazardous Materials Response Ordinance of 1998. The agreement provides for the County to disburse the funding to the regional hazardous materials response teams, which are comprised of local fire rescue departments as designated by the Regional Hazardous Materials Oversight Committee. The yearly funding shall be increased by a percentage not to exceed the lesser of 3% or the wage adjustment authorized by the SWA for their general employees, and it will be disbursed equally amongst the existing four teams. The County's two teams will receive \$1,264,281 for FY2023, which is already included in the FY2023 budget. Funds for the other two teams will be disbursed in accordance with interlocal agreements with those municipalities. Countywide (SB)

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to approve: the fourth amendment to Agreement R2014-0344, as amended with Lake Worth Christian School Society, Inc removing all PBC wireless services while maintaining existing network services. **SUMMARY:** The Lake Worth Christian School Society, Inc (LWCS) has an existing agreement with Palm Beach County (R2014-0344), as amended, for an initial term of one year with four automatic one-year renewals unless notice is given by either party. This fourth amendment removes PBC wireless services at the customer site and includes updated contract terms to provide network services to the LWCS. The Florida LambdaRail, LLC has approved the connection of the Lake Worth Christian School Society, Inc to the Florida LambdaRail network. District 2 (DB)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES (Cont'd)

2. Staff recommends motion to:

A) approve Interlocal Agreement for network and basic telephone services with Town of Hypoluxo for an annual revenue total of \$5,280; and

B) authorize the County Administrator or designee to approve and execute task orders associated with these services, up to a maximum dollar value of \$50,000 per task order.

SUMMARY: Under this new agreement, Palm Beach County Information Systems Services will provide network services access to the Town of Hypoluxo at Town Hall and Scrub Park. In addition to \$4,200 of annual revenue for network services, the County will provide basic telephone service for nine lines at Town Hall for an additional annual revenue of \$1,080. The agreement is for an initial period of one year with four automatic one-year renewals unless notice is given by either party and will generate an annual income of \$5,280 to the County. The Florida LambdaRail, LLC has approved the connection of Town of Hypoluxo to the Florida LambdaRail network. District 4 (DB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to:

A) approve a contract for Professional/Consultation Services in the area of veterinary and medical services with Tri-County Humane Society, Inc. for spaying/neutering at risk cats as part of the Countdown 2 Zero (C2Z) initiative in an amount not to exceed \$75,000 beginning July 13, 2022 through July 12, 2023, which may be extended by the parties for up to two additional one-year terms; and

B) authorize the County Administrator or designee to sign all future renewals, task assignments, and necessary minor amendments that do not change the scope of work or terms and conditions of the contract after approval of legal sufficiency by the County Attorney's Office and within budget allocations.

SUMMARY: Spaying/neutering at risk animals is part of the overall C2Z program to reduce and/or eliminate euthanasia. The County currently has one agreement with Peggy Adams Animal Rescue League for outsourcing sterilization services. Under this contract, Tri-County Humane Society, Inc. will sterilize at-risk cats in the southern region of Palm Beach County to include spaying/neutering, microchipping, vaccinating against rabies and ear tipping. Once these services are provided, the cats are returned to their original location by caregivers, volunteers or Tri-County Humane Society, Inc. This contract will provide sterilization services to 1,000 cats at \$75 per cat. Countywide (SF)

2. Staff recommends motion to:

A) approve a contract for Professional Services in the area of veterinary and medical services with Dr. Linda Gregard, DVM PLLC, for relief veterinary services at the main shelter in an amount not to exceed \$62,000 for the period retroactive to June 1, 2022, through May 31, 2023, which may be extended by the parties for up to two additional one-year terms; and

B) authorize the County Administrator or designee to sign all future renewals, task assignments, and necessary minor amendments that do not change the scope of work or terms and conditions of the contract after approval of legal sufficiency by the County Attorney's Office and within budget allocations.

SUMMARY: The Animal Care and Control Division is required to provide appropriate and necessary veterinary services for sheltered animals. The relief veterinarian will enable staff to maintain an acceptable number of veterinarians to handle the volume of animals processed, especially during periods of high influx. This contract is retroactive to June 1, 2022 in order to cover the costs of services provided. Due to unexpected delays, the contract was not renewed prior to expiration. Countywide (SF)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

1. **Staff recommends motion to approve:** a budget transfer of \$310,557 from the Law Enforcement Trust Fund (LETf) to the Palm Beach County Sheriff's Office (PBSO). **SUMMARY:** Section 932.7055(5), Florida Statutes; provides that the seizing agency shall use Forfeiture proceeds for school resource officer, crime prevention, safe neighborhood, drug abuse education and prevention programs, or for other law enforcement purposes, which include defraying the cost of protracted or complex investigations, providing additional equipment or expertise, purchasing automated external defibrillators, and providing matching grant funds. Section 932.7055(5), Florida Statutes; also requires that no less than 25% of the LETf's previous year's revenues be used for the support or operation of drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood and school resource officer programs of various non-profit organizations. The PBSO's FY 2022 donation requirement is \$129,498. The PBSO's support of these programs exemplifies its strong commitment to the prevention and reduction of crime throughout the communities it serves and its desire to put money back into these communities to support organizations that provide such services. The year-to-date transfer for all donations to outside organizations after approval of this item is \$1,054,057. The funds requested are to aid PBSO and qualified organizations that meet the requirements set forth in Section 932.7055(5), Florida Statutes. Use of LETf requires approval by the Board, upon request of the Sheriff. The current State LETf balance is \$2,603,024. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$2,292,467. The PBSO certifies that the use of these funds is in accordance with Section 932.7055(5), Florida Statutes. Below is a table indicating the organizations the PBSO seeks to fund and the corresponding amount of funding proposed per respective organization or agency. No new positions are needed and no additional County funds are required. Countywide (RS)

ORGANIZATION	AMOUNT
Operation 300, Inc.	\$150,000
Speak Up For Kids of Palm Beach County, Inc.	\$125,000
Urban League of Palm Beach County, Inc.	\$35,557
Total Amount	\$310,557

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (Cont'd)

2. Staff recommends motion to receive and file: Grant Adjustment Number #1 and Grant Adjustment #2 to the contract between the Florida Department of Law Enforcement and the Palm Beach County Sheriff's Office which clears the special condition W0001 and extends the grant period from June 30, 2022 through December 31, 2022. **SUMMARY:** On January 1, 2022, the Palm Beach County Sheriff's Office received a grant award from the Florida Department of Law Enforcement in the amount of \$10,000 for the FY22 Identity Theft and Fraud Grant Program. The Board of County Commissioners accepted this grant award on March 22, 2022 (R2022-0257). Grant Adjustment #1 clears the Special Condition W0001 pertaining to Workweek and Overtime. Grant Adjustment #2 extends the grant period from June 30, 2022 through December 31, 2022. **There is no match requirement associated with this award.** Countywide (RS)

3. Staff recommends motion to receive and file: a Modification #1 to the Memorandum of Agreement between the City of Miami and the Palm Beach County Sheriff's Office to extend the grant period through September 30, 2022. **SUMMARY:** On August 17, 2021, the Board of County Commissioners accepted a Palm Beach County Sheriff's Office grant award in the amount of \$1,069,108 for the FY20 Urban Area Security Initiative (UASI) Grant Program (R2021-1139) for the period June 8, 2021 through June 30, 2022. This agenda item extends the grant period through September 30, 2022. The UASI is a federally-funded homeland security grant program, pass-through the State of Florida to the City of Miami, as the UASI's fiscal agent. The Catalog of Federal Domestic Assistance number is 97.067 and the contract number is R0232. **There is no match requirement associated with this award.** Countywide (LDC)

3. CONSENT AGENDA APPROVAL

DD. INSPECTOR GENERAL

1. **Staff recommends motion to approve:** an Interlocal Agreement (ILA) between the Children’s Services Council (CSC) of Palm Beach County and Palm Beach County for the Inspector General (IG) to exercise certain authority, functions, and powers as to the CSC’s transactions, projects, and operations. **SUMMARY:** Under the ILA, the IG will exercise the authority, functions, and powers granted by the Inspector General Ordinance (Article XII, Section 2-421-2-452, Palm Beach County Code)(Ordinance), for the benefit of the CSC. The ILA will be in effect upon execution of the parties and shall govern the parties’ relationship from October 1, 2022 until September 30, 2023. The agreement shall automatically renew each year for two additional annual terms, such that the agreement shall end on September 30, 2025, unless extended by both parties in writing or terminated in accordance with the agreement. The CSC will pay \$58,095.50 on or before October 1, 2022 to the IG for FY 2023 for investigative services to be performed under the agreement through September 2023. For each renewal period, CSC shall pay such amount on or before October 1, 2023 and October 1, 2024. Countywide (MJ)

2. **Staff recommends motion to approve:** an Interlocal Agreement (ILA) between the Solid Waste Authority (SWA) and Palm Beach County for the provision of IG services at the SWA. **SUMMARY:** Under this ILA, the IG will exercise the authority, functions and powers granted by the Palm Beach County Office of Inspector General Ordinance (Ordinance) for the SWA. The ILA will be in effect through September 30, 2025. The SWA will pay the IG \$250,000/year for FY 2023-2025. The ILA provides that the parties shall enter into an amendment providing for a separate scope of work and budget for any contracts the SWA enters into following the effective date of the ILA with a total contract amount in excess of \$25,000,000. Countywide (HH)

3. CONSENT AGENDA APPROVAL

EE. OFFICE OF EQUAL BUSINESS OPPORTUNITY

1. [Staff recommends motion to approve:](#) reappointment and appointment of the following individuals to the Equal Business Opportunity Advisory Committee (EBOAC) for the seats and terms indicated below.

<u>REAPPOINTMENT</u>	<u>SEAT #</u>	<u>DESIGNATION</u>	<u>TERM</u>	<u>NOMINATED BY</u>
Juan Pagan	7	Hispanic Business Owner	7/12/22 – 7/11/25	Mayor Weinroth Comm. Marino Comm. Kerner Comm. Bernard
Seabron Smith	13	Financial Institution That Assists Small Businesses	7/12/22 – 7/11/25	Mayor Weinroth Comm. Marino Comm. Kerner Comm. Bernard
<u>NEW APPOINTMENT</u>				
Alan Gerwig	4	Certified White Male Business Owner	7/12/22 – 7/11/25	Mayor Weinroth Comm. Marino Comm. Kerner Comm. Bernard
Robert Lesko	6	Business Incubator Program	7/12/22 - 7/11/25	Mayor Weinroth Comm. Marino Comm. Kerner Comm. Bernard

SUMMARY: The EBOAC is established pursuant to Section 2-80.28(f) of the Palm Beach County Code. The Committee consists of fifteen members representing one African American business owner certified as a small business by the County; one Hispanic business owner certified as a small business by the County; one woman business owner certified as a small business by the County; one white male business owner certified as a small business by the County; one business owner domiciled in Palm Beach County; one representative of a business incubator program; one representative of the Hispanic business organization; one representative of the National Association of Women in Construction; one representative of a Women’s Business Organization; one certified minority contractor; one representative of the Associated General Contractors of America; one representative of the Small Business Development Center; one representative of a financial institution that assists small businesses; one representative of the Black Chamber of Commerce; and one representative of a professional services organization. On May 26, 2022, a memo was sent to the Board of County Commissioners requesting approval of the nominations. No other nominations were received. The Committee seat terms are for three years, and the Committee reviews and evaluates the effectiveness of equal business opportunity programs within County Government. Of the 15 members, the current diversity count is African American: 7 (46.0%), Caucasian: 6 (40.0%), and Hispanic: 2 (13.0%). The gender ratio (female:male) is: 8:7. The nominees for reappointment and appointment are Mr. Juan Pagan, Hispanic male; Mr. Seabron Smith, African-American male; Mr. Alan Gerwig, Caucasian male; Mr. Robert Lesko, Caucasian male. Countywide (RS)

3. CONSENT AGENDA APPROVAL

FF. WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY

1. [Staff recommends motion to approve:](#) the following Westgate/Belvedere Homes Community Redevelopment Agency (CRA) Board Officers for the year 2022/2023.

Board Member

Ronald Daniels
Joanne Ruffy

Office

Chair
Vice-Chair

SUMMARY: The Westgate/Belvedere Homes CRA Board consists of seven At-Large members from residents and local businesses within the CRA boundaries. At the June 13, 2022 meeting, the CRA Commissioners elected the Chair and Vice-Chair from amongst its Board. The term shall be 12 months, beginning with the date of election. Districts 2 & 7 (DL)

3. CONSENT AGENDA APPROVAL

GG. INTERNAL AUDIT

1. Staff recommends motion to receive and file:

A) Audit reports reviewed by the Audit Committee at its March 16, 2022 meeting as follows:

1) 2022-03 Risk Management Department, Employee Safety and Loss Control Division – *Florida Department of Highway Safety and Motor Vehicles Memorandum of Understanding Contract #HSMV-0419-21 Audit*

2) 2022-04 Parks and Recreation Department – *Recreation Services Division – Performance Management System Audit*

B) Audit reports reviewed by the Audit Committee at its June 15, 2022 meeting as follows:

1) 2022-05 Public Safety Department, Consumer Affairs Divisions- *Florida Department of Highway Safety and Motor Vehicles Memorandum of Understanding Contract #HSMV-0625-21 Audit*

C) Audit recommendation status follow-up report as of May 15, 2022.

SUMMARY: County Code Section 2-463(e)(3) requires the County Internal Auditor to submit copies of final audit reports to the Board of County Commissioners and the Internal Audit Committee. County Code Section 2-463(f) requires the County Internal Auditor to submit copies of audit recommendation status reports to the Board of County Commissioners and the Internal Audit Committee. At its meetings on March 16, 2022 and June 15, 2022, the Internal Audit Committee reviewed the attached audit reports. At its June 15, 2022 meeting, the Internal Audit Committee reviewed the Audit Recommendation Status Follow-up Report as of May 15, 2022. We are submitting these reports to the Board of County Commissioners as required by the County Code. Countywide (HF)

3. CONSENT AGENDA APPROVAL

HH. TOURIST DEVELOPMENT COUNCIL

1. Staff recommends motion to receive and file: three fully executed Palm Beach County FY2022 Grant Agreements managed by the Palm Beach County Sports Commission, Inc on behalf of the Palm Beach County Tourist Development Council (TDC) with:

A) Players International Management, Inc., for the promotion of the Delray Beach International Tennis Federation (ITF) Championships, held from April 21-30, 2022, for the term November 21, 2021 – July 30, 2022. This grantee was approved by the TDC on March 10, 2022, in the amount of \$6,000;

B) Triosports International, Inc., for the promotion of the International Tennis Federation (ITF) Seniors World Championship held from April 30 – May 14, 2022, for the term November 30, 2021 – August 14, 2022. This grantee was approved by the TDC on June 13, 2019, in the amount of \$25,000; and

C) Baral Group, Inc., for the promotion of the FIT Super Seniors World Championship, held from April 22 – May 7, 2022, for the term November 23, 2021 – August 7, 2022. This grantee was approved by the TDC on November 10, 2021, in the amount of \$25,000.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a receive and file agenda item. On June 7, 1994, the Board of County Commissioners adopted resolution (R94-702) authorizing the Executive Director of the Tourist Development Council to enter into grant agreements with Category G (Sports) grantees after they have been approved by the Tourist Development Council. Room nights generated by Players International Management, Inc. were 432. Room nights generated by Triosport International, Inc. were 2,627 and room nights generated by Baral Group, LLC, were 2,520. Districts 1, 4, 5 & 6 (YBH)

3. CONSENT AGENDA APPROVAL

HH. TOURIST DEVELOPMENT COUNCIL (Cont'd)

2. Staff recommends motion to receive and file: three fully executed Palm Beach County FY2022 Grant Agreements managed by the Palm Beach County Sports Commission, Inc on behalf of the Palm Beach County Tourist Development Council (TDC) with:

A) Spartan Race, Inc., for the promotion of the Palm Beaches Spartan Sprint Weekend, held from April 23-24, 2022, for the term October 23, 2021 – July 24, 2022. This grantee was approved by the TDC on December 9, 2021, in the amount of \$20,000;

B) Briana Marie Cox Foundation, Inc., for the promotion of the Briana Marie Cox Memoria NIT, held from May 14 – 15, 2022, for the term December 14, 2021 – August 15, 2022. This grantee was approved by the TDC on March 10, 2022, in the amount of \$6,000; and

C) Palm Beach County Sports Commission, Inc., for the promotion of the NCAA Division I Men's Golf Regional Championship, held from May 15 - 18, 2022, for the term December 15, 2021 – August 18, 2022. This grantee was approved by the TDC on November 10, 2021, in the amount of \$30,000.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a receive and file agenda item. On June 7, 1994, the Board of County Commissioners adopted resolution (R94-702) authorizing the Executive Director of the Tourist Development Council to enter into grant agreements with Category G (Sports) grantees after they have been approved by the Tourist Development Council. Room nights generated by Spartan Race, Inc. were 3,816. Room nights generated by Briana Marie Cox Foundation, Inc. were 600 and room nights generated by Palm Beach Sports Commission, Inc. were 1,035. Districts 2, 3, 5 & 6 (YBH)

3. CONSENT AGENDA APPROVAL

HH. TOURIST DEVELOPMENT COUNCIL (Cont'd)

3. ~~DELETED FOR FURTHER STAFF REVIEW: Staff recommends motion to approve: an annual agreement with the Palm Beach County Sports Commission, Inc., (PBCSC) for the provision of services under the County's Tourist Development Plan during the period of October 1, 2022 through September 30, 2027, for an amount not to exceed \$1,983,780 in contractual services, \$1,738,823 in indirect costs, \$3,265,768 in reserves, \$500,000 in stimulus, and \$40,800 in beach payback for a total of \$7,529,171. **SUMMARY:** The agreement provides for PBCSC to provide tourism marketing services under the County's Tourist Development Plan for a five-year period, from October 1, 2022, through September 30, 2027. The agreement replaces the current contract (R2017-1634). The new agreement updates for Fiscal Year 2023, Exhibit "A" Annual Budget, Exhibit "E" Performance Measures, Exhibit "G" Salary Structure, Exhibit "H" Organizational Chart, and Exhibit "N" Diversity Structure. The new agreement provides clarification of County benefits by inserting language to Section 3, Compensation and Method of Payment establishing Exhibit "K" Sponsor Benefits Package and inserting Section 30, Agency Monitoring. These contractual and exhibit changes have been reviewed and approved by the Tourist Development Council (TDC) Finance Committee and TDC Board. Countywide (YBH)~~

4. ~~DELETED FOR FURTHER STAFF REVIEW: Staff recommends motion to approve: an annual agreement with the Palm Beach County Film & Television Commission, Inc., (PBCFTC) for the provision of services under the County's Tourist Development Plan during the period of October 1, 2022, through September 30, 2027, for an amount not to exceed \$1,212,310 in contractual services, \$160,429 in indirect costs, \$1,028,774 in reserves, \$750,000 in stimulus, and \$21,550 in beach payback for a total of \$3,173,063. **SUMMARY:** The agreement provides for PBCFTC to provide tourism marketing services under the County's Tourist Development Plan for a five-year period, from October 1, 2022, through September 30, 2027. The agreement replaces the current contract (R2017-1635). The new Agreement updates for Fiscal Year 2023, Exhibit "A" Annual Budget, Exhibit "F" Performance Measures, Exhibit "H" Salary Structure, Exhibit "J" Organizational Chart, and Exhibit "N" Diversity Structure. The new agreement provides clarification of County benefits by inserting language to Section 3, Compensation and Method of Payment, establishing Exhibit "L" Sponsor Benefits Package and inserting Section 30, Agency Monitoring. These contractual and exhibit changes have been reviewed and approved by the Tourist Development Council (TDC) Finance Committee and TDC Board. Countywide (YBH)~~

3. CONSENT AGENDA APPROVAL

HH. TOURIST DEVELOPMENT COUNCIL (Cont'd)

- 5. ~~**DELETED FOR FURTHER STAFF REVIEW: Staff recommends motion to approve:** an annual agreement with the Cultural Council of Palm Beach County, Inc., (CULTURE) for the provision of services under the County’s Tourist Development Plan during the period of October 1, 2022, through September 30, 2027, for an amount not to exceed \$2,534,788 in contractual services, \$5,595,200 in indirect costs, \$4,221,131 in reserves, \$2,000,000 in stimulus, and \$103,600 in beach payback for a total of \$14,454,717. **SUMMARY:** The agreement provides for CULTURE to provide tourism marketing services under the County’s Tourist Development Plan for a five-year period, from October 1, 2022, through September 30, 2027. The Agreement replaces the current contract (R2017-1632). The new agreement updates for Fiscal Year 2023, Exhibit “A” – Annual Budget, Exhibit “E” – Performance Measures, Exhibit “G” – Salary Structure, Exhibit “H” – Organizational Chart, and Exhibit “N” – Diversity Structure. The new Agreement provides clarification of County benefits by inserting language to Section 20, Compensation and Method of Payment establishing Exhibit “C” – Sponsor Benefits Package and inserting Section 52, Agency Monitoring. These contractual and exhibit changes have been reviewed and approved by the Tourist Development Council (TDC) Finance Committee and TDC Board. Countywide (YBH)~~

- 6. **Staff recommends motion to approve:** the appointment of Commissioner Christina Lambert as an “At-Large” member to the Tourist Development Council Board to complete the four-month remainder of the term left vacant by former West Palm Beach Commissioner Kelly Shoaf and a full four-year term thereafter.

<u>Appointment</u>	<u>Seat #</u>	<u>Term</u>	<u>Nominated by</u>
Comm. Christina Lambert	At-Large	6/14/22-9/30/26	City of WPB

SUMMARY: The Tourist Development Council (TDC) was established by Resolution No. R81-275, adopted March 3, 1981; Chapter 125.0104 F.S. “The Levy of a Tourist Development Tax pursuant to the “LOCAL OPTION TOURIST DEVELOPMENT ACT,” Palm Beach County Code 117-111. This Code sets up the nine member Tourist Development Council. One member shall be the Chair of the BCC or designee who shall serve as the Chair of the Council. Of the remaining eight members appointed by the BCC; two members shall be elected municipal officials, one of whom shall be from the most populous municipality in Palm Beach County. Keith James is the current Mayor of the City of West Palm Beach, the most populous municipality in Palm Beach County. Commissioner Christina Lambert represents District 5 in West Palm Beach and has been selected to serve on the Tourist Development Council and represent the City of West Palm Beach to complete Commissioner Shoaf’s term expiring on 9/30/2022. The TDC has 8-member seats currently filled and a diversity count of Caucasian: 7 (89%) and African American 1 (11%). The gender ratio (male/female) is 6:2. Countywide (YBH)

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JULY 12, 2022

4. SPECIAL PRESENTATIONS – 9:30 A.M.

- A)** Proclamation recognizing the 11th Annual KidsFit Jamathon in Palm Beach County (District 7)
- B)** Proclamation declaring July 2022 as Park and Recreation Month in Palm Beach County (District 1)
- C)** Certificate of Recognition presented to Emanuel Jackson Senior Project, Inc. in honor of the many years of dedicated service and commitment to the youth of Palm Beach County. (District 7)

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

A. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to:

A) approve the Five Year Road Program (program) Findings of Fact Memo (per Article 12.M.3.B of the Unified Land Development Code) with **a majority plus one affirmative vote** that the delay of the Florida Mango Road., 10th Avenue North to Edgewater Drive (Lake Worth Drainage District L-9 and L-10 Canals Bridge Replacements) and 60th Street N., Avocado Boulevard to east. of 120th Avenue N, will not result in any link or intersection on the road network operating at greater than the adopted level of service, and no development projects are phased to this construction;

B) adopt an ordinance amending Chapter 23, Article 1, Section 23-1(C) of the Palm Beach County (County) Code (Adoption of revised Program); providing for repeal of laws in conflict; providing for a savings clause; providing for severability; providing for inclusion in the code of laws and ordinances; and providing for an effective date; and

C) approve the hiring of professionals to design, appraise and assist in the acquisition of lands, rights-of-way, and easements necessary to undertake the projects identified in the program, as approved herein, including but not limited to the employment of real estate appraisers, engineers, certified public accountants, business damage consultants and experts, and other professionals deemed necessary.

SUMMARY: On June 14, 2022, the Board of County Commissioners (BCC) approved this ordinance amending Chapter 23, Article 1, Section 23-1(C) on preliminary reading and authorized advertisement for today's Public Hearing for final adoption. Since the development and adoption of the County's program on December 3, 1985, the progress and evolution of current and near term projects have continued to be monitored. Traffic counts, costs and revenues have been updated. The most recent update to the program was on December 7, 2021, (ORD2021-037). Revisions are being proposed to modify the program to reflect this updated information. **The Findings of Fact Memo requires a majority plus one affirmative vote for approval.** The approval to hire professionals will facilitate the property acquisitions necessary to accomplish the road goals of the program, as amended herein, for Fiscal Year 2022 through Fiscal Year 2026. Countywide (YBH)

5. PUBLIC HEARINGS – 9:30 A.M.

B. WATER UTILITIES

1. Staff recommends motion to:

A) adopt a Resolution of the Board of County Commissioners, confirming the Special Assessment Roll for the 80th Lane North Water Main Extension (Project); and

B) approve Work Authorization (WA) No. 23 to Johnson-Davis Incorporated (Contractor) under the Palm Beach County Water Utilities Department (PBCWUD) 2019 Pipeline Continuing Construction Contract (Contract) (R2020-0160) in the amount of \$160,364.80. The total assessable cost including WA No. 23 for this Project is \$213,285.72.

SUMMARY: The Project will provide potable water service to 12 residential properties currently on private wells. Petitions in favor of the installation of a potable water main were provided to PBCWUD with a 67% favorability rate (8 in favor, 0 not in favor, and 4 no response). Individual assessments of \$17,773.81 per parcel (See Exhibit A) will be assessed based on 90% of the total estimated cost of the Project. Each individual assessment was determined by using the parcel method to divide the assessable cost per parcel. The assessment is payable over a 20-year time period in equal annual payments of principal and 5.5% interest. The total assessable cost of the Project is \$213,285.72 and includes the costs of surveying, design, drafting, permitting, construction, inspection, administration and construction contingency. WA No. 23 will provide for the construction of the Project. This Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On April 3, 2019, the Goal Setting Committee applied an Affirmative Procurement Initiative of a mandatory 20% Small Business Enterprise (SBE) subcontracting participation. This Contract provides for 20.07% SBE participation. WA No.23 includes 20.04% SBE participation. The cumulative SBE participation including WA No. 23 is 23.36%. Contractor is a Palm Beach County based company. The Project is included in the PBCWUD FY22 budget. (PBCWUD Project No. 21-013) District 6 (MWJ)

5. PUBLIC HEARINGS – 9:30 A.M.

C. PARKS & RECREATION

1. Staff recommends motion to adopt: an ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 21, of the Palm Beach County Code (Ordinance 2019-001); pertaining to parks and recreation: amending Section 21-18 of the Palm Beach County Code (definitions); Section 21-19 of the Palm Beach County Code (regulation of vehicles within parks); section 21-20 of the Palm Beach County Code (buildings and other properties); Section 21-25 of the Palm Beach County Code (boating); Section 21-32 of the Palm Beach County Code (animals); Section 21-35 of the Palm Beach County Code (park usage); Section 21-36 of the Palm Beach County Code (commercial activities); Section 21-39 of the Palm Beach County Code (sound disturbances); Section 21-40 of the Palm Beach County Code (aircraft); Section 21-45 of the Palm Beach County Code (enforcement); providing for savings clause; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances of Palm Beach County; and providing for an effective date. **SUMMARY:** An ordinance to amend Chapter 21, Article 2 of the Palm Beach County Code (Parks and Recreation) to conform to state law and provide better management of park property. In addition to several administrative modifications, the proposed Code changes will:

- Specify the latitude and longitude of identified Idle Speed No Wake Zones within 200’ feet of fresh water boat ramps as required by the Florida Fish and Wildlife Conservation Commission to permit buoy placement per Florida State Statute;
- Include language prohibiting adults 18 years or older from entering or remaining in a designated children’s play area, unless the adult is supervising and/or accompanying children who are using the designated children’s play area;
- Clarify the language regarding sound disturbances in parks; and
- Modernize the language regarding aircraft to address the responsible operation of remote controlled airplanes, helicopters, drones and other aerial apparatus consistent with Federal Aviation Administration regulations and Florida State Statute to ensure the safety of park patrons and nesting wildlife.

At the May 17, 2022 meeting, the Board approved on preliminary reading advertisement for public hearing on June 14, 2022, however the original item was delayed in order to allow for input from the League of Cities Board of Directors meeting, which did not convene until June 22, 2022. The item is now being presented after review. Countywide (AH)

5. PUBLIC HEARINGS – 9:30 A.M.

D. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to:

A) conduct a public hearing for approval of the use of the Uniform Method of collecting non-ad valorem special assessments provided for in Chapter 197, Florida Statutes pursuant to the Notice of Intent adopted by Resolution 97-2152 and Resolution 2011-1833;

B) adopt the non-ad valorem special assessment roll and specify the unit of measurement and amount of the assessment for Mahogany Lane Water Main Extension Water Mains/Lines project;

C) adopt the non-ad valorem special assessment roll and specify the unit of measurement and amount of the assessment for the abatement of nuisance conditions; and

D) authorize the Mayor or designee to certify the non-ad valorem assessment roll on electronic media to the Tax Collector pursuant to Chapter 197, Florida Statutes.

SUMMARY: The Board of County Commissioners approved Resolution 97-2152 on December 16, 1997 and Resolution 2011-1833 on November 15, 2011, expressing the intent of Palm Beach County to use the Uniform Method of collecting non-ad valorem special assessments. The Uniform Method in Resolution 97-2152 provides for inclusion of water and street improvement project special assessments on the tax bill. The Uniform Method in Resolution 2011-1833 provides for the abatement of nuisance conditions. The unit of measurement to be applied against each parcel for Mahogany Lane Water Main Extension project is \$18,491.15 per acreage based on two properties. The County will collect a total of \$114,830.04 through the assessment, excluding any interest or other costs. The unit of measurement and total revenue from the assessments for the nuisance abatement projects are set forth as an attachment hereto. Placing these accounts on the tax bill reduces administrative (including collections) costs and provides a more efficient collection of amounts due to the County. A public hearing is required to implement this collection method for new special assessment projects to be included on the 2022 tax bill. Countywide (RS)

* * * * *

6. REGULAR AGENDA

A. AIRPORTS

1. Staff recommends motion to approve:

A) a contract (Contract) with Rio-Bak Corporation (Rio-Bak) in the amount of \$426,085 and 146 calendar days for the Miscellaneous Drainage Repairs project at Palm Beach International Airport (PBI); and

B) a budget transfer in the amount of \$55,233 in the Airport's Improvement and Development Fund, including a transfer from Reserves of \$55,233.

SUMMARY: This project was advertised utilizing the County's competitive bid process. On March 31, 2022, two bids were opened for the Miscellaneous Drainage Repairs project at PBI. Rio-Bak is located in Palm Beach County and has been identified as the lowest responsible/responsive bidder in the amount of \$426,085. This project consists of repair and replacement of existing drainage facilities at various locations within the property limits of PBI both inside and outside the airport perimeter security fence. The project was presented to the Goal Setting Committee on January 12, 2022 and an Affirmative Procurement Initiatives of 8% Small Business Enterprise (SBE) participation was applied. The contractor has committed to 9.3% SBE participation. Pursuant to changes to Chapter 332, Florida Statutes, effective October 1, 2020, a governing body of a commercial service airport may not approve purchases of contractual services in excess of the Category Five threshold amount of \$325,000 provided in Section 287.017, Florida Statutes, on a consent agenda. This contract exceeds the threshold amount and must be approved on the regular agenda. Countywide (AH)

6. REGULAR AGENDA

B. FACILITIES DEVELOPMENT AND OPERATIONS

1. Staff recommends motion to approve:

A) Staff's recommendations regarding four independent requests to lease County-owned parking facilities for non-County uses; and

B) the general policy for evaluating long-term uses of County-owned parking facilities for non-County uses.

SUMMARY: On April 26, 2022, during a Board of County Commissioners (Board) scheduled Workshop meeting and as part of public comment following a presentation by County Staff regarding the South County Administrative Complex (SCAC) Master Plan, an attorney representing the Andre Design District located adjacent to the SCAC requested that the Board direct staff to negotiate a lease agreement for the use of County-owned parking spaces at the SCAC to benefit an operator within the Andre Design District. The Board was generally supportive and directed staff to review the request in order to determine if the same could be accommodated. Consistent with Board direction, Staff further evaluated the request and met with the attorney and its client to further discuss the proposal. The attorney's request as it currently stands is for the County to directly negotiate a lease that would provide its client off-hours access to 30-40 parking spaces at the SCAC, and that the same be pursued under Sec.22-104(d)(2) of the County's Real Property Acquisition, Disposition and Leasing Ordinance (PREM Ordinance); which section eliminates the requirement for a competitive process upon a finding by the Board that there is only one person capable of reasonably utilizing the real property for which the Board has determined to be the highest and best use of the real property. Staff disagrees as to the applicability of Sec.22-104(d)(2) to the current request. Furthermore, given the combination of the Board's standing direction for the redevelopment of SCAC, potential conflicts with City of Delray Beach parking regulation, lack of demonstrated need for additional parking and other considerations, Staff recommends against pursuing a competitive process for leasing the requested spaces, as it would divest time and resources from other priority projects, redevelopment of SCAC included. Staff has recently received three other similar requests for use of parking spaces at the County's 4th Street parking lot, Convention Center, and Park Place storage facility. The latter being the only request that Staff is recommending for approval. The Facilities Development and Operations Department (FDO) manages over 800 County buildings, equaling approximately 14 million square feet of space. Due to the potential creation of operational challenges and demand on staff resources that addressing these type of requests on a case-by-case basis would entail, Staff is recommending approval of a general policy to be followed in reviewing future requests. Under the recommended policy, Staff will not consider long-term agreements for the use of County parking facilities for non-County uses to the extent that the same may: 1) limit parking availability for existing and/or planned County uses; 2) increase the County's cost of operating and/or maintaining the facility, or ability to sustain operations; 3) encumber County-owned property, with covenants or other instruments, in a way that restricts the County's rights as property owner; and/or 4) deviate from or contradict prior Board direction regarding the use of the facilities. County Staff will consider all remaining requests in accordance with the PREM Ordinance. FDO Admin Countywide (HJF)

6. REGULAR AGENDA

B. FACILITIES DEVELOPMENT AND OPERATIONS (Cont'd)

2. Staff recommends motion to approve:

A) a sole source procurement in the amount of \$555,920 for the furnishing of equipment, installation and training by Motorola Solutions, Inc. to replace the existing Motorola radio dispatch consoles in the Palm Beach International Airport (PBI) Communications Center and install two new ones in the PBI Alternate Communications Center; and

B) a budget transfer in the amount of \$260,000 in the Airports Capital Project fund, including a reclass from Reserves in the amount of \$260,000. The amount of \$295,920 is in the current budget for this project.

SUMMARY: The PBI Operations Communications Center is the critical management hub for all radio communications throughout the Airport. This includes the Federal Aviation Administration (FAA), Palm Beach County Fire Rescue, Palm Beach County Sheriff's Office, and Internal Maintenance and Security Operations. The Communications Center is operational on a continuous basis, year-round, and houses five dispatch stations dedicated to PBI communications. These critical communications are accomplished via direct access to the P25 Public Safety Radio System (PSRS), which is managed by the Facilities Development and Operations (FDO) department. The existing consoles have reached the end of their useful life, the manufacturer can no longer support them, and require replacement. To ensure that PBI retains its ability to operate on the PSRS, the new consoles must be fully compatible to directly connect to the County's PSRS. The Motorola MCC7500e internet protocol radio console is the only radio console that can support County existing native wireline control of trunking, talk groups and private calls. Motorola Solutions, Inc. is the exclusive dealer and service agent for the MCC7500e consoles. Therefore, a sole source procurement is required. The new Motorola Radio Consoles will replace the end of life consoles in the Communications Center and provide new consoles for the Alternate Communications Center. Pursuant to changes to Chapter 332, Florida Statutes, effective October 1, 2020, a governing body of a commercial service airport may not approve purchases of contractual services in excess of the Category Five threshold amount of \$325,000 provided in Section 287.17, Florida Statutes, on a consent agenda. This sole source procurement exceeds the threshold amount and must be approved on the regular agenda. (FDO Administration) Countywide (MWJ)

6. REGULAR AGENDA

B. FACILITIES DEVELOPMENT AND OPERATIONS (Cont'd)

3. Staff recommends motion to approve:

A) Partial Release of Deed Restrictions for a 5.57 acre parcel located south of Pioneer Road and west of the Florida Turnpike conveyed to KidSanctuary Campus, Inc.; and

B) Consent to transfer of ownership of a 5.57-acre parcel conveyed to KidSanctuary, Inc. on June 6, 2006 (R2006-1043).

SUMMARY: On June 6, 2006, (R2006-1043), the Board conveyed a 5.57 acre parcel located south of Pioneer Road and west of the Florida Turnpike to KidSanctuary, Inc., a non-profit corporation, at no cost, for KidSanctuary's development of a group home for children with physical and/or emotional disabilities. The County Deed provided that the property would automatically revert to the County under certain circumstances including the property owner's failure to meet certain construction and/or operational deadlines, or the property owner's conveyance of the property to an unrelated entity without prior Board consent to the conveyance. On June 7, 2011, (R2011-0846), the Board approved an extension to construct the facility in five phases over a 15 year period, expiring on February 1, 2026. On August 16, 2016, (R2016-0991), the Board approved actual completion dates of the completed Phases and allowed KidSanctuary Campus, at its discretion, to construct the recreation/ administration/enrichment center on the 5.57 acre parcel previously conveyed by the County or on adjacent properties the organization had then recently acquired. KidSanctuary Campus has completed the five phases in advance of the deadlines. KidSanctuary Campus enlisted Place of Hope, Inc., a not for profit organization, to operate (through an operating agreement) the KidSanctuary facility on the subject property and on March 1, 2022, notified the County that it wishes to convey the property to Place of Hope. The property furthers no County function, and the Partial Release of Deed Restrictions releases the certain construction and operational deadlines only. All other conditions and restrictions remain unmodified and in full force and effect. **This partial release of deed restrictions must be approved by a supermajority vote (5 commissioners)** (Property & Real Estate Management) District 6 (HJF)

6. REGULAR AGENDA

B. FACILITIES DEVELOPMENT AND OPERATIONS (Cont'd)

4. **Staff recommends motion to authorize:** the County Administrator or designee who in this case shall be the Director of the Facilities Development and Operations Department (FDO), to submit to the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (TIITF) an application pursuant to Lease No. 3502 for the installation of a 100-foot police radio communication pole servicing the Town of Jupiter in Ocean Cay Park, which is State-owned property currently leased by Palm Beach County. **SUMMARY:** In 2021, the Town of Jupiter's (Town) Council approved constructing a 100-foot police radio communication pole on Town-owned property along Marcinski Road next to the Ocean Bluffs condominiums. The pole is meant to remedy a small gap in coverage experienced by the Town's public safety radio system in the area around US Highway 1 and Marcinski Road. Residents of the condominiums challenged the proposed location and asked the Town to explore alternatives. In December 2021, Town staff communicated with County staff to discuss the possibility of locating the pole on Ocean Cay Park. On April 12, 2022, the Town Manager sent a formal request to the County Administrator to initiate a process for the Board of County Commissioners (Board) to consider approval of the Town's request to locate the 100-foot police radio communication pole at Ocean Cay Park. The request was later supplemented by means of a letter dated May 2, 2022, from the Town's Chief of Police providing additional details as to the radio communication challenges that the Town is currently facing in the previously described area. Ocean Cay Park is State-owned property that the County sub-leases from TIITF pursuant to Lease No. 3502 executed on June 19, 1988, as amended (R93-95D, R93-1663D, R98-632D). The lease with TIITF provides that the property can only be used for "environmental protection and compatible public outdoor recreation and related purposes". Therefore, in order to accommodate the Town's request, the County needs to obtain TIITF's approval. County staff has reviewed the Town's request and recommends the same, noting that it would carry no detrimental impacts to Ocean Cay Park's operations while at the same time contributing towards the improvement of the operation of the Town's Police radio system in the area by eliminating the service gap that currently exists. Ocean Cay Park is within the jurisdictional limits serviced by the Town's Police. As a result, improvements to the Town's public safety radio system will benefit visitors to the park as well. This is a Town-funded project and no County involvement is foreseen other than facilitating State approval for placement of the radio communication pole and, if the same is granted, entering into an agreement with the Town providing for the installation, construction, operation and maintenance of the pole, which agreement would be brought for consideration by the Board at a later time. (Property & Real Estate Management) District 1 (HJF)

5. **Staff recommends motion to approve:** a contract with Netta Architects, LLC (Consultant) in the amount of \$91,055 to provide professional architectural/ engineering design, programming, permitting, and construction administration services for phase 1 of the Governmental Center Renewal and Replacement (R/R) project, located at 301 North Olive Avenue, West Palm Beach. **SUMMARY:** The Governmental Center R/R project consists of upgrading and replacing select building finishes and systems including security, heating ventilation air condition, plumbing, fire alarm, fire sprinkler, electrical, low voltage, lighting, flooring and painting. Additional improvements to the facility may include building hardening, exterior improvements and interior structural work. Professional services for this project shall be implemented in phases. During the first phase of the project, the Consultant will conduct a building condition assessment, including an evaluation of the building's structural integrity. The County will evaluate the findings and recommendations of the aforementioned study in order to determine the most appropriate solution to be used as the scope of the project to be designed. The second phase of the project consists of design, permitting and construction administration services. This contract authorizes the initial building condition assessment phase of the project and a Consultant Service Authorization will be issued to authorize each subsequent phase. The solicitation for design professionals was advertised on July 11, 2021 according to the Equal Business Opportunity Ordinance, with the final selection on November 8, 2021. The project was presented to the Goal Setting Committee on July 7, 2021. The Committee established Affirmative Procurement Initiatives of a Minority/Women Business Enterprise (M/WBE) participation evaluation preference of up to 15 points based on the level of participation from African American firms for the selection of the Consultant and a minimum mandatory contract goal of 20% Small Business Enterprise (SBE) participation. The Consultant is not a certified SBE firm, but teamed up with four S/M/WBE sub-consultants on this project. The Consultant has committed to 33% SBE participation, of which 21% is from African American owned businesses for this contract. SBE participation for this phase of the project is 74.24%. The Consultant is a local firm. **Funding for this project is from the Infrastructure Sales Tax fund.** (Capital Improvements Division) District 7 (MWJ)

6. REGULAR AGENDA

C. PUBLIC SAFETY

1. [Staff recommends motion to approve on preliminary reading and permission to advertise for a public hearing on July 28, 2022 at 9:30 a.m.:](#) an ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Palm Beach County Code Chapter 19, Article VIII (Ordinance no. 2011-008), providing for a title; providing for definitions; providing for tow truck class specifications; providing for operating permit required; providing for new applications/renewals and issuance of an operating permit and fees; providing for inspection of storage yards and public offices required; providing for insurance requirements, providing for tow truck registration, tow truck standards and decals; providing for inspection procedures and requirements for tow companies; providing for non-consent manifest, towing invoice or tow sheet; providing for advertisements; providing for records required; providing for operating permit required to do business with the county; providing for non-consent towing with prior express instruction; providing for notice requirements for providing non-consent tow services at request of real property owners; providing for non-consent tow truck company requirements; providing for consent-only tow truck company requirements; providing for maximum rates; providing for tow truck driver requirements and failure to comply; providing for fraudulent transfer of tow truck companies; providing for additional requirements for providing immobilization services; providing for deceptive and unfair trade practices; providing for cease and desist orders; providing for assurances of voluntary compliance; providing for enforcement and civil/criminal penalties; providing for administrative enforcement, denial, revocation and suspension of operating permits/i.d. badges; providing for additional penalties; providing for hearings and appeals; providing for scope of ordinance; providing for repeal of laws in conflict; providing for a savings clause; providing for inclusion in the code of laws and ordinances; providing for severability; and providing for an effective date. **SUMMARY:** At the request of the towing industry and an administrative need to update the Tow Truck Ordinance, staff convened multiple meetings of industry members from both the towing and immobilization industry. Staff and industry members identified several ways to improve the ordinance while continuing to provide consumer protections. Updates include modification to ordinance language to conform to Florida Statutes with respect to signage placement and lien requirements; establishing timelines on certain disqualifying criminal offenses for tow truck drivers; creating a licensing requirement for immobilization services that addresses the following: maximum rates, signage requirements, required methods of payment, warning notices on vehicles, insurance requirements, identification requirements, release/response time requirements, awareness to consumers on complaint filing, and violations for non-compliance; allowing credit card convenience fees; e-mail authorizations for private property impounds; creating an annual rate adjustment using the Consumer Price Index (CPI), updating the ordinance name to Towing and Immobilization Services; and improving general readability. The proposed revisions were presented to the Consumer Affairs Hearing Board on June 15, 2022 and League of Cities on June 22, 2022 with no objection. Administration and enforcement of this ordinance is funded entirely through license fees. Countywide (JAW)

6. REGULAR AGENDA

C. PUBLIC SAFETY (Cont'd)

2. Staff recommends motion to approve: insourcing post-release youth reentry services. **SUMMARY:** On February 23, 2022, the Department of Public Safety's Division of Justice Services posted a Notification of Funding Opportunity (NoFO) to solicit proposals for post release youth reentry services for the period of October 1, 2022 through September 30, 2025. On March 21, 2022, proposals were received from Cayuga Centers and Gulfstream Goodwill Industries, Inc. An independent selection committee reviewed the proposals. Neither of the proposals were selected by the committee for funding as they did not address the critical components of the solicitation. These components were developed over the last two years through the Youth Subcommittee of the Reentry Taskforce by workgroups of juvenile justice stakeholders who identified service gaps and systemic barriers in youth reentry. Due to the absence of a selected provider, County staff used their intimate knowledge and workgroup analyses as the foundation to develop the framework for the proposed in-house solution. A comparative analysis of previous expenditures verses proposed, indicates a 25% increase in direct services to youth and families. Additional anticipated outcomes include an increase in youth engagement, successful program completion and reduced recidivism. The Public Safety Department plans to leverage existing resources across county departments (Youth Services, Community Services, etc.) and within the community. County staff was able to identify funding, resources and vacant positions to support insourcing youth reentry programming within the Division of Justice Services, thus no additional dollars are being requested. Proposed programming would begin on October 1, 2022 in order to ensure continuity of services for youth and families. Countywide (RS)

6. REGULAR AGENDA

D. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, approving the issuance of one or more series of Revenue Bonds for Lifespace Communities, Inc. by the Palm Beach County Health Facilities Authority in an aggregate principal amount not to exceed \$313,500,000. **SUMMARY:** Lifespace Communities, Inc., an Iowa nonprofit corporation (Corporation) has requested the Palm Beach County Health Facilities Authority (Authority) issue Revenue Bonds in an amount not to exceed \$313,500,000 pursuant to a Tax Equity and Fiscal Responsibility Act public hearing held on June 2, 2022. The bonds are to be issued by the Authority for the purpose of providing funds to the Corporation to finance, refinance, and reimburse the costs of additions, renovations, remodeling, equipping and miscellaneous capital improvements to the life care communities of Lifespace Communities, Inc., known as Abbey Delray, located at 2000 Lawson Boulevard, Delray Beach, FL 33445; Abbey Delray South, located at 1717 Homewood Boulevard in Delray Beach, Florida 33445, Harbour's Edge located at 401 East Linton in Delray Beach, Florida 33483, The Waterford, located at 601 Universe Boulevard, Juno Beach, Florida 33408, and Village on the Green, located at 500 Village Place, Longwood, FL 32779. All facilitates to be financed by the bonds are owned or leased and operated by the Corporation. The Authority issues bonds to finance projects for the Village on the Green community pursuant to an Interlocal Agreement between the Authority and Seminole County. Approval by an elected body is required by the Internal Revenue Code; however, adoption of this resolution does not in any way obligate the County. **Neither the taxing power nor the faith and credit of the County, nor any County funds, shall be pledged to pay the principal, premium, if any, or interest on the Bonds.** Districts 1, 4 & 7 (HJF)

6. REGULAR AGENDA

D. HOUSING AND ECONOMIC DEVELOPMENT (Cont'd)

2. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, approving the Palm Beach County Action Plan for Fiscal Year 2022-2023; authorizing the County Administrator or designee to execute Standard Forms 424 and Certifications for the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), and Emergency Solutions Grant (ESG) Programs, and funding agreements, amendments thereto, and other documents necessary for implementation of CDBG, HOME, and ESG activities. **SUMMARY:** The Department of Housing and Economic Development (DHED) requests that the Board of County Commissioners adopt the resolution approving the FY 2022-2023 Action Plan and authorizing the County Administrator or designee to sign Standard Forms 424 and Certifications, funding agreements, amendments, and other documents needed to implement the CDBG, HOME and ESG Programs. On May 13, 2022, Palm Beach County received notification that we are eligible to receive the following FY 2022-2023 entitlement grants from the U.S. Department of Housing and Urban Development (HUD): CDBG - \$6,492,406 (-5.53% from previous year), plus program income of \$75,000; HOME - \$2,703,963 (+11.76%); and ESG - \$577,734 (+1.26%). The AP funding recommendations reflect BCC directions on funding strategies for the CDBG, HOME, and ESG Programs provided at the April 26, 2022 Workshop. The AP also incorporates ESG funding recommendations made by the Homeless and Housing Alliance Non-Conflict Grant Review Committee, which met on May 20, 2022 and recommended ESG funding for six activities. Any revisions directed by the BCC today will be incorporated into the Action Plan before submittal to HUD by the August 16, 2022 deadline. **The ESG required local match (\$577,734) will be provided by the four ESG-funded agencies, the Department of Community Services, and DHED. The HOME required local match (\$574,593) will be provided from the State Housing Initiatives Partnership Program. CDBG funds require no local match.** This agenda item will approve a total of \$9,774,103 in federal funding. Countywide (HJF)

6. REGULAR AGENDA

D. HOUSING AND ECONOMIC DEVELOPMENT (Cont'd)

3. Staff recommends motions to approve:

A) a waiver of the statutory requirement, by a majority vote plus one, that one of the two public hearings to be held on August 23, 2022 and September 13, 2022, be after 5:00 p.m., to consider the designation of parcels located at 5976 Okeechobee Boulevard, in unincorporated Palm Beach County, Florida, further identified by Parcel Control Numbers 00-42-43-26-00-000-1300, 00-42-43-26-00-000-1340, and 00-42-43-26-05-004-0000 (the Subject Property), as a Brownfield Area pursuant to Section 376.80(2)(c), Florida Statutes; and

B) the advertising of public hearings on Tuesday, August 23, 2022 at 9:30 a.m. and Tuesday, September 13, 2022 at 9:30 a.m. to consider the designation of the Subject Property as a Brownfield Area pursuant to Section 376.80(2)(c), Florida Statutes, which shall hereafter be known as the Town of Palm Beach – Okeechobee Blvd. Former Landfill and Shooting Range Green Reuse Area.

SUMMARY: On June 2, 2022, CRE Fund at Okeechobee Boulevard LLC (CRE Fund), as contract lessor with the Town of Palm Beach, submitted a revised application to the Department of Housing and Economic Development to designate the Subject Property as a Brownfield Area. This designation requires two public hearings, one of which must be held after 5:00 p.m. per Section 125.66, Florida Statutes (cross-referenced in Section 376.80, Florida Statutes), unless the Board of County Commissioners, by a majority plus one vote, elects to conduct that hearing at another time of day. The Subject Property was formerly operated as a permitted yard trash disposal facility and shooting range, and is impacted by metal and organic contaminants in soil and groundwater. CRE Fund plans to develop the Subject Property as a mixed-use development. The rezoning of the 27.66 acre site was approved by the Board of County Commissioners at the May 26, 2022 BCC Zoning Hearing via Resolution 2022-0537, concurrent with a future land use amendment, to allow for the development of 708 multifamily dwelling units, which includes 177 on-site Workforce Housing rental units, and 21,839 square feet of commercial uses. The approved Preliminary Site Plan indicates two seven-story and three three-story residential buildings; six one-story buildings comprised of two Retail buildings, a Type 1 Restaurant, two club houses, and a guardhouse; 1,355 parking spaces; and, two recreational area tracts. Prior to redevelopment, CRE Fund is seeking a “Brownfield Area” designation under Florida’s Brownfields Redevelopment Act. **No County funds for implementation are required.**
District 2 (HJF)

6. REGULAR AGENDA

D. HOUSING AND ECONOMIC DEVELOPMENT (Cont'd)

4. ~~DELETED FOR FURTHER STAFF REVIEW: Staff recommends motion to:~~

~~A) approve SHIP Program award(s) up to \$2,000,000 for single family new construction;~~

~~B) direct staff to negotiate loan agreements once award recipients are selected; and~~

~~C) authorize the County Administrator or designee to execute the loan agreement(s), amendments thereto, and all other documents necessary for project implementation.~~

~~**SUMMARY:** On May 24, 2022, the Department of Housing and Economic Development issued Request for Proposals HED.2022.3 (RFP) making \$2,000,000 in State SHIP funding available to developers for new construction, of affordable new construction housing. A selection committee met on July 7, 2022 to determine the award(s) with the available SHIP funding. The project(s) selected were:~~

~~All SHIP-assisted units will remain affordable to homeowners with incomes no greater than 120% of Area Median Income for no less than 30 years. The funding agreements and related documents pursuant to these SHIP funds will be between the County and the entities identified herein or their respective successors and/or assigns. To facilitate project implementation, staff requests authorization for the County Administrator, or designee to execute the loan agreements and related documents. Countywide (HJF)~~

6. REGULAR AGENDA

D. HOUSING AND ECONOMIC DEVELOPMENT (Cont'd)

5. Staff recommends motion to:

A) approve a budget transfer of \$2,500,000 in the ARPA Response Projects Fund to provide funding of \$2,500,000 to SP Field LLC for Calusa Pointe II;

B) direct staff to negotiate the loan agreement; and

C) authorize the County Administrator or designee to execute the loan agreement, amendments thereto, and all other documents necessary for project implementation.

SUMMARY: Calusa Pointe II (the Project) by developer SP Field LLC (an affiliate of Southport Development) entails the new construction of a 144-unit multifamily rental apartment complex at the southeast quadrant of State Road 80 and County Road 827 in the City of Belle Glade. The Project includes 114 units for households at 60% Area Median Income (AMI) and 30 units for households at 50% AMI. All 144 housing units (96 two-bedroom / 48 three-bedroom) in the Project will remain affordable for ~~30~~ 50 years. The Project total cost is \$37 million, and the developer has identified development funding of \$34.5 million leaving a \$2,500,000 funding gap for which staff recommends providing ARPA Response Projects funds. This funding was originally allocated as generic Affordable/Workforce Housing, and is now being specifically allocated for the Project. The Project is shovel-ready, and anticipates commencing construction in January 2023 contingent on this gap funding. The funding agreement and related documents pursuant to these County funds will be between the County and the entity identified herein or its respective successors and/or assigns. To facilitate project implementation, staff requests authorization for the County Administrator or designee to execute the loan agreement and related documents. District 6 (HJF)

6. REGULAR AGENDA

D. HOUSING AND ECONOMIC DEVELOPMENT (Cont'd)

6. Staff recommends motion to:

A) approve Community Development Block Grant (CDBG) funding of up to \$1,800,000 to Housing Partnership, Inc. dba Community Partners of South Florida;

B) direct staff to negotiate the funding agreement; and

C) authorize the County Administrator or designee to execute the funding agreement, amendments thereto, and all other documents necessary for project implementation.

SUMMARY: Community Partners of South Florida (CPSF) is a local 501(c) not-for-profit organization that has successfully served needs in the areas of housing and mental health for over 36 years. CPSF currently operates a transitional housing program known as The Village from a leased 20-unit apartment property located at 1311 Tamarind Avenue / 1034 13th Street, West Palm Beach. The Village provides transitional housing and supportive services for 35 persons with diagnosed mental health issues. Clients are referred through the Palm Beach County Continuum of Care Coordinated Entry process and may reside at The Village for up to two years. Clients pay no more than 30% of their income towards rent, and receive therapy, employment services, resource navigation, and case management in order that the client is independently and stably housed upon exit from The Village. The property owner planned to sell on the open market at the end of the current lease, however, Community Partners intends to acquire the property in order to maintain The Village. The total cost of acquisition and rehabilitation is \$3.74 Million. Sources of funding include a \$1.8 Million first mortgage from PNC Bank and \$145,500 cash from Community Partners. Staff recommends CDBG funding for a \$1.8 Million forgivable loan to assist in the acquisition of the property and preserve the much-needed inventory of transitional housing beds. The property will be restricted for affordability to households with incomes no greater than 80% of Area Median Income for no less than 50 years. The funding agreement and related documents pursuant to these County funds will be between the County and the entity identified herein or its respective successors and/or assigns. To facilitate project implementation, staff requests authorization for the County Administrator or designee to execute the funding agreement and related documents. **These are Federal CDBG grant funds that do not require a local match.** District 7 (HJF)

6. REGULAR AGENDA

E. PALM TRAN

1. Staff recommends motion to:

A) adopt a Resolution of the Board of County Commissioners of Palm Beach County, Florida (BCC), authorizing the execution and submittal of a grant application and grant agreement with the Florida Commission for the Transportation Disadvantaged (CTD), for a grant amount of \$3,197,090, which requires a local match of \$355,232; resulting in a total agreement of \$3,552,322; for the Trip & Equipment Grant Program (CSFA 55.001) to provide Palm Tran Connection Service (Connection) trips and discounted daily and monthly fixed route bus passes. This is a unit cost agreement and has an anticipated start date of August 1, 2022 and an anticipated end date of June 30, 2023;

B) approve an upward budget amendment of \$2,396,159 in Palm Tran's Operating Fund 1340 to recognize the actual grant award amount; and

C) approve a budget transfer in General Fund 0001 of \$2,172,001 to increase the transfer to Palm Tran's Operations Fund 1340 from Contingency Reserves for the required match and necessary overmatch.

SUMMARY: The County has been awarded a grant in the amount of \$3,197,090, which requires a local match of 10% or \$355,232 for a total project of \$3,552,322. The total anticipated cost to provide transportation disadvantaged service is \$5,828,272, which requires the County to overmatch \$2,275,950 in order to maintain the program at its current level. The required local match and overmatch are included in the proposed FY2023 Budget. The grant requires broader indemnification by the County than that approved by PPM CW-F-049. The grant requires the County and its officers, agents, or employees to indemnify, defend, and hold harmless FDOT and all of its officers, agents, and employees from any claim, loss, damage, cost, charge, or expense arising out of the County's non-compliance or performance of this agreement. The indemnification obligation must also be passed on to contractors and/or consultants. Given that liability is limited to County's non-compliance or performance of this agreement and the statutory caps of Section 768.28, Florida Statutes, Palm Tran recommends Board approval. Countywide (MM)

6. REGULAR AGENDA

F. ADMINISTRATION

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida approving the CareerSource Palm Beach County (CSPBC) Fiscal Year 2022-2023 Budget in the amount of \$17,107,040 for its programs under Public Law 113-128, enacted by Congress effective July 1, 2015 which Act is known as the Workforce Innovation and Opportunity Act (WIOA) of 2014. **SUMMARY:** On December 16, 2014, the Board of County Commissioners (BCC) approved a contract to administer grant funds (R2014-1894) with CSPBC which services include the design, coordination, and implementation of the local workforce development system for Palm Beach County. CSPBC receives Federal funding through the State Department of Economic Opportunity (DEO). Funds are received by the DEO from the US Department of Labor, US Department of Health & Human Services, and the US Department of Agriculture. These are formula funds, which are based on the Federal budget and the local population statistics. The Fiscal Year 2022-2023 Budget, in the amount of \$17,107,040, includes the following revenue sources: \$13,812,692 from the US Department of Labor; \$2,684,348 from the US Department of Health and Human Services for Temporary Assistance for Needy Families; \$450,000 from the US Department of Agriculture for the Supplemental Nutrition Assistance Program; and \$160,000 from local government. Countywide (HJF)

6. REGULAR AGENDA

G. COMMUNITY SERVICES

1. Staff requests motion to approve:

A) proposed allocations for Notice of Funding Allocations (NOFA) funding in the Economic Stability/Self Sufficiency service category, along with Intellectual/Developmental Disabilities subcategories under the Financially Assisted Agencies (FAA) Program, for the period October 1, 2022 through September 30, 2023, in a total amount not-to-exceed \$2,788,309; and

B) allocations for renewal funding in the Homelessness, Behavioral Health, and Strategic Partnership service categories, including the subcategories of Domestic Violence/Sheltering, Seniors and Intellectual/Developmental Disabilities under the FAA Program, for the period October 1, 2022 through September 30, 2023, in a total amount not-to-exceed \$10,978,661.

SUMMARY: This item provides the recommended FY 2023 funding allocations for the FAA Program. The FAA recommendations in the Economic Stability/Self Sufficiency service category and Intellectual/Developmental Disabilities subcategory reflects the results of the NOFA process initiated on March 18, 2022. Data from the Community Conversations Community meetings held on September 14, 2021 and September 15, 2021 were used to establish priorities in funding for the Economic Stability/Self-Sufficiency category. Review panels met on May 2, 2022 through May 5, 2022 to review, score and rank the proposals. Allocations in the other FAA categories are based on prior year's funding as this is a renewal year in the three-year cycle for those categories. The total amount of funding being allocated in this item is \$13,766,970. Funding for these allocations is included in the County Administrator's proposed FY 2023 budget and is subject to approval by the Board of County Commissioners in September 2022. (Financially Assisted Agencies) Countywide (HH)

6. REGULAR AGENDA

H. COUNTY ATTORNEY

1. Staff recommends motion to approve:

A) an agreement for bond counsel services with the law firm of Greenberg Traurig, P.A., effective October 1, 2022 through September 30, 2025, with one additional three year term renewal at the County's option;

B) an agreement for disclosure counsel services with the law firm of Locke Lord, LLP, effective October 1, 2022 through September 30, 2025, with one additional three year term renewal at the County's option;

C) Amendment No. 2 to R2016-1105 with Locke Lord, LLP, formalizing the firm's continued representation of the County in connection with the proposed Housing ~~and Environmental~~ General Obligation Bonds (GO Bonds) and Roger Dean Chevrolet Stadium Revenue Bond (Revenue Bond); and

D) an agreement for disclosure counsel services with the law firm of Greenberg Traurig, P.A. in connection with the proposed GO Bonds ~~and Revenue Bond~~.

SUMMARY: On March 24, 2022, the County Finance Committee (the CFC) reviewed RFP proposals for County bond counsel and disclosure counsel. Greenberg Traurig, P.A. received the highest rank of the six proposers. Locke Lord, LLP received the second highest rank of the six proposers. Accordingly, the CFC recommends that Greenberg Traurig, P.A. be retained as the County's bond counsel and Locke Lord, LLP be retained as the County's disclosure counsel, with contracts effective October 1, 2022 through September 30, 2025. The agreements also contain one additional three-year term renewal at the County's option. Further, staff recommends an amendment to the current bond counsel contract with Locke Lord, LLP, which is in effect until September 30, 2022, formalizing the firm's continued representation of the County in connection with the County's GO Bonds and Revenue Bond. The firm's representation on these matters dates back to 2020. The continued representation on the GO Bonds is contingent on the issuances being authorized at the November 8, 2022 general election. The continued representation on the Revenue Bond is contingent on the bonds being issued on or before April 30, 2024. Finally, staff recommends a separate agreement with Greenberg Traurig, P.A. for disclosure counsel services solely in connection with the GO Bonds ~~and Revenue Bond~~, under the same contingencies expressed above. The County's disclosure counsel services in connection with the GO Bond are not anticipated to be needed will not be performed until after October 1, 2022 and, while these services would ordinarily go to Locke Lord, LLP under its new disclosure counsel agreement, the firm cannot simultaneously serve as both bond and disclosure counsel. As such, as the highest ranked firm under the RFP, staff recommends that the disclosure counsel services for the GO Bonds be performed by Greenberg Traurig, P.A. solely for these three specific issuances under the contingencies expressed above. Countywide (DB)

2. Staff recommends motion to approve: a mediated settlement in the amount of \$1,170,579 including compensation for the taking, business damages, attorney's fees and costs in the eminent domain action styled Palm Beach County v. Jan Real Estate Company Limited Partnership et al., Case No.: 502020CA014166XXXXMB. The condemnation is for the construction of a right turn lane for southbound traffic on North Military Trail to travel westbound on PGA Boulevard. **SUMMARY:** This settlement relates to the taking of Parcel 101 in fee simple and a permanent easement designated as Parcel 201, which Palm Beach County acquired to construct the above-referenced project. The County acquired the parcels from the property at the Garden Square Shoppes anchored by a Publix supermarket in Palm Beach Gardens. Parcel 201 was used for the relocation of FPL power lines, sloping, and other construction activities. Countywide (DO)

6. REGULAR AGENDA

I. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to authorize:

A) Staff to submit proposed not-to-exceed millage rates for the FY 2023 budget to the Property Appraiser as follows:

	FY 2022 Adopted		FY 2023 Rollback		FY 2023 Proposed		Over/(Under)	
	Millage	Taxes	Millage	Taxes	Millage	Taxes	Rollback	
Countywide Non-Voted	4.7815	\$1,062,035,841	4.2392	\$1,082,397,957	4.7815	\$1,220,863,803	\$138,465,846	12.79%
Library	0.5491	64,676,919	0.4891	65,740,710	0.5491	73,805,405	8,064,695	12.27%
Fire-Rescue MSTU	3.4581	313,235,018	3.0811	318,791,280	3.4581	357,798,230	39,006,950	12.24%
Jupiter Fire-Rescue MSTU	1.7880	22,339,347	1.5951	22,519,161	1.8713	26,418,473	3,899,312	17.32%
Aggregate-Excluding Voted Debt	6.5835	\$1,462,287,125	5.9121	\$1,509,540,707	6.5753	\$1,678,885,911		11.22%
Countywide Voted-Debt	0.0334	\$7,425,522			0.0289	\$7,384,943		
Countywide-Library Voted-Debt	0.0333	3,922,311			0.0290	3,897,936		

B) Staff to submit to the Property Appraiser public hearing dates of Tuesday, September 13 at 5:05 p.m. and Tuesday, September 20 at 5:05 p.m. in the Commission Chambers, 6th floor of the Robert Weisman Governmental Center for the FY 2023 budget;

C) Administrative adjustments to establish funding in the FY 2023 budget for capital projects approved and established in the current fiscal year. These projects were approved in the current fiscal year (FY 2022) after the preparation of the proposed budget and are therefore not currently included in the FY 2023 budget. These adjustments will have no impact on proposed Ad Valorem taxes and will be incorporated into the tentative budget to be presented at the first public hearing; and

D) Administrative adjustments to establish funding in the FY 2023 budget for designated fund balances for contingency and other projects and carryover for encumbrances. These balances and encumbrances were approved in the current fiscal year (FY 2022) after the preparation of the proposed budget and are therefore not currently included in the FY 2023 budget. These adjustments will have no impact on proposed Ad Valorem taxes and will be incorporated into the tentative budget to be presented at the first public hearing.

SUMMARY: The proposed millage rates for Countywide, Library, and Fire Rescue MSTU are at the current year millage rate and above the rolled-back rate. The millage rate for the Jupiter Fire MSTU is above the current year millage rate and the rolled-back rate. These millage rates are not-to-exceed rates, and may be lowered but not raised at the September public hearings. Countywide (DB)

JULY 12, 2022

7. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

JULY 12, 2022

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 on-going basis. Countywide (LDC)

B. COUNTY ATTORNEY

JULY 12, 2022

9. COMMISSIONER COMMENTS

District 1 – COMMISSIONER MARIA G. MARINO

District 2 – COMMISSIONER GREGG K. WEISS

District 3 – COMMISSIONER DAVE KERNER

District 4 – COMMISSIONER ROBERT S. WEINROTH

District 5 - COMMISSIONER MARIA SACHS

District 6 - COMMISSIONER MELISSA MCKINLAY

District 7 – COMMISSIONER MACK BERNARD

JULY 12, 2022

10. MATTERS BY THE PUBLIC – 2:00 P.M.

* * * * *

JULY 12, 2022

11. 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."