

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

**ADDITIONS, DELETIONS, & SUBSTITUTIONS**

**SEPTEMBER 19, 2023**

<u>PAGE</u>	<u>ITEM</u>	
37	3I10	*DELETED – Moved to 10/3
53 76 online	3T1	*MOVED/RENUMBERED TO 6A1
73	5A1	*REVISED MOTION / TITLE / Staff recommends motion to:  <b>A) approve <del>adopt</del></b> a contract between the Board of County Commissioners of Palm Beach County, Florida (BCC), and Bencor, Inc. for development and implementation of a 401(a) Plan (Plan); and  <b>B) direct</b> staff on Plan design specifics for Palm Beach County employee participants.
75	5C1	*DELETED – For Further Staff Review
76	6A1	*ADD-ON: <u>RECESS AS THE BOARD OF COUNTY COMMISSIONERS / CONVENE AS THE CHILD CARE FACILITIES BOARD</u>

**Staff recommends motion to:** the re- appointment of (2) members to the Child Care Advisory Council to fill the positions listed below.

<u>SEAT #</u>	<u>NOMINEE:</u>	<u>REQUIREMENT:</u>	<u>Term</u>	<u>NOMINATED BY:</u>
<u>3</u>	<u>Sandra Wilensky</u>	<u>Represents and operates a parochial childcare facility</u>	<u>10/1/2023 to 9/30/2026</u>	<u>Mayor Weiss</u>
<u>4</u>	<u>Claudette Rifenberg</u>	<u>Employed as a Consumer Protection Enforcement Official</u>	<u>10/1/2023 to 9/30/2026</u>	<u>Mayor Weiss</u>

**SUMMARY:** The Child Care Advisory Council is comprised of seven members who serve at the pleasure of the Board of County Commissioners. Members must consist of two members who represent and operate private child care facilities in Palm Beach County, one of whom operates a family day care home or large family child care home; one member who represents and operates a parochial child care facility in Palm Beach County; one consumer protection enforcement official; one member for fire protection, engineering or technology; and one member who, at the time of appointment, was the parent of a child attending a child care facility in Palm Beach County; and one representative from the Florida Department of Children and Families. The applicant for appointment to Seat 3, Sandra Wilensky, is the Director and operator of Torah. The applicant for appointment to Seat 4, Claudette Rifenberg, is a manager with the Consumer Protection Enforcement with 18 years of experience in serving. She was appointed to the Council on October 1, 2021, to complete the term of a predecessor. She is recommended for appointment to her first full term of service. The diversity count for the six seats currently filled is Caucasian: 3 (50.0%), African American: 2 (33.3%), and Hispanic American: 1 (16.7%). The gender ratio (female: male) is 6:0. The nominee for Seat 2 is an African American female and the nominee for Seat 7 is a Caucasian female. Staff continues to address the need for increased diversity within our boards and will continue to encourage expansion of this Council’s diversity. Countywide (HH).

**ADJOURN AS THE CHILD CARE FACILITES BOARD / RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS**

BOARD OF COUNTY COMMISSIONERS  
BOARD MEETING  
PALM BEACH COUNTY, FLORIDA

ADDITIONS, DELETIONS, & SUBSTITUTIONS

SEPTEMBER 19, 2023

PAGE      ITEM

76  
77 online

6A1

**\*REVISED MOTION / TITLE / RENUMBERED TO 7A1 / Staff recommends motion to approve:** appointment of two of the following individuals to replace one (1) citizen member and one (1) alternate citizen member on the Value Adjustment Board (VAB):

**Citizen Seat Nominee:** \_\_\_\_\_ **Nominated By:**  
  
Jay N. Nisberg \_\_\_\_\_ Mayor Gregg K. Weiss  
Or  
Ashley Cacicedo, \_\_\_\_\_ Mayor Gregg K. Weiss  
Or  
Elizabeth Accomando \_\_\_\_\_ Commissioner Baxter  
Or  
Jodi Schwartz \_\_\_\_\_ Commissioner Woodward

**AT-LARGE SEAT** \_\_\_\_\_ **NOMINATED BY:**  
  
Jay Nisberg \_\_\_\_\_ Mayor Weiss  
Or  
Elizabeth Accomando \_\_\_\_\_ Commissioner Baxter  
Or  
Jodi Schwartz \_\_\_\_\_ Commissioner Woodward

**ALTERNATE SEAT** \_\_\_\_\_ **NOMINATED BY:**  
  
Ashley Cacicedo \_\_\_\_\_ Mayor Weiss  
Or  
Elizabeth Accomando \_\_\_\_\_ Commissioner Baxter  
Or  
Jodi Schwartz \_\_\_\_\_ Commissioner Woodward

**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**

**SEPTEMBER 19, 2023**

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

**COMMISSION  
CHAMBERS**

- 1. CALL TO ORDER**
  - A. Roll Call
  - B. Invocation
  - C. Pledge of Allegiance
- 2. AGENDA APPROVAL**
  - A. Additions, Deletions, Substitutions
  - B. Adoption
- 3. CONSENT AGENDA (Pages 11 - 70)**
- 4. PUBLIC HEARINGS - 9:30 A.M. (Page 71 - 72)**
- 5. REGULAR AGENDA (Pages 73 - 75)**
- 6. BOARD OF COUNTY COMMISSIONERS SITTING AS CHILD CARE FACILITIES BOARD (Page 76)**
- 7. BOARD APPOINTMENTS (Page 77 - 78)**
- 8. STAFF COMMENTS (Page 79)**
- 9. BCC COMMENTS (Page 80)**
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3B-2 Minutes

3B-3 Contracts and claims settlements list

3B-4 Change orders, work task orders, minor contracts, final payments, etc.

3B-5 Records Destruction

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**E. COMMUNITY SERVICES**

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3E-6 Reappointment of five members to the Homeless Advisory Board.

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**F. AIRPORTS**

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3F-2 Registration for Distribution of Literature or Picketing at PBI issued to NetJets Association of Shared Aircraft Pilots.

**G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET**

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3G-2 Settlement offer for the full satisfaction of a code enforcement lien against Wilner and Yvonne Auguste.

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- 3H-5 Sovereignty Submerged Lands Lease Renewal with the Board of Trustees of the International Improvement Trust Fund for the submerged lands at Juno Beach Park for an additional five year term.

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- 3H-6 Contract with LTG Sports Turf One LLC for the furnish and install Sports Field Synthetic Turf project at multiple PBC owned parks.

**I. HOUSING AND ECONOMIC DEVELOPMENT**

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**K. WATER UTILITIES**

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3K-1 Highway Contractor Agreement for utility work with FDOT; Three Party Escrow Agreement with FDOT; Authority County Administrator and/or designee.

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3K-2 Agreement No. 4600004796 with South Florida Water Management District for the Palm Beach-Broward Interconnect Phase IA; Authorize County Administrator and/or designee; and Approve a Budget Amendment.

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3K-3 Consultant Services Authorization No. 8 with JLA Geosciences, Inc. for the mechanical integrity testing.

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3L-4 Amendment No. 1 to FDEP for Sawfish Island Restoration Project to extend the completion date.

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3L-5 Amendment to Florida Inland Navigation District Project for Sawfish Island Restoration Project to revise the project estimate.

**M. PARKS & RECREATION**

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3S-5 Appointment for one to the Fire Code Board of Appeals and Adjustments.

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3S-6 Ratify a First Amendment to Letter of Understanding with the Treasure Coast Health Council, Inc. increasing the contract amount; and Approve and Budget Amendment.

**T. HEALTH DEPARTMENT**

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~~3T-1 Reappointment of two members to the Child Care Advisory Council.~~

**U. INFORMATION SYSTEMS SERVICES**

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3U-1 Agreement with AT&T On-Premises Cellular Network for the installation of an on-premises cellular network solution at the Vista Center; and Authorize County Administrator and/or designee.

**X. PUBLIC SAFETY**

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3X-1 Agreement with the School Board for acceptance of grant funds under the Driver Education Safety Trust Fund.

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3X-2 Reappointment of two members to the Consumer Affairs Hearing Board.

Page 56

3X-3 State-funded Grant Agreement for the Emergency Management Preparedness and Assistance Grant to improve and enhance emergency management plans and programs; and Approve a Budget Amendment.

3X-4 Extension to Memorandum of Agreement with the City of Miami for the Urban Area Security Initiative to extend the grant period.

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3BB-3 Community Based Agency Contract with Prime Time Palm Beach County, Inc. to provide Quality Improvement Professional Development Expanded Learning Opportunities to out-of-school programs for middle and high school students.

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3BB-4 Contract for Provision of Services with Friends of Youth Services for funding and administrative support of the Summer Camp Scholarship Program; and a Budget Transfer.

**CC. SHERIFF**

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3CC-1 Grant Modification #3 to the State Homeland Security Subgrant Agreement to extend the grant period.

3CC-2 Palm Beach County Sheriff's Office a Financial Assistance Agreement for the Drone Replacement Program; and Approve a Budget Amendment.

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3CC-3 Modification #4 to Subgrant Agreement with FDEM to extend the grant period.

3CC-4 Modification #1 to Grant Award Agreement with DOJ to extend the grant period.

3CC-5 Modification #1 to Grant Award Agreement with DOJ to extend the grant period.

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3CC-6 Accept Letter of Agreement and Contract with University of North Florida Training and Services Institute, Inc. on behalf of PBSO; and Approve a Budget Amendment.

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3DD-2 First Amendment to the Agreement with Cultural Council of Palm Beach County, Inc. for the provision of services.

3DD-3 First Amendment to the Agreement with Palm Beach County Film and Television Commission, Inc. for the provision of services.

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3DD-5 Twelve C-II Grant Agreements with various grantees for the promotion/marketing of cultural events.

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**EE. OFFICE OF EQUAL OPPORTUNITY**

Page 69

3EE-1 Reappointment of one member to the Advisory Commission on Women Board.

Page 70

3EE-2 Amendment with EEOC for processing and resolving employment discrimination complaints; Approve a Budget Amendment and FY2023 Extension of Worksharing Agreement.

**PUBLIC HEARINGS – 9:30 A.M.**

**A. COUNTY ATTORNEY**

Page 71

4A-1 Ordinance repealing Residential Tenancies and Rental Payment Increase.

**B. FACILITIES DEVELOPMENT & OPERATIONS**

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4B-1 Palm Beach County Inventory List of Real Property.

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**REGULAR AGENDA**

**A. ADMINISTRATION**

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5A-1 Adopt the contract with Bencor, Inc. for the PBC Employee 401(a) Plan.

**B. AIRPORTS**

Page 74

5B-1 Award letter for a six month extension of the Term Contract for Janitorial Services at PBI.

**C. HOUSING AND ECONOMIC DEVELOPMENT**

Page 75

~~5C-1 Community Development Block Grant Coronavirus funding to NOAH Development Corporation; direct staff to negotiate funding agreement; and Authorize County Administrator and/or designee.~~

**BOARD OF COUNTY COMMISSIONERS SITTING AS CHILD CARE FACILITIES BOARD**

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6A-1 Reappointment of two members to the Child Care Advisory Council.

**BOARD APPOINTMENTS** (Page 77 - 78)

7A-1 Approval of Board Appointment to the Value Adjustment Board.

**STAFF COMMENTS** (Page 79)

**COMMISSIONER COMMENTS** (Page 80)

**ADJOURNMENT** (Page 81)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to approve: reappointment of one individual to the Health Care District of Palm Beach County for a four year term beginning October 1, 2023 and ending September 30, 2027:

<u>Appoint</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Tammy Jackson-Moore	2	Resident west of 20 mile bend	Commissioner Marino Commissioner Bernard Commissioner Barnett Mayor Weiss

**SUMMARY:** Per Chapter 2003-326, Laws of Florida, the Health Care District of Palm Beach County is comprised of seven members. The appointing authority shall consider the diverse geographic areas of Palm Beach County in selecting individuals to serve on the Health Care District of Palm Beach County, and at least one person, but not more than two shall reside in the Glades Area. The Governor shall appoint three members; the Board of County Commissioners shall appoint three members, one of which must be an elected official at the time of appointment; and one member shall be the Director of the Palm Beach County Health Department. Members may serve two, four-year terms. The main requirement for this seat is that the individual must be a resident west of 20-mile bend. A memo dated September 1, 2023 was circulated to the Board of County Commissioners requesting support of Ms. Jackson-Moore's reappointment or requesting additional nominations. No additional nominations were received. With this appointment, the diversity of the Palm Beach County representatives consist of: Caucasian: 2 (28.56%), African-American: 2 (28.56%), Hispanic-American: 1 (14.28%), Other: 1 (14.28%). The gender ratio (female:male) is 3:3. Countywide (HH)

3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER

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

<u>Meeting Date</u>	<u>Meeting Type</u>
August 24, 2023	Zoning
August 29, 2023	Workshop

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

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve: Change Order No. 3 in the amount of \$522,091.20 and a contract time extension of 180 days to the contract dated October 19, 2021 (R2021-1465) (Contract) with Ranger Construction Industries, Inc. (Ranger) for Seminole Pratt Whitney Road from Orange Boulevard to south of Northlake Boulevard, and Seminole Pratt Whitney Road and Northlake Boulevard Intersection Improvements (Project). **SUMMARY:** Per PPM CW-F-050, the total of this Change Order exceeds the threshold of \$100,000 and allowable time extensions relating to staff approvals of change orders to contracts and requires the Board of County Commissioners approval. Approval of Change Order No. 3 will provide a 180 day contract time extension and compensate Ranger for both direct and indirect costs incurred due to delays in the relocation of existing concrete poles and overhead wires by Florida Power and Light Company (FPL), which conflicted with approximately 1200 feet of proposed construction along the south side of Northlake Boulevard. Palm Beach County (County) and FPL had special coordination meetings, which included this Project on August 24, 2021, and December 9, 2021. FPL also attended the preconstruction meeting on February 7, 2022. The Notice to Proceed was issued to Ranger on February 15, 2022. On April 1, 2022, FPL received notification that the area was cleared and prepared for their relocation. FPL did not mobilize to start the relocations until July 28, 2022, and did not complete the relocation until January 25, 2023. The Contract was approved on October 19, 2021, for the amount of \$17,999,999. The previous Change Order amount of \$10,334.79 plus this Change Order amount of \$522,091.20, has a total of \$532,425.99 in Change Orders. The Contract's total value including this Change Order and previous change orders is \$18,532,424.99. The County is obligated by the Contract to pay for this Change Order No. 3; however, the County will seek reimbursement from FPL for the delay. The Affirmative Procurement Initiative selected for this Contract on March 4, 2020, by the Goal Setting Committee is a 20% minimum mandatory Small Business Enterprise (SBE) participation. Ranger committed to 20.2% SBE participation for this Contract. The estimated SBE participation for this Change Order is 19.5%. Their cumulative SBE participation for this contract, including this Change Order, is 20.1%. District 6 (YBH)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to:

**A) approve** a contract with Rosso Site Development, Inc. (RSD) in the amount of \$7,658,620.34 with a contract time of 460 calendar days for the construction of Westgate Avenue from Wabasso Drive to Congress Avenue (Project); and

**B) approve** a Budget Amendment of \$3,700,616 in the Capital Outlay Fund to recognize reimbursement funding from the Westgate Belvedere Homes Community Redevelopment Agency (CRA) and appropriate it to the Project.

**SUMMARY:** Approval of this contract will authorize the construction services necessary to convert Westgate Avenue from five lanes to three lanes, add bike lanes, sidewalks, parking areas, and street lighting for the Project. Approval of the Budget Amendment will recognize reimbursement funding from the CRA. Because this Project is funded by a federal grant (R2021-1896) through the Florida Department of Transportation's (FDOT) Local Agency Program (LAP), the Equal Business Opportunity Ordinance is not applicable. FDOT requested that Palm Beach County (County), a certified LAP agency, enter into the LAP grant agreement on behalf of the CRA, and the CRA and the County entered into an Interlocal Agreement (R2021-1897), whereby the CRA agreed to be responsible for all costs above the grant amount and maintenance of the improvements after the Project is complete. The Catalog of Federal Domestic Assistance number for R2021-1896 is 20.205 Highway Planning and Construction. Bids for the contract were received by the Engineering Department on June 20, 2023. RSD was the lowest responsive bidder of two bidders. The contract time for the Project is 460 calendar days. District 7 (YBH)

3. CONSENT AGENDA APPROVAL

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

3. Staff recommends motion to approve: Supplement No. 3 (Supplement) to the Australian Avenue Drainage Improvements from Banyan Boulevard to 45<sup>th</sup> Street (Project) Contract (R2022-0335), dated April 12, 2022 (Contract) with HSQ Group, LLC (HSQ) in the amount of \$482,294.03 for professional services for the Project. **SUMMARY:** Approval of this Supplement will provide the professional services necessary to locate identified and unidentified utilities, to obtain an additional survey for trees and wetland mitigation, and to complete a bridge scour report for the Project. On October 7, 2021, the Goal Setting Committee applied Affirmative Procurement Initiatives of a 20% minimum mandatory Small Business Enterprise (SBE) participation and an SBE evaluation preference. HSQ agreed to 88% SBE participation for the Contract. They agreed to 63.31% SBE participation for this Supplement. Their cumulative SBE participation to date for the Contract including this Supplement is 90.35%. HSQ has an office located in Palm Beach County and is a certified SBE company. The Contract was approved on April 12, 2022, for the amount of \$2,679,239.13. The Contract's total value including this Supplement and previous supplements is \$3,305,674.16. **This Project is included in the Five-Year Road Program and the infrastructure sales tax. District 7 (YBH)**

D. ATTORNEY

1. Staff recommends motion to approve: Amendment 1 to the Agreement with the law firm of Fowler White Burnett, P.A., (Firm) exercising the County's remaining three (3) year renewal option through September 30, 2026, increasing the contract not-to-exceed cap from \$150,000 to \$200,000 and increasing the maximum loan closing services fee for HUD Section 108 loan closings from \$5,000 to \$6,500, to be paid by borrowers as loan closing costs. **Summary:** The County, through HED, processes a variety of loans to qualified businesses through various loan programs, including, but not limited to, U.S. Department of Housing and Urban Development Section 108 Loan Program; U.S. Department of Agriculture Intermediary Relending Program; U.S. Environmental Protections Agency Revolving Loan Program; U.S. Department of Energy Revolving Loan Program; and the County's Micro Loan Program funded under the HUD Community Development Block Grant (CDBG). The requirements associated with the unique funding sources of these loans require specialized knowledge and, as such, HED currently utilizes the services of the Firm to assist in loan closings, the handling of foreclosure matters on defaulted loans, and other related services. This Agreement allows for HED to continue utilizing the Firm for such specialized services, increases the not-to-exceed cap by \$50,000 to allow flexibility in bringing the pending foreclosure actions to conclusion, and increases the closing costs associated with loan closings by \$1,500 to account for increased costs of legal representation. These loan closing costs are paid by the borrowers, not the County. Countywide (DB).

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to approve:

- A) Amendment No. 1 to the Homeless Resource Center (HRC) Contract for Provision of Services with Gulfstream Goodwill Industries, Inc. (GGI) (R2021-1468), to extend the date from September 30, 2023 to September 30, 2024, and to increase funding by \$2,300,244, for a new total contract amount not-to-exceed \$6,900,732, for the provision of emergency shelter to individuals experiencing homelessness; and
- B) Amendment No. 2 to Contract for Provision of Services with GGI Annex (R2020-0388), to extend the date from September 30, 2023 to September 30, 2024, and to increase funding by \$2,412,452, for a new total contract amount not-to-exceed \$10,396,484, for the provision of emergency shelter to individuals experiencing homelessness.

**SUMMARY:** Amendment No. 1 to HRC Contract for Provision of Services (R2021-1468) is necessary to amend the original contract period to allow GGI to continue providing case management, navigation, employment counseling, and engagement to individuals and families experiencing homelessness in Palm Beach County. From October 1, 2022 through June 30, 2023, GGI served 372 individuals. Amendment No. 2 to Contract for Provision of Services (R2020-0388) is necessary to amend the original contract period to provide additional time for the completion and relocation of individuals experiencing homelessness from the Senator Philip D. Lewis Center Annex (Lewis Center Annex) to the new Homeless Resource Center 2 (HRC2) in Lake Worth. On February 25, 2020, the Board of County Commissioners (BCC) approved the Sheltering and Housing Strategy Annex to “Leading the Way Home – Palm Beach County’s Plan to End the Cycle of Homelessness (Leading the Way Home). This amendment allows for the continuation of the utilization of the Lewis Center Annex facility for emergency shelter until the new HRC2 in Lake Worth is completed. GGI currently operates three (3) shelters for the County — the HRC, the Lewis Center Annex, and Lake Village of the Glades - Melissa’s Place. The Lake Village of the Glades - Melissa’s Place contract will be renewed on November 7, 2023. At that time, the County intends to combine the three contracts into one contract in order to reduce the administrative burden of managing three (3) separate contracts. From October 1, 2022 through June 30, 2023, GGI served 514 individuals. GGI will continue providing shelter and housing opportunities for persons experiencing homelessness utilizing a housing focused model similar to the successful Senator Phillip D. Lewis HRC and the future HRC2 is expected to open in the Fall 2023. (Division of Human and Community Action) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

2. Staff recommends motion to approve:

- A) Standard Agreement No. IC023-9500 for Community Care for the Elderly (CCE) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), for the period July 1, 2023 through June 30, 2024, in an amount not-to-exceed \$3,078,970, to assist seniors and caregivers by providing in-home services to help seniors live independently;
- B) Standard Agreement No. IH023-9500 for Home Care for the Elderly (HCE) with AAA, for the period July 1, 2023 through June 30, 2024, in an amount not-to-exceed \$170,593, to assist seniors and their caregivers with the provision of care in a family-type living arrangement as an alternative to institutional care;
- C) Standard Agreement No. IZ023-9500 for Alzheimer's Disease Initiative (ADI) with AAA, for the period July 1, 2023 through June 30, 2024, in an amount not-to-exceed \$2,235,100, to assist seniors afflicted with Alzheimer's disease and other forms of dementia, as well as their caregivers, with services to help seniors reside independently in their own homes; and
- D) An upward budget amendment of \$4,653,080 in FY 2023 in the Division of Senior and Veteran Services (DSVS) Administration Fund to align the budget to the actual grant award.

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

2. **SUMMARY:** Under the CCE agreement (Catalog of State Financial Assistance (CSFA) 65.010), seniors and caregivers are assisted with in-home services that help seniors live more independently. CCE program services are funded with \$3,078,970 in state funds, \$68,579 in program income funds, \$342,108 in 10% required match and \$1,064,669 in additional County funds. In Grant Year (GY) 2022, CCE served 214 clients, provided 1,533 hours of case management and 152,290 hours of in-home services. Under the HCE agreement (CSFA 65.001), seniors and caregivers are assisted with care in a family-type living arrangement as an alternative to institutional care. HCE program services are funded with \$170,593 in state funds and \$233,546 in County funds. In GY 2022, HCE served 64 clients, provided 611 hours of case management and 10,233 hours of in-home services. Under the ADI agreement (CSFA 65.004), seniors are provided with case management, in-home and facility-based respite. ADI program services are funded with \$2,235,100 in state funds, \$40,963 in program income funds and \$312,366 in County funds. In GY 2022, ADI served 124 clients, provided 881 hours of case management and 88,763 hours of in-home services. **There is a required County match under CCE CSFA 65.010 in the amount of \$342,108 and is already included in the budget. No additional County match is required.** The budget amendment is necessary to align the County budget with the actual grant awards. DSVS is responsible for providing services north of Hypoluxo Road. The areas of service include all of the districts, excluding District 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. (DSVS) Countywide except for portions of Districts 2, 4, 5, and 7 south of Hypoluxo Rd. (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

3. Staff recommends motion to approve: Amendment No. 2 to Contract for Provision of Services with Florida Association of Recovery Residences (FARR) (R2022-0269), to amend, revise and extend the end date from September 30, 2023 to September 30, 2025, and to increase the total amount by \$120,000, for a new total contract amount not-to-exceed \$240,000, for the provision of providing education, training, and engaging FARR certified recovery residences regarding the Recovery Capital Index (RCI). **SUMMARY:** The FARR Recovery Capital Initiative seeks to educate, train and engage FARR certified recovery residences regarding the Recovery Capital Index (RCI). RCI is a peer-reviewed, validated tracking instrument that measures recovery wellness and assessment of intervention effectiveness. RCI will provide education and training on Medication Assisted Treatment (MAT)/Medication Assisted Recovery (MAR) to FARR certified residences, owners and staff; help develop best practices and compliance in following medical prescriptions for individuals utilizing MAT/MAR; and educate owners to broaden acceptance of MAT/MAR in recovery residences. Palm Beach County has an interest in appropriately measuring long-term recovery outcomes in the recovery residence environment through the use of RCI. The aim of the project is to build recovery capital capacity within FARR certified recovery residences in Palm Beach County. The intent is to foster an environment that maximizes a resident's opportunity to achieve long-term recovery through education, monitoring and measuring outcomes. FARR currently has 103 housing providers certified statewide, representing 1,492 locations and 6,384 beds. Palm Beach County accounts for 51 of the statewide recovery residence programs (49.5 %), representing 635 locations (42.5 %) and 2,712 beds (42.5%). Housing stability is a key predictor of achieving long-term recovery outcomes. As such, Palm Beach County has a keen interest in ensuring that recovery residences certified in the county are rigorously screened and monitored to provide safe and stable housing environments. Thus, another aim of this initiative is to make sure that FARR has sufficient capacity to also achieve housing stability for recovery residence residents utilizing the RCI. (Community Services Department) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

4. [Staff recommends motion to approve:](#) Amendments to Agreements for Provision of Financial Assistance with the below listed agencies, to extend the end date from September 30, 2023 to September 30, 2024 and increase the total funding amount by \$6,241,692, contingent on budgetary appropriation by the Board of County Commissioners (BCC) for the terms of these agreements, to continue improving behavioral health outcomes for residents with mental, substance use and co-occurring disorders:
- A) Amendment No. 1 with American Association of Caregiving Youth, Inc. (AACY) (R2021-1475), for the provision of behavioral health support services for caregiving youth, to increase the agreement by \$37,000 for FY 2024, for a new three (3) year total agreement amount not-to-exceed \$111,000;
  - B) Amendment No. 1 with Boys Town South Florida, Inc. (BTSF) (R2021-1476), for the provision of behavioral support services for children, youth, young adults, and their families, to increase the agreement by \$399,901 for FY 2024, for a new three (3) year total agreement amount not-to-exceed \$1,199,703;
  - C) Amendment No. 1 with Center for Child Counseling, Inc. (CCC) (R2021-1477), for the provision of community-based treatment and services to children, youth, and young adults, to increase the agreement amount by \$207,958 for FY 2024, for a new three (3) year total agreement amount not-to-exceed \$623,874;
  - D) Amendment No. 1 with Children's Case Management Organization, Inc., dba Families First of Palm Beach County (R2021-1478), for the provision of behavioral health services to children, youth and young adults, and kinship families, to increase the agreement amount by \$175,054 for FY 2024, for a new three (3) year total agreement amount not-to-exceed \$525,162;
  - E) Amendment No. 1 with Drug Abuse Foundation of Palm Beach County, Inc. (DAF) (R2021-1479), for the provision of medical detox services and intense residential treatment services to residents, to increase the agreement amount by \$1,305,000 for FY 2024, for a new three (3) year total agreement amount not-to-exceed \$3,915,000;
  - F) Amendment No. 1 with Drug Abuse Treatment Association, Inc. (DATA) (R2021-1480), for the provision of behavioral health services to children and youth in residential treatment and non-residential treatment, to increase the agreement amount by \$255,000 for FY 2024, for a new three (3) year total agreement amount not-to-exceed \$765,000;

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

4. **G)** Amendment No. 1 with For the Children, Inc. (FTC) (R2021-1481), for the provision of community-based treatment and services to children and youth, to increase the agreement amount by \$245,366 for FY 2024, for a new three (3) year total agreement amount not-to-exceed \$736,098;
- H)** Amendment No. 1 with Housing Partnership, Inc. (HP), dba Community Partners of South Florida (R2021-1482), for the provision of behavioral health support services, including supportive housing, to residents, to increase the agreement amount by \$411,275 for FY 2024, for a new three (3) year total agreement amount not-to-exceed \$1,233,825;
- I)** Amendment No. 1 with Jeff Industries, Inc. (JI) (R2021-1483), for the provision of supportive employment services to low-income adults with severe and persistent mental illness, to increase the agreement amount by \$165,000 for FY 2024, for a new three (3) year total agreement amount not-to-exceed \$495,000;
- J)** Amendment No. 1 with South County Mental Health Center, Inc. (SCMHC) (R2021-1484), for the provision of behavioral health services to residents, to increase the agreement amount by \$2,560,138 for FY 2024, for a new three (3) year total agreement amount not-to-exceed \$7,680,414; and
- K)** Amendment No. 1 with Wayside House, Inc. (WH) (R2021-1485), for the provision of a partial hospitalization program on-site community-based day treatment and services, to increase the agreement amount by \$480,000 for FY 2024, for a new three (3) year total agreement amount not-to-exceed \$1,440,000.

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

4. **SUMMARY:** On August 17, 2021, the BCC approved funding allocations for the Financially Assisted Agencies (FAA) Program. The amendments are needed to continue behavioral health services currently in place. On October 19, 2021, the BCC approved agreements for Behavioral Health and Substance Use Disorder. The Office of Behavioral Health and Substance Use Disorders (OBHSUD) is amending each of the FAA agreements for one additional year, without which they will all expire on September 30, 2023. Services under the amendments are provided to Palm Beach County (PBC) residents. For FY 2024, approximately 6,728 clients will be served in the Behavioral Health Services Category. In FY 2022, 6,852 clients were served in the Behavioral Health Services Category. Dr. Connie Siskowski, an employee of AACY is a member of the Citizen Advisory Committee on Health & Human Services (CAC/HHS). Alton Taylor, an employee of DAF is a member of the Public Safety Coordinating Council and Criminal Justice Mental Health & Substance Use Council. These boards provide no regulation, oversight, management, or policy-setting recommendations regarding the subject contract or transaction. Disclosure of these contractual relationships 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. (Financially Assisted Agencies) Countywide (HH)
  
5. **Staff recommends motion to approve:** Amendment No. 1 to Agreement for Provision of Financial Assistance (R2022-1099) with Gulfstream Goodwill Industries, Inc. (GGI), for the period October 1, 2022 through September 30, 2025, to amend, revise and replace portions of the agreement, with no change to the overall total contract amount of \$584,616, for the provision of vocational training and employment services for adults with intellectual and developmental disabilities. **SUMMARY:** This amendment updates and replaces Exhibit B, with Exhibit B1 to reflect actual cost reimbursement up to the contractual amount in accordance with the approved programmatic budgets. The amendment allows GGI to continue providing vocational and on-the-job training services to clients in order to help increase self-sufficiency and income through employment. As of June 30, 2023, GGI has provided services to 48 clients. (Financially Assisted Agencies). Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

6. Staff recommends motion to approve: the reappointments of five (5) current members to the Homeless Advisory Board (HAB), effective October 1, 2023:

<u>Reappointment</u>	<u>Seat Requirement</u>	<u>Recommended By</u>	<u>Term Expires</u>
Anne Gerwig	Palm Beach County League of Cities Representative	Palm Beach County League of Cities	09/30/2026
Karen J. Abbott	VA Medical Center Representative	Veterans Administration Medical Center	09/30/2026
Paul Dumars, Jr.	Homeless Coalition of Palm Beach County Representative	Homeless Coalition of Palm Beach County	09/30/2026
Elizama Goertzen	Business Community Representative	Economic Development Council	09/30/2026
Carol Jones-Gilbert	Housing Authority Representative	Community Services Department	09/30/2026

**SUMMARY:** On May 1, 2007, the Board of County Commissioners (BCC) established the HAB. Per Resolution No. R2016-0038, the total membership for the HAB shall be no more than 14 at-large members, comprised of members representing government, business providers, law enforcement, advocates, education, faith-based and the formerly homeless. Ms. Gerwig is employed by AGA Engineering, which contracts with the County for services. Ms. Gerwig is also the Mayor with the Village of Wellington. Ms. Goertzen is an employee of Florida Power and Light (FPL). AGA Engineering and FPL contract with the County for services; however, the HAB provides no regulation, oversight, management, or policy setting recommendations regarding the subject contracts or transactions. Disclosure of these contractual relationships 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. The diversity count for the 10 seats that are currently filled is African-American: 4 (40%), Caucasian: 4 (40%), Native-American: 1 (10%) and Hispanic-American: 1 (10%). The gender ratio (female: male) is 7:3. Ms. Gerwig and Ms. Abbott are Caucasian. Mr. Dumars and Ms. Jones-Gilbert are African-American. Ms. Goertzen is Hispanic-American. Staff conducts targeted outreach in an effort to proffer candidates for appointments that maintain a diverse composition of the board. (Human Services and Community Action Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

7. Staff recommends motion to approve: the Home Energy Assistance Programs Coordination Memorandum of Understanding (MOU) with the Volen Center, LLC, to coordinate services, help avoid duplication of assistance and to increase the quality of services to seniors, with no cost to the County. **SUMMARY:** The Low Income Home Energy Assistance Program (LIHEAP) Federally Funded Subgrant Agreement No. E2016 (R2020-0783) with the State of Florida, Department of Commerce (FDOC) requires that the Palm Beach County Community Action Program (CAP) have a MOU with local service providers of the Emergency Home Energy Assistance for the Elderly Program (EHEAP). FDOC awarded CAP \$4,697,292 in LIHEAP funds for the grant period July 1, 2023 through June 30, 2024. LIHEAP funding allows CAP to assist low-income households experiencing a home energy emergency. The MOU with the Volen Center, LLC will help avoid duplicate crisis assistance payment during the same grant year by allowing CAP employees to check EHEAP records. It will further allow CAP to process payments on behalf of elderly low-income clients, therefore, avoiding disconnection of services for eligible participants. In FY 2022, 1,811 households with seniors received energy bill assistance preventing disconnection or restoring services through LIHEAP. **No County funds are required.** (Human Services and Community Action Program) Countywide (HH)

F. AIRPORTS

1. Staff recommends motion to receive and file: Four (4) Palm Beach County Sheriff's Office (PBSO) Trespassing Enforcement Affidavits (Affidavits), each commencing August 8, 2023
- Affidavit for the Palm Beach International Airport (PBI);
  - Affidavit for the North Palm Beach County General Aviation Airport (F45);
  - Affidavit for the Palm Beach County Glades (Pahokee) Airport (PHK); and
  - Affidavit for the Palm Beach County Park (Lantana) Airport (LNA).

**SUMMARY:** The Affidavits are a PBSO standard form, which enables PBSO to enforce trespassing violations at the airports. Affidavits were last provided to PBSO on October 30, 2019 (R2019-1879 thru R2019-1881). PBSO has requested updated Affidavits. Delegation of authority for execution of standard form Affidavits was approved by the Board in R2009-1163. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

2. Staff recommends motion to receive and file: Registration for Distribution of Literature or Picketing (Registration) at the Palm Beach International Airport (PBI) issued to NetJets Association of Shared Aircraft Pilots (NJASAP), authorizing picketing at PBI by members of NJASAP on August 31, 2023, at no cost. **SUMMARY:** The Registration authorizes NJASAP members to picket at PBI on August 31, 2023, in locations identified in the Registration, in accordance with the Airport Rules and Regulations (R98-220 as amended). Delegation of authority for the execution of the standard form Registration was approved by the Board on October 3, 1995 (R95-1410). Countywide (AH)

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to approve: a negotiated settlement offer in the amount of \$7,257 for the full satisfaction of a code enforcement lien entered against Jamie D. Freeman on September 18, 2019. **SUMMARY:** The Code Enforcement Special Magistrate (CESM) issued an order on April 3, 2019 for the property owned by Jamie D. Freeman, giving her until July 2, 2019 to bring her property located at 18974 Cloud Lake Circle, Boca Raton, FL into full code compliance. The citation included overgrown vegetation, openly stored trash and debris, inoperative/unlicensed vehicles, and construction of a PVC fence without a permit. Ms. Freeman corrected most of the violations and only the construction of a PVC fence without a permit remained prior to the hearing held on April 3, 2019. She had until July 2, 2019 to bring the property into full code compliance or a fine of \$50 per day would begin to accrue. Ms. Freeman was not present at the hearing, but she contacted the Code Enforcement Division (Code Enforcement) on April 17, 2019 to discuss the matter. Code Enforcement advised Ms. Freeman to pull a permit for the PVC fence as ordered by the CESM. On July 9, 2019, a site inspection revealed the property remained in violation; the fence was still in place without any permit on record. Compliance with the CESM's order was not achieved, and the CESM executed an order imposing a code lien against Jamie D. Freeman on September 18, 2019. Code Enforcement issued an affidavit of compliance for the property on June 26, 2023, and the daily fines stopped. The total on June 27, 2023 was \$72,565.80, the date on which settlement discussions began. Ms. Freeman has agreed to pay Palm Beach County \$7,257 (10%) for full settlement of the outstanding code enforcement lien. District 5 (SF)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to approve: a negotiated settlement offer in the amount of \$12,582 for the full satisfaction of a code enforcement lien entered against Wilner and Yvonne Auguste on August 3, 2016. **SUMMARY:** The Code Enforcement Special Magistrate (CESM) issued an order on May 4, 2016 for the property owned by Wilner and Yvonne Auguste, giving them until July 3, 2016 to bring their property located at 6548 Athena Drive, Lake Worth, FL into full code compliance. The citation included nine different violations including construction without permits, exterior structure disrepair, overgrown vegetation, and openly stored trash and debris. Notice of violation was issued on August 24, 2015 with a compliance date of November 2, 2015. A site visit completed on February 5, 2016 revealed that the property remained as cited and building permits remained inactive. A magistrate hearing was scheduled for May 4, 2016. Wilner and Yvonne Auguste were not present at the hearing. The CESM gave Mr. and Mrs. Auguste until July 3, 2016 to bring the property into full code compliance or a fine of \$50 per day would begin to accrue. On July 5, 2016, a site inspection revealed the property remained in violation. Compliance with the CESM's order was not achieved, and the CESM executed an order imposing a code lien against Wilner and Yvonne Auguste on August 3, 2016. The Code Enforcement Division (Code Enforcement) issued an affidavit of compliance for the property on May 23, 2023, and the daily fines stopped. The total accrued fines on on June 6, 2023 was \$125,818.67, the date on which settlement discussions began. Yvonne Auguste has agreed to pay Palm Beach County \$12,582 (10%) for full settlement of the outstanding code enforcement lien. District 2 (SF)
3. Staff recommends motion to receive and file: The Annual Report for the Fiscal Year ending September 30, 2022 from the Delray Beach Community Redevelopment Agency (DB CRA). **SUMMARY:** The DB CRA has submitted its Annual Report for the Fiscal Year ending September 30, 2022 as per section numbers 163.356(3)(d) and 163.387(8), Florida Statutes. Countywide (DB)
4. Staff recommends motion to receive and file: The Annual Report and Financial Statements for the Fiscal Year ending September 30, 2022 from the Town of Jupiter Community Redevelopment Agency (TOJ CRA). **SUMMARY:** The TOJ CRA has submitted its Annual Report and Financial Statements for the Fiscal Year ending September 30, 2022 as per section numbers 163.356(3)(d) and 163.387(8), Florida Statutes. Countywide (DB)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: an annual contract with the following contractor for demolition services on an as-needed basis through April 3, 2028.

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
"2" S. B.W. & Associates Inc.	Local	S/MBE

**SUMMARY:** On April 4, 2023, the Board of County Commissioners (Board) approved the annual demolition contract (R2023-0414 through R2023-0415). The work consists of demolition services to County-owned properties on an as needed basis. The Contractor now joins the list of four (4) prequalified contractors for a total of five (5) prequalified contractors with a contract expiration date of April 3, 2028. The specific requirements of the work will be determined by individual work orders issued against this annual demolition contract. These contracts are five (5) year indefinite-quantity contracts with a maximum cumulative value of \$1,000,000 across all prequalified contractors. Work will be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors may qualify at any time and be added to this annual demolition contract before the term ends. Projects \$100,000 or greater are advertised on the vendor self-service (VSS) website and are bid among the pool of certified Small Business Enterprise (SBE) contractors, when three (3) or more small businesses are qualified under the contract. Projects \$200,000 or greater are advertised on the VSS website and additionally advertised in the newspaper, further expanding the bidding pool to include additional bidders responding to the specific project advertisement that submit a qualification application at least ten (10) calendar days before the bid due date. The annual demolition contract was presented to the Goal Setting Committee on December 7, 2022 and the Committee established Affirmative Procurement Initiatives (APIs) of sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or an SBE contractor will be given a price preference for projects \$100,000 or greater if its bid is within 10% of the lowest non-small business bid. 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 demolition contract is 14.97% (**Capital Improvements**) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to approve:

- A) Budget Transfer in the amount of \$916,615 within the 65.360M NAV Pub Imp Tax Rev Bond 15C CP, Prof Sports Fac Pr Fund 3078 to allocate reserves to the Ballpark of the Palm Beaches Renewal/Replacement (R/R) project;
- B) Budget Transfer in the amount of \$666,487 within the 56.645M NAV Pub Imp Rev Bonds, 15D CP, Prof Sports Fac Proj Fund 3079 to allocate reserves to the Ballpark of the Palm Beaches (R/R) project; and
- C) Budget Amendment in the amount of \$1,583,102 in the TDC- Bldg Renewal & Replacement fund 3807 recognizing the transfer of residual funds from the 65.360M NAV Pub Imp Tax Rev Bond 15C CP, Prof Sports Fac Pr Fund 3078 and the 56.645M NAV Pub Imp Rev Bonds, 15D CP, Prof Sports Fac Proj Fund 3079 to allocate budget to the R/R project at the Ballpark of the Palm Beaches (BPPB).

**SUMMARY:** On October 20, 2015, the Board of County Commissioners (Board) approved Resolution No. R2015-1528 which authorized the issuance of the Series 2015C and Series 2015D bonds. The taxable Series 2015C Bonds and the tax exempt Series 2015D Bonds were for the purpose of funding the construction of a Professional Sports Franchise Facility known as the Ballpark of the Palm Beaches (BPPB), and to pay the cost of issuance of the bonds. The County's \$135,000,000 funding obligation has been fulfilled and proceeds in that amount expended for delivery of BPPB. The reserves in funds 3078 and 3079 are due to interest earned on the bond proceeds and staff is recommending that the \$1,583,102 residual funds balance be allocated to the BPPB R/R project. Bond counsel has approved the use of the residual funds from Fund 3078 and Fund 3079 to fund the BPPB R/R project. The original proceeds in Fund 3079 were tax-exempt and since the related refunding bond's escrow does not discharge until 2025, the remaining tax-exempt bond proceeds must go to the BPPB R/R project. There is no fiscal impact associated with this item. **(Strategic Planning) District 7** (MWJ)

3. CONSENT AGENDA APPROVAL

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

3. Staff recommends motion to approve: Amendment No. 1 to the Construction Manager (CM) at Risk Services contract (R2021-0749) with Kaufman Lynn Construction, Inc. (Construction Manager) establishing a Guaranteed Maximum Price (GMP) in the amount of \$1,417,763.41 for the Lake Lytal Aquatic Complex-Phase 1 Tree Relocation project for a period of 90 calendar days from notice to proceed. **SUMMARY:** On June 8, 2021, the Board of County Commissioners (Board) approved the CM at Risk Services contract (R2021-0750) with the Construction Manager for the Lake Lytal Aquatic Complex project. The Lake Lytal Aquatic Complex project includes the construction of a new aquatic complex which will be located on vacant county-owned land in the western portion of Lake Lytal Park. The new aquatic complex features being considered through the design process include: a main entrance/ticketing building, concession/party room building, 70-meter pool, 25-yard teaching pool, family play area, locker/restrooms building, an active water feature area, parking areas and all associated infrastructure to support the project requirements. Amendment No. 1 establishes a GMP in the amount of \$1,417,763.41 for the construction management services necessary for the Phase 1 Tree Relocation which is required to be completed prior to the site and building development phases of the project. The Phase 1 Tree Relocation includes, but is not limited to, the mobilization/relocation of one hundred sixty-nine (169) trees, removal of one hundred nineteen (119) trees and supplemental watering of the relocated trees for a period of twenty (20) to twenty-four (24) months. The Construction Manager will have 90 calendar days from notice to proceed to substantially complete this phase of the project. Liquidated damages for failure to achieve certification of substantial completion within the contract time or approved time extension thereof are \$210 per day. The solicitation for the CM at Risk Services contract was advertised on April 8, 2018 according to the prior Small Business Enterprise (SBE) Ordinance in place at the time. This GMP is under the Equal Business Opportunity (EBO) Ordinance. On June 7, 2023, the Goal Setting Committee (GSC) established an Affirmative Procurement Initiative (API) of an SBE Price Preference where an SBE contractor will be given a price preference if its bid is within 10% of the lowest non-small business bid. SBE participation on the construction trade contracts for this GMP is 100%. In accordance with Attachment 3 of Policy and Procedure Memorandum (PPM) CW-O-043, the GSC utilizes the API's applicable to the construction phase of the contract (i.e. the subcontracts). This SBE participation is based on the subcontracting trades associated with the GMP and does not include the CM's fees. SBE participation on the contract to date is 53.53%. The CM is not a certified SBE, but has partnered with M.C.O. Construction and Services, Inc., a Small/Minority/Woman-Owned Business Enterprise (S/M/WBE), for construction management services. The Construction Manager has an office located in Palm Beach County. **Funding for this project is from the Infrastructure Sales Tax Fund. (Capital Improvements Division) District 3 (MWJ)**

3. CONSENT AGENDA APPROVAL

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

4. Staff recommends motion to approve: a Utility Easement Agreement (Easement) in favor of the City of Lake Worth Beach (City) for electrical service to the Homeless Resource Center 2 (HRC2). **SUMMARY:** The County-owned HRC2 is located at 3680 Lake Worth Road south of Mid County Senior Center between Gulfstream Road and Coconut Road in unincorporated Palm Beach County. The City provides electrical service to the HRC2, Mid-County Senior Center and the neighboring community. During the recent construction of the HRC2, the City installed underground electrical service and an above ground guy-wire and pad-mounted transformer. The easement area is in various lengths and widths, containing approximately 2,365 square feet (0.05 acres). This Easement will be granted at no charge as the electrical services will only service the HRC2. **(Property & Real Estate Management) District 3** (HJF)
  
5. Staff recommends motion to approve: Sovereignty Submerged Lands Lease Renewal with the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (TIITF) for approximately 32,596 square feet of submerged lands at Juno Beach Park for an additional five year term from April 2, 2022 through April 2, 2027 at an initial annual rent of \$6,255.17. **SUMMARY:** The County owns the Juno Beach Pier which was constructed over sovereign lands of the State of Florida and open to the public in 1999. On March 12, 2019, the Board of County Commissioners (Board) entered into a five year Lease Agreement (R2019-0376) with the Loggerhead Marineline Center, Inc. for the management and operation of the Juno Beach Pier. The Board initially approved a five (5) year Sovereignty Submerged Lands Lease (Lease) with TIITF for the lands under the Juno Beach Pier on October 7, 1997 (R97-1464D) which has been renewed four times each for a period of five (5) years (R2002-0674, R2007- 1543, R2012-1386 and R2017-1035). The leased area covers approximately 32,596 square feet (0.75 acres) of sovereign submerged lands. This lease renewal will retroactively extend the term of the lease for five (5) years from April 2, 2022 through April 2, 2027. The initial annual rent is \$6,255.17, with annual increases pursuant to Rule 18-21.011, Florida Administrative Code provisions. All lease fees and expenses are budgeted by the Parks and Recreation Department (Parks) under its annual operating expenses for Juno Beach Park. Parks will continue to have administrative responsibility for this lease. **(Property & Real Estate Management) District 1** (HJF)

3. CONSENT AGENDA APPROVAL

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

6. Staff recommends motion to approve: A Construction Manager (CM) at Risk Services contract with LTG Sports Turf One LLC for the Furnish and Install Sports Field Synthetic Turf project located at multiple Palm Beach County (County) owned parks. **SUMMARY:** The County desires to have synthetic turf furnished and installed on nineteen (19) fields at nine (9) County owned parks. These parks include West Boynton Park, Caloosa Park, Buttonwood Park, Westgate Park, Loggers' Run Park, Samuel Friedland Park, Dyer Park, John Prince Triplex and Glades Pioneer Park. The Furnish and Install Sports Field Synthetic Turf project includes, but is not limited to, the replacement of eighteen (18) existing grass playing fields and one (1) playground with synthetic turf. Contingent on budget availability, the project may also include new parking lots, concrete sidewalks/paving, scoreboards, bleachers, fencing, storage structures, modular restrooms and landscaping at the aforementioned parks. This CM at Risk Services contract with LTG Sports Turf One LLC will authorize the construction management services necessary for the Furnish and Install Sports Field Synthetic Turf project. A task order will be issued separately to authorize pre-construction services on this project. Once the construction documents are completed, the CM will publicly bid the construction subcontracts to establish a GMP. The construction of the facility will be authorized through a GMP amendment to the contract, which will be presented to the appropriate approval authority. The preliminary construction cost is estimated to be \$22,000,000. The solicitation for selection of the CM was advertised on April 23, 2023 according to the Equal Business Opportunity (EBO) Ordinance, with final selection taking place on July 17, 2023. On February 1, 2023, the Goal Setting Committee established Affirmative Procurement Initiatives (APIs) of a Small Business Enterprise (SBE) evaluation preference of up to 10 points for SBE participation plan and 5 points for CM/SBE partnering. LTG Sports Turf One LLC partnered with M.C.O. Construction and Services, Inc., a Small/ Minority/Woman-owned Business Enterprise (S/M/WBE) firm for services in an amount not less than 10% of its preconstruction and construction phase fees. The CM is on notice that all GMP Amendments for construction services issued pursuant to this contract will be subject to the requirements of the Equal Business Ordinance, including requesting that an API be set prior to bidding the subcontracts. LTG Sports Turf One LLC is not a certified SBE but is a local business. **(Capital Improvements Division) Countywide (MWJ)**

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to approve: Amendment 002 to Agreement R2021-1367 with the Business Development Board of Palm Beach County, Inc. (BDB) to revise the scope of services for Fiscal Year 2023/2024. **SUMMARY:** Amendment 002 will provide for modifications to the Agreement to revise the scope of services for Fiscal Year 2023/2024 to include the BDB shall provide development services to companies in economically distressed communities in Palm Beach County; provide business recruitment for diverse and emerging industries to maintain a resilient economic base, and collaborate with the County should the County choose to hold an Economic Summit. The BDB currently provides services to economically distressed communities and this inclusion will formalize this task in the scope of services. The Agreement amount remains at \$7,157,350 over the five (5) year period paid in annual installments of \$1,431,470. The Agreement's scope of services is reviewed annually and revised based on changes within the business community. Countywide (DB)
  
2. Staff recommends motion to receive and file: a Loan Agreement in the amount of \$1,630,785 in Community Development Block Grant Coronavirus (CDBG-CV) funds with The Lord's Place, Inc. **SUMMARY:** The Loan Agreement with The Lord's Place, Inc., provided \$1,630,785 in CDBG-CV funds toward the acquisition and rehabilitation of a one (1) acre parcel of land which includes an existing single family house and six (6) cottages located at 2865 Melaleuca Drive in unincorporated West Palm Beach (the "Premises"). The Premises will have an occupancy restriction to provide housing for adults facing homelessness, behavioral health conditions, and/or other barriers to stability. The document has been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development in accordance with Agenda Item 5B-1, as approved by the BCC on May 2, 2023, that delegated authority to the County Administrator or designee to execute agreements, amendments, and all other related documents necessary for project implementation. County PPM CW-O-051 provides that all delegated contracts, agreements and grants must be submitted by the initiating department as a receive and file agenda item. **These are CDBG-CV grant funds that do not require a local match.** District 3 (HJF)

3. CONSENT AGENDA APPROVAL

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

3. Staff recommends motion to approve: an Ad Valorem Economic Development Agreement with the Palm Beach County Film and Television Commission, Inc. (F&TV Commission) in the amount of \$75,000 for the period October 1, 2023 to September 30, 2024. **SUMMARY:** This Agreement with the F&TV Commission will fund operational and educational expenses for the Film & TV Tech Prep Program (Program), which is entering its 27<sup>th</sup> year of operation. The Program was created by Palm Beach County in 1996 as a result of the Board of County Commissioners' endorsement at the 1993 Economic Summit to expand the film and television industry. The objectives of the Program are to: prepare the high school students for a career pathway; create a future workforce in the film and television industry; and provide educational, financial and logistic resources for high school and college students and teachers through the F&TV Commission. The Program continues to support the development of the film and television industry in Palm Beach County through an enhanced strategic plan drafted by educators and industry professionals. This funding will assist in the planning, facilitation and execution of all aspects in the production of the 2024 Student Showcase of Films (SSOF), which is the largest film competition and awards ceremony within the State of Florida. The SSOF honors Florida high school and college student filmmakers and celebrates the artistic successes they have achieved in this field. The Agreement Deliverables for Fiscal Year 2023/2024 are consistent with the previous Fiscal Year 2022/2023 and the F&TV Commission is currently on target to meet the proposed deliverables for the Fiscal Year 2022/2023. F&TV Commission received \$75,000 in Ad Valorem funds during Fiscal Year 2022/2023. Upon execution of the Agreement the County agrees to provide an initial advance payment to the F&TV Commission of \$37,500 to be used as cash flow. These are County Ad Valorem funds. Countywide (DB)

3. CONSENT AGENDA APPROVAL

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

4. Staff recommends motion to approve: an Ad Valorem Economic Development Agreement with the Florida Atlantic Research and Development Authority (FARDA) in the amount of \$200,000 for the period October 1, 2023 to September 30, 2024. **SUMMARY:** This Agreement requires FARDA to promote the Research Park at Florida Atlantic University (FAU) and Global Ventures. FARDA was formed in 1985 by Broward and Palm Beach Counties as a special district whose public purpose includes the development, operation, management and financing of research and development parks in affiliation with one or more institutions of higher education. FARDA currently hosts eighteen (18) companies located in the Research Park at FAU, in addition to sixteen (16) companies in the Global Ventures incubator, and fifteen (15) virtual member companies. FARDA will create fifteen (15) internships through Global Ventures and Research Park at FAU companies, create at least fifteen (15) new full-time equivalent jobs at the Research Park at FAU, engage a minimum of twenty-five (25) companies in discussions about locating at the Research Park at FAU (to include Global Ventures) and represent Global Ventures and Research Park at FAU in at least two (2) international trade shows virtually or in person, to promote the Research Park and Global Ventures. The Agreement Deliverables for Fiscal Year 2023/2024 are consistent with the previous Fiscal Year 2022/2023 and FARDA is currently on target to meet the proposed deliverables for the Fiscal Year 2022/2023. FARDA received \$200,000 in Ad Valorem funds during Fiscal Year 2022/2023. **These are County Ad Valorem funds. Countywide (DB)**
  
5. Staff recommends motion to approve: an Ad Valorem Agency Agreement with the Florida Atlantic University Board of Trustees (FAU) in the amount of \$50,000 for the period October 1, 2023 to September 30, 2024. **SUMMARY:** This Agreement will fund operational expenses to support the Florida Atlantic University Tech Runway (FAUTR) Program located at their Palm Beach County Boca Raton and Jupiter campuses. The FAUTR provides mentoring, education seed grants, and introductions to investors to aid entrepreneurs and small developing companies that create jobs and provide internships to FAU students. The Program facilitates venture capitalist investment in business incubation and acceleration. FAU will also be required to: host at least two (2) educational seminars for Tech Runway entrepreneurs on FAU Jupiter campus or greater Jupiter area, provide ten (10) student internships, arrange two (2) introductory meetings for potential angel investors seeking investment funds for early-stage ventures, and create at least five (5) new permanent full-time equivalent jobs in Palm Beach County. The Agreement Deliverables for Fiscal Year 2023/2024 are consistent with the previous Fiscal Year 2022/2023 and FAUTR is currently on target to meet the proposed deliverables for the Fiscal Year 2022/2023. FAUTR received \$50,000 in Ad Valorem funds during Fiscal Year 2022/2023. **These are County Ad Valorem funds. Countywide (DB)**

3. CONSENT AGENDA APPROVAL

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

6. Staff recommends motion to approve: an Engagement Letter for audit services between the Housing Finance Authority of Palm Beach County, Florida, and Marcum LLP for the Fiscal Years ending September 30, 2023 and 2024 for a fee of \$33,505 and \$34,510, respectively. **SUMMARY:** The Housing Finance Authority of Palm Beach County, Florida (Authority) was established by the Board of County Commissioners (BCC) in 1979 in accordance with Part IV, Chapter 159, Florida Statutes. Section 2-189 of the Palm Beach County Code of Ordinances requires that all contracts of the Authority for the purchase of goods and services in excess of \$10,000 shall be approved by the BCC. The Engagement Letter sets forth the terms under which Marcum LLP will provide audit services to the Authority for the Fiscal Years ending September 30, 2023 and 2024. Marcum LLP was selected by the Authority to provide audit services pursuant to a Request for Proposals process on October 12, 2018 (RFP). The RFP provided for an initial three (3) year contract term and up to two (2) successive two (2) year renewals. The initial three-year and first two-year engagements have been completed. The Engagement Letter was approved by the Authority on August 11, 2023, subject to BCC approval. Countywide (HJF)
  
7. Staff recommends motion to approve: an Engagement Letter for accounting services between the Housing Finance Authority of Palm Beach County, Florida, and Weinstein Zugman, LLC, to prepare general fund financial statements for the Fiscal Year ending September 30, 2023 in an amount not to exceed \$16,000. **SUMMARY:** The Housing Finance Authority of Palm Beach County, Florida (Authority) was established by the Board of County Commissioners (BCC) in 1979 in accordance with Part IV, Chapter 159, Florida Statutes. Section 2-189 of the Palm Beach County Code of Ordinances requires that all contracts of the Authority for the purchase of goods and services in excess of \$10,000 shall be approved by the BCC. The Engagement Letter sets forth the terms under which Weinstein Zugman, LLC, will provide accounting services to the Authority for the Fiscal Year ending September 30, 2023, in an amount not to exceed \$16,000. Weinstein Zugman, LLC was selected by the Authority to provide accounting services pursuant to a Request for Qualifications due June 6, 2022. The engagement is for the Fiscal Year Ended September 30, 2023 only and was approved by the Authority on August 11, 2023, subject to BCC approval. Countywide (HJF)

3. CONSENT AGENDA APPROVAL

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

8. Staff recommends motion to approve:

A) a Budget Transfer of \$1,109,605 from the Housing and Economic Sustainability Fund to allocate funds for improvements to the water infrastructure and the distribution system within the Glades Region; and

B) a Budget Amendment of \$1,109,605 in the Capital Improvements Fund to recognize the transfer from the Housing and Economic Sustainability Fund and to appropriate those funds.

**SUMMARY:** On July 11, 2023, the Board of County Commissioners (BCC) approved an allocation of Community Development Block Grant (CDBG) funds for capital improvement projects to include \$1,109,605 for restoration of water infrastructure system within the Glades Region, to be implemented by the Palm Beach County Water Utilities Department (WUD). A Memorandum of Understanding (MOU) with Palm Beach County Water Utilities Department (WUD), and the Department of Housing and Economic Development (DHED) require that interdepartmental budget transfers be established to reimburse WUD for eligible project costs. The budget transfer and amendment are necessary to appropriate the required funds. **These are CDBG funds and require no local match.** District 6 (HJF)

9. Staff recommends motion to approve:

A) a Budget Transfer of \$860,000 from the Housing and Economic Sustainability Fund to allocate funds for improvements to Phase III amenities for the Orange Bowl Facility located within the Glades Pioneer Park; and

B) a Budget Amendment of \$860,000 in the Park Improvement Fund to recognize the transfer from the Housing and Economic Sustainability Fund and to appropriate those funds.

**SUMMARY:** On July 11, 2023, the Board of County Commissioners (BCC) approved an allocation of Community Development Block Grant (CDBG) funds for capital improvement projects to include \$860,000 for improvements to the Orange Bowl Facility at Glades Pioneer Park located in Belle Glade, to be jointly undertaken by Parks and Recreation (P&R) and Facilities Development and Operations (FDO). A Memorandum of Understanding (MOU) with P&R, and the Department of Housing and Economic Development (DHED) require that interdepartmental budget transfers be established to reimburse P&R and FDO for eligible project costs. The budget transfer and amendment are necessary to appropriate the required funds. **These are CDBG funds and require no local match.** District 6 (HJF)

3. CONSENT AGENDA APPROVAL

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

~~10. Staff recommends motion to receive and file: the "HOUSING FOR ALL; A Countywide Housing Action Plan for Palm Beach County" (Plan) prepared by the Housing Leadership Council of Palm Beach County (HLC). **SUMMARY:** The HLC is a non-for-profit organization founded in 2006 by community and business leaders to address workforce/affordable housing issues. The HLC led a Countywide effort to study the housing crisis in Palm Beach County and to develop a Plan to serve as a blueprint to achieve a significant increase in workforce and affordable housing. The goal of the HLC's Plan is to produce, rehabilitate and preserve 20,000 units of workforce and affordable housing by 2032. The Plan focused on four areas of opportunity: Funding & Financing, Planning & Regulatory Reform, Neighborhood Revitalization & Community Development, and Racial Equity. County Departments including the Housing & Economic Development, Planning Zoning & Building, Community Services and Office of Community Revitalization worked with the HLC to provide comments and analysis. On April 25, 2023, HLC presented a draft of the Plan to the Board of County Commissioners (BCC). The BCC requested continued review of the Plan. The Plan is now in its final form and staff has reviewed and commented on each action item. Staff comments which are incorporated in the attached document consider whether the County has implemented the action, the action is under review and additional discussion is needed with the BCC or the action is not applicable to the BCC. Countywide (HJF)~~

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

1. Staff recommends motion to:

- A) **approve** a “Utility Work by Highway Contractor Agreement (At Utility Expense)” (UWHCA) with Florida’s Department of Transportation (FDOT) in the amount of \$461,757.28;
- B) **approve** a Three Party Escrow Agreement between the FDOT, Palm Beach County and the State of Florida Department of Financial Services Division of Treasury (Escrow Agent);
- C) **authorize** the County Administrator, or designee, to approve increased utility relocation costs up to a cumulative project cost of \$650,000; and
- D) **approve** a “Utility Work by Highway Contractor Agreement (At FDOT Expense)” (UWHCA) with FDOT.

**SUMMARY:** FDOT is proposing improvements to State Road 806 (Atlantic Avenue) from west of State Road 7/US 441 to east of Lyons Road. These proposed improvements will necessitate the relocation of an existing 8-inch water main and an existing 12-inch force main on Atlantic Avenue. In order to include the utility work within the FDOT road improvement project and to provide FDOT the authorization to undertake the relocation of the aforementioned facilities, FDOT requires the County to enter into the UWHCA in the amount of \$461,757.28. Inclusion of the utility relocation work in the FDOT road improvement project will save costs and ensure that the project is not delayed due to the complexity of the required work. Due to the location of some of the existing infrastructure, FDOT will be undertaking that portion of the work at no cost to the County. The consultant for FDOT will prepare the relocation plan and the construction will be performed by FDOT’s contractor. In certain circumstances, the lowest responsive and responsible bid for the utility work to be undertaken as part of the FDOT project is higher than the authorized amount of the UWHCA. If the bid exceeds the official cost estimate by more than 10%, the County is required to notify FDOT in writing within 10 days if the work will still be performed as part of the road improvement project or if the utility will elect to have the utility work removed from the FDOT contract. Given the complexity of the project, removal of the utility relocation work would result in project delays, oversight conflicts and additional project costs. Therefore, staff recommends the Board of County Commissioners (BCC) authorize the County Administrator or her designee to approve any increase in utility relocation costs up to a cumulative project cost of \$650,000. Any approval of an increase will be brought back to the BCC as a Receive and File item at the next available meeting. (PBCWUD Project No. 23-041) District 5 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

2. Staff recommends motion to:

- A) **approve** Agreement No. 4600004796 with the South Florida Water Management District (SFWMD) in the amount of \$3,500,000 for the Palm Beach-Broward Interconnect Phase IA: South Reclaimed Water Transmission and System Extension (Project); **The agreement is effective as of the date of execution by the Board of County Commissioners (BCC) and ends October 31, 2024;**
- B) **authorize** the County Administrator, or designee, to execute agreements, amendments, and all other documents necessary of the grant award that do not substantially change the scope of work, terms or conditions of the agreement; and
- C) **approve** a \$3,500,000 Budget Amendment in the Water Utilities Department Capital Improvement Fund to establish budget for the grant.

**SUMMARY:** The SFWMD has allotted \$41.5 million to assist local governments, public and private water providers, and other entities with construction and/or implementation of alternative water supply (AWS) or water conservation through the Cooperative Funding Grant Program. This Project is a phase of the South County Reclaimed Water Transmission Extension and will construct approximately 0.4 miles of 30-inch, 2.8 miles of 24-inch and 0.8 miles of 12-inch reclaimed water transmission pipeline in southern Palm Beach County. This expansion of Palm Beach County Water Utilities Department's (PBCWUD) reclaimed water system will deliver reclaimed water from the interconnection with the Broward County Pipeline along the Hillsboro Canal and deliver it north towards the Osprey Point Golf Course, Boca Woods Golf Course, and portions along Lyons Road. The Project is included in the PBCWUD FY23 budget. (PBCWUD Project No. 18-022) **The \$3,500,000 grant requires a \$3,500,000 (50%) match which will be funded from a one-time expenditure from Water Utilities user fees, connection fees and balance brought forward.** The agreement contains indemnification and liability provisions that differ from that adopted for use by the County under PPM CW-F-049. In accordance with PPM CW-F-049, Risk Management and the County Attorney's Office have reviewed the language and advised the PBCWUD of the associated risks. Due to business needs and the benefits to be derived from the Agreement, Risk Management and the County Attorney's Office have agreed to allow PBCWUD to move the agreement forward for Board of County Commissioner approval. District 5 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

3. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 8 to the Consulting/Professional Services Utility Hydrogeologic and Water Resources Engineering Services Contract (Contract) with JLA Geosciences, Inc., (Consultant) for the Mechanical Integrity Testing for a not to exceed amount of \$114,076. **SUMMARY:** On December 15, 2020, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2020-1893) with Consultant. CSA No. 8 provides for construction phase services and report preparation for the mechanical integrity testing of six (6) injection wells. The Contract with Consultant was procured under the requirements of the Equal Business Opportunity Ordinance. On October 2, 2019, the Goal Setting Committee approved an API of a minimum mandatory 20% SBE subcontracting goal and an evaluation preference for up to 15 points based upon the relative level of dollar participation by certified SBE firms. The Contract with Consultant provides for 73% SBE participation, which includes 3% MBE, 3% MBE (A). CSA No. 8 includes 100% SBE participation, which includes 0% MBE, 0% MBE (A). The cumulative SBE participation, including CSA No. 8 is 83.04% SBE participation, which includes 7.12% MBE participation, 7.12% MBE (A). Consultant is a Palm Beach County based company. The Project is included in the PBCWUD FY23 budget. (PBCWUD Project No. 22-040) Districts 5 and 6 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

4. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 9 to the Contract for Consulting/Professional Services Water Treatment and Water Resources Engineering Services (Contract) with CDM Smith Inc., (Consultant) for the Water Treatment Plant (WTP) No. 11 Upgrades (Project) for a not to exceed amount of \$490,586.66. **SUMMARY:** On November 17, 2020, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2020-1719) with Consultant. CSA No. 9 provides for professional engineering services to perform a comprehensive analysis of WTP No. 11. The analysis will determine process improvements, expansion alternatives and planning level budget estimates. In addition, Consultant will perform a comprehensive analysis of WTP No. 11 focusing on raw water quality, future demands, treatment capacity, treatment technology and potential expansion implementation schedule for the identified improvements at WTP No. 11. This Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On September 18, 2019 the Goal Setting Committee applied an Affirmative Procurement Initiative (API) of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting goal and an evaluation preference for up to 15 points based upon the relative level of dollar participation by certified African American owned firms. The Contract provides for 21% SBE participation which includes 19% MBE participation, 19% MBE (B). CSA No. 9 includes 26.28% SBE participation, which includes 13.46% MBE participation, 13.46% MBE (B). The cumulative SBE participation including CSA No. 9 is 37.41% SBE participation, which includes 37.41% MBE participation, 14.74% MBE (B). Consultant is headquartered in Boston, Massachusetts, but maintains an office in Palm Beach County from which the majority of the work will be performed. The Project is included in the PBCWUD FY23 budget. (PBCWUD Project No. 23-024) District 6 (MWJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to adopt: a Resolution approving a standard form Interlocal Agreement (Agreement) for law enforcement services within Lake Worth Lagoon during manatee season; and authorizing the County Administrator or designee to execute the Agreement, and sign all future time extensions, task assignments, certifications, award letters, amended award letters and other forms associated with the Agreement, and any necessary minor amendments that do not substantially change the scope of work or terms and conditions of the Agreement. **SUMMARY:** On August 21, 2007, the Board of County Commissioners (BCC) adopted the state mandated Manatee Protection Plan (MPP) providing for increased law enforcement presence in the County's waterways and public education, as a means to provide greater manatee protection. The Department of Environmental Resources Management implements the MPP and manages associated law enforcement agreements. On August 19, 2014, the BCC approved a Resolution adopting a standard form Interlocal Agreement (R2014-1193) with law enforcement agencies for manatee protection and public education, and providing delegated authority for the County Administrator or designee to execute the standard form Interlocal Agreement. In 2018, the County approved nine five-year Interlocal Agreements with law enforcement agencies to provide law enforcement services from November 15, 2018 to March 31, 2023, expiring this year. The new Agreement will include updated County agreement provisions and revisions to the Standard Marine Enforcement Daily Report form attached as Exhibit C to the Agreement. Each year no more than \$150,000 of the MPP funds will be distributed evenly through award letters to each participating contractor for law enforcement services. The County will reimburse all participating contractor(s) for law enforcement services at a rate of \$87.50 per hour. Should the contractor(s) not be able to provide sufficient law enforcement services to expend the funds set aside per the award letter, funds may be reallocated to more productive contractor(s) through amended award letters, but in no event will the total amount for all contractors exceed \$150,000 annually. Districts 1,2,3,4 and 7 (SS)
  
2. Staff recommends motion to receive and file: Amendment No. 1 to the Artificial Reef Deployment Area Use Agreement between Palm Beach County and Martin County (Agreement), in order to extend the Agreement termination from July 12, 2023 to July 12, 2028. **SUMMARY:** On May 18, 2021, the Board of County Commissioners approved the Agreement (R2021-0694) and authorized the County Administrator, or designee, to sign all future time extensions, task assignments, certifications and other forms associated with this Agreement, and any necessary minor amendments that do not significantly change the scope of work or terms and conditions of this Agreement. Amendment No. 1 will extend the termination date to allow Palm Beach County five additional years to utilize the artificial reef deployment area. In accordance with County PPM CW-O-051, all delegated contracts, agreements, and grants must be submitted by the initiating Department as a receive and file agenda item. **There is no cost to the County.** Districts 1, 2, 4, & 7 (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

3. Staff recommends motion to receive and file: Task Assignment No. 7, to the State of Florida, Department of Environmental Protection (FDEP) Contract No. GC913 (R2017-0838) (Contract), providing for routine compliance inspections at 623 petroleum storage tank facilities within Palm Beach, Martin, and St. Lucie Counties, and funding in the amount of \$603,870, with a performance period of July 1, 2023, through June 30, 2024. **SUMMARY:** Petroleum storage tank compliance services, under a series of contracts with FDEP have been in effect since 1988. On June 20, 2017, the Board of County Commissioners approved the Contract with FDEP. Delegated authority to sign all future time extensions, task assignments, certifications, and other forms associated with this Contract was approved at that time. In accordance with PPM CW-O-051, all delegated contracts, agreements, and grants must be submitted by the initiating department as a receive and file agenda item. **There is no cost to the County.** Countywide (SS)
  
4. Staff recommends motion to receive and file: Amendment No.1 (Amendment) to Florida Department of Environmental Protection (FDEP) Project Agreement Number LPA0238 (Agreement), for the Sawfish Island Restoration Project (Project), to extend the Project completion date from March 31, 2023 to March 31, 2025. **SUMMARY:** On October 19, 2021, the Board of County Commissioners (BCC) approved the Agreement (R2021-1542) with FDEP. Delegated authority to sign all future time extensions, task assignments, certifications, and other forms associated with this Contract was approved at that time. This Amendment extends the Project completion date to allow for more time for the contractor to complete the Project. In accordance with PPM CW-O-051, all delegated contracts, agreements, and grants must be submitted by the initiating department as a receive and file agenda item. **There is no cost to the County.** District 1 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

5. Staff recommends motion to receive and file: Project Agreement Amendment (Amendment) to Florida Inland Navigation District (FIND) Project Agreement PB-20-211 (Agreement), for the Sawfish Island Restoration Project (Project), to revise the project cost estimate. **SUMMARY:** On May 5, 2020 (R2020-0474), the Board of County Commissioners (BCC) authorized the County Administrator, or designee, to execute the FIND Waterways Assistance Program (WAP) Grant Project Agreement for the Project. Delegated authority to sign all future time extensions, tasks 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 was also approved at that time. The Agreement was executed on November 30, 2020, with FIND awarding the County \$701,700 to cover a portion of the Project estimated at \$1,451,295. The Agreement was amended on August 11, 2022 to extend the Project completion date. This Amendment revises the Project Cost Estimate to \$1,361,420 and the FIND WAP to \$680,710. Total Project costs were slightly lower with changes in the quantities needed for several Project elements thus reducing Project costs and 50% FIND match. In accordance with County PPM CW-O-051, all delegated contracts, agreements, and grants must be submitted by the initiating Department as a receive and file agenda item. **There is no cost to the County.** District 1 (SS)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to:

- A) **ratify** the signature of the Mayor on an Urban & Community Forestry (UCF) Program grant application submitted to the U.S. Department of Agriculture (USDA) on May 30, 2023, requesting \$2M to fund 50% invasive exotic vegetation removal and planting native trees which will begin upon grant contract execution and end after five (5) years;
- B) **authorize** the County Administrator or designee to execute the forthcoming grant project agreement and all future time extensions, task assignments, certifications, and other forms associated with the forthcoming grant agreement and any necessary minor amendments that do not substantially change the scope of work, or conditions of the forthcoming grant agreement, if funding is awarded; and
- C) **authorize** the Director of the Parks and Recreation Department to serve as designee and liaison agent for this project.

**SUMMARY:** The Parks and Recreation Department applied for a USDA, UCF grant to fund removal of invasive exotic vegetation from Palm Beach County Parks and plant trees to increase tree canopy to reduce extreme heat, mitigate stormwater flooding, and reduce utility costs. The grant request is for \$2M and requires a \$2M (50%) match of current Park and Recreation Department staff costs. To meet the grant application deadline, the emergency signature process was utilized because there was insufficient time to submit this application through the regular agenda process. Mayor Weiss approved the authorization of the County Administrator or designee to act as an Authorized Organization Representative and to sign the grant application on behalf of the Board of County Commissioners (BCC) as authorized by Palm Beach County Administrative Code, Section 309.00. The code requires the grant application be presented to the BCC for approval at the next available meeting after signature by the Mayor. Due to grant-related items requiring timely execution by the County; staff is requesting BCC approval for the County Administrator or designee to approve grant documents and for the Parks and Recreation Director to act as the Liaison Agent for this project, if this grant is approved by USDA. Countywide (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (cont'd.)

2. Staff recommends motion to receive and file: a fully executed Florida Fish and Wildlife Conservation Commission (FFWCC) Florida Boating Improvement Program Grant Amendment 1 to Agreement No.19031 for the redevelopment of the John Prince Memorial Park boat ramps modifying the scope of work to adjust for the length of the staging docks from 80 foot to 70 foot. The FFWCC grant amount awarded for this project was \$150,000. **SUMMARY:** On May 7, 2019, the Board of County Commissioners (BCC) authorized submission of a Florida Boating Improvement Program (FBIP) Grant application, R-2019-0642, to fund a portion of the construction costs associated with the redevelopment of the John Prince Memorial Park boat ramps. The BCC also authorized the County Administrator or designee to execute the Grant Agreement and other grant forms related to this project if the grant was approved. The grant was approved, executed by the Director of the Parks and Recreation Department and submitted to the BCC on February 2, 2021 to receive and file (R-2021-0193). The construction project has been completed and the scope of work has been modified from requiring three (3) new ADA wheelchair compliant 80 foot staging docks to three (3) new ADA wheelchair compliant 70 foot staging docks. The grant also requires demolition of the existing staging ramps and construction of new ramps; this work has been completed. The Grant Amendment was executed by the Director of Parks and Recreation in accordance with BCC authorization. District 3 (AH)
  
3. Staff recommends motion to approve:
  - A) an amendment to the Infrastructure Surtax (IST) Project Plan approved by the Board of County Commissioners (BCC) on April 4, 2017, later revised on January 4, 2022; and
  - B) a budget transfer of \$116,190 within the IST Fund from IST Departmental Reserves to South Bay RV Campground Electrical Upgrade Project.

**SUMMARY:** On April 4, 2017, the BCC adopted a project plan to implement the IST funded projects and included an allocation of \$216,000 towards the electrical upgrade of the South Bay RV Campground. The purpose of this transfer is to cover the budget shortfall for the construction costs to replace the outdated 72 campsite power supply to meet current industry standards. Funds are available in the Parks Department IST Reserve to make up the \$116,190 difference. The Infrastructure Sales Tax Independent Citizen Oversight Committee reviewed this request at their August 17, 2023 meeting, and approved it unanimously. **This project is funded through the infrastructure sales tax.** District 6 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (cont'd.)

4. Staff recommends motion to receive and file: an executed Tee Time Advertising and Sales Agreement between Palm Beach County and CanAm Golf Ventures, LLC, in an amount not to exceed \$40,000 for the period August 1, 2023 through July 31, 2024. **SUMMARY:** This Tee Time Advertising and Sales Agreement has been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of Parks and Recreation in accordance with Resolution 2013-1607. This Agreement helps to sell tee times at non-peak times that would otherwise not be sold. CanAm Golf Ventures, LLC receives a commission fee ranging from 9%-14% (amount varies depending on the Golf Course) of the tee time sold. 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 as a Receive and File agenda item. Countywide (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 Fiscal Year (FY) 21 (County FY22) Grant (JAG) in the amount of \$241,722 beginning October 1, 2021 through September 30, 2023 to fund:

- The Palm Beach County Reentry Program (Gulfstream Goodwill Industries, Inc.) for \$24,107 (award number FDLE 8C152);
- The Palm Beach County Reentry Program (The Lord's Place) for \$56,451 (award from FDLE 8C169); and
- The Palm Beach County Reentry Program (City of Riviera Beach) for \$161,164 (award from FDLE 8C170);

**B) approve** a budget amendment of \$1,494 in the Criminal Justice Grant Fund to adjust the budget to the actual grant award;

**C) approve** a budget amendment of \$1,494 in the Justice Service Grant Fund to recognize the transfer from the Criminal Justice Grant Fund;

**D) approve** a budget transfer of \$62,981 in the Crime Prevention Trust Fund to the General Fund to provide funds for the Florida Atlantic University (FAU) evaluation of the Delray Beach Police Department's Community Outreach Project; and

**E) approve** a budget amendment of \$62,981 in the General Fund to recognize the transfer from the Crime Prevention Trust Fund and establish the budget.

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (cont'd.)

1. **SUMMARY:** On February 7, 2023, the Board ratified the Mayor's signature on four FDLE JAG grant applications (R2023-0196 thru 0198) for a total of \$304,703 (CFDA# 16.738). Due to delays with FDLE, grants are awarded after the start of the grant period (grant period start date is October 1, 2021). The three applications for the Countywide Reentry Program have been awarded. The awards were executed on behalf of the Board by the Executive Director of the Criminal Justice Commission, in accordance with R2023-0196 thru 0198. The fourth application for the evaluation of the Delray Beach Police Department's Community Outreach Program for \$62,981 has been further delayed and not yet awarded. On February 7, 2023, an Interlocal Agreement with FAU (R2023-0199) was approved to perform the evaluation of the Delray Beach Police Department's Community Outreach Program. It was noted that in the event FDLE did not approve the grant application, funding would be provided from the Crime Prevention Trust Fund. The transfer from the Crime Prevention Trust Fund establishes the budget needed to process payment to FAU for FY23. Funding for FAU for FY24-25 will be requested from FDLE and if not approved, provided from the Crime Prevention Trust Fund. **No County match is required.** Countywide (HH)

S. FIRE RESCUE

1. Staff recommends motion to approve: Memorandum of Agreement (MOA) with the Children's Services Council of Palm Beach County (CSC) providing funding of up to \$100,000 per year for the Drowning Prevention Coalition for a period of two (2) years, commencing on October 1, 2023 through September 30, 2025. **SUMMARY:** The MOA provides \$100,000 of funding, per year, from CSC for FY2024 and FY2025 for the Drowning Prevention Coalition program (DPC), managed by Palm Beach County Fire Rescue. The MOA allocates \$50,000 of the funds, per year, to DPC expenses and the remaining \$50,000 to fund vouchers for swimming lessons for children between the ages of 2 and 12. The vouchers are redeemed by the public at designated aquatic facilities within Palm Beach County. The DPC is funded with a transfer from the general fund and this CSC funding will defray some costs associated with the program. Countywide (RM)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (cont'd.)

2. Staff recommends motion to receive and file: fully executed standard agreements for swimming lessons from October 1, 2023 through September 30, 2026 with:

- A) Young Men's Christian Association of South Palm Beach County, Inc.,
- B) Young Men's Christian Association of the Palm Beaches, Inc.,
- C) Swim with Gills, LLC,
- D) Small Fish Big Fish Swim School, LLC,
- E) City of West Palm Beach,
- F) City of Palm Beach Gardens, and
- G) City of Delray Beach,

**SUMMARY:** On May 3, 2022, the Board of County Commissioners adopted Resolution Number R2022-0450 authorizing the County Administrator, or designee, to execute standard agreements with municipalities and independent contractors to provide swimming lessons to members of the public through the Palm Beach County Drowning Prevention Coalition's Learn to Swim Program. The County Administrator has designated the Fire Rescue Administrator to execute these standard agreements. Pursuant to Countywide PPM CW-O-051 these seven (7) standard agreements are being submitted to receive and file. Countywide (RM)

3. Staff recommends motion to approve: the write-off of uncollectible emergency transport patient accounts to remove these amounts from the County's general ledger for the following period October 1, 2018 through September 30, 2019 (FY 2019) in the amount of \$13,075,365.90. **SUMMARY:** In December 1994, the Board authorized Fire Rescue to transport critically ill/injured patients and bill for those services. The County contracts with a private company for these billings and collections services. The County receives payment from a number of sources, including commercial insurance, Medicare, Medicaid, and private individuals. During the period October 1, 2018 to September 30, 2019, Fire Rescue generated \$53,757,189.71 in gross transport billings and collected (to-date) \$24,978,646.05. After adjustments of \$15,703,177.76, required under the guidelines of the Medicare/Medicaid programs, the balance of \$13,075,365.90 is currently deemed to be uncollectible. This balance is primarily due to partial payments, insurance denial based on medical necessity, the inability to obtain accurate patient and/or insurance information, and patients without medical coverage or high deductibles. Staff recommends the amount deemed uncollectible be written-off the County's general ledger. Countywide (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (cont'd.)

4. Staff recommends motion to receive and file: 2023 Amendment No. 2 to Emergency Triage, Treat and Transport (ET3) Model Participation Agreement (R2020-1832) with the Center for Medicare & Medicaid Services (CMS) to end the ET3 Model's Performance Period on December 31, 2023. **SUMMARY:** CMS implemented the ET3 Model under Section 1115A of the Social Security Act, which authorizes CMS to test innovation payment and service delivery models that have the potential to reduce Medicare, Medicaid or Children's Health Insurance Program expenditures while maintaining or improving the quality of care for their beneficiaries. The Participation Agreement provides that CMS may unilaterally amend the Participation Agreement for good cause or as necessary to comply with applicable laws, regulatory requirements, accreditation standards or licensing guidelines or rules. The Fire Rescue Department received the attached Amendment No. 2 modifying the Model Performance Period to end two (2) years prior to the Agreement's original Performance Period. This Amendment No. 2 is now being submitted to the Board to receive and file. Countywide (SB)
5. Staff recommends motion to approve: One (1) appointment to the Fire Code Board of Appeals and Adjustments beginning September 19, 2023 through September 30, 2026.

<u>Nominee</u>	<u>Category</u>	<u>Seat No.</u>	<u>Nominated By</u>
Michael Crawford	Fire Sprinkler Contractor	5	Mayor Weiss Commissioner Marino

**SUMMARY:** The Fire Code Board of Appeals and Adjustments is maintained in accordance with the Palm Beach County Local Amendments to the Florida Fire Prevention Code (Section 12-57, Palm Beach County Code). On August 1, 2023 a memo was distributed to the Commissioners requesting nominations to this eight (8) - member board (At-Large). This board is appointed by the Board of County Commissioners and members serve no more than three (3) consecutive three (3) year terms. No other nominations were received. The Board consists of eight (8) members. Upon approval of this item, four (4) seats will be filled with a diversity count of Caucasian: 4 (100%), and a gender ratio (male: female) of 4:0. The candidate nominated for reappointment is a Caucasian male. Staff will continue to address the need to increase diversity on our boards. Countywide (RM)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (cont'd.)

6. Staff recommends motion to:

**A) ratify** a First Amendment to Letter of Understanding (LOU) dated November 15, 2022 (R2022-1404) with the Treasure Coast Health Council, Inc., dba Health Council of Southeast Florida, increasing the contract amount by an additional \$25,000 for a total of \$425,000; and extending the amount of days the County has to submit the final invoice; and

**B) approve** a Budget Amendment of \$25,000 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 LOU, 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 \$400,000, with no County match required. This amendment will increase that amount to \$425,000. Fire Rescue was only recently made aware of the additional available funding, and the amendment of the LOU and the expenditure of the funds must be completed before the ending date of services on August 31, 2023. Therefore, the Mayor signed the amendment prior to full Board approval, pursuant to the emergency grant process set forth in Section 309.00 of the Palm Beach County Administrative Code. Countywide (SB)

3. CONSENT AGENDA APPROVAL

T. HEALTH DEPARTMENT

1. Staff recommends motion to: the re-appointment of (2) members to the Child Care Advisory Council to fill the positions listed below.

<u>SEAT #</u>	<u>NOMINEE:</u>	<u>REQUIREMENT:</u>	<u>Term</u>	<u>NOMINATED BY:</u>
3	Sandra Wilensky	Represents and operates a parochial child care facility	10/1/2023 to 9/30/2026	Mayor Weiss
4	Claudette Rifenberg	Employed as a Consumer Protection Enforcement Official	10/1/2023 to 9/30/2026	Mayor Weiss

**SUMMARY:** ~~The Child Care Advisory Council is comprised of seven members who serve at the pleasure of the Board of County Commissioners. Members must consist of two members who represent and operate private child care facilities in Palm Beach County, one of whom operates a family day care home or large family child care home; one member who represents and operates a parochial child care facility in Palm Beach County; one consumer protection enforcement official; one member for fire protection, engineering or technology; and one member who, at the time of appointment, was the parent of a child attending a child care facility in Palm Beach County; and one representative from the Florida Department of Children and Families. The applicant for appointment to Seat 3, Sandra Wilensky, is the Director and operator of Torah. The applicant for appointment to Seat 4, Claudette Rifenberg, is a manager with the Consumer Protection Enforcement with 18 years of experience in serving. She was appointed to the Council on October 1, 2021, to complete the term of a predecessor. She is recommended for appointment to her first full term of service. The diversity count for the six seats currently filled is Caucasian: 3 (50.0%), African American: 2 (33.3%), and Hispanic American: 1 (16.7%). The gender ratio (female: male) is 6:0. The nominee for Seat 2 is an African American female and the nominee for Seat 7 is a Caucasian female. Staff continues to address the need for increased diversity within our boards and will continue to encourage expansion of this Council's diversity. Countywide (HH).~~

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to:

**A) approve** the AT&T On-Premises Cellular Network Agreement for the installation of an on-premises cellular network solution in the Vista Center building located at 2300 North Jog Rd at no cost to the County; and

**B) authorize** delegated authority to the County Administrator or designee to execute future site additions as needed at no cost to the County.

**SUMMARY:** In order to improve cellular coverage within County facilities the carrier must provide permission and equipment to connect to the distributed antenna system built by Information Systems Services (ISS). Approval of the AT&T On-Premises Cellular Network Agreement will allow installation of AT&T owned equipment at the Vista Center building located at 2300 North Jog Rd at no cost to the County for the purpose of enhancing the radio frequency signal for users of AT&T Mobile Services. Delegated authority is being sought for efficiency, to allow for the extension of services to additional locations, also at no cost to the County. Countywide (DB)

X. PUBLIC SAFETY

1. Staff recommends motion to approve: Interlocal Agreement with the School Board of Palm Beach County, Florida (SBPBC) for acceptance of grant funds collected between October 1, 2023 through September 30, 2024 under the Driver Education Safety Trust Fund (DESTF) and spent by the SBPBC through March 31, 2025. **SUMMARY:** Pursuant to the Dori Slosberg Driver Education Safety Act (Section 318.1215, Florida Statutes), the Palm Beach County Clerk of the Circuit Court and Comptroller shall collect an additional \$5.00 with each civil traffic penalty levied in Palm Beach County to be used for driver education programs. Section 10-9 of the Palm Beach County Code provides for the collection of \$5.00 to fund a DESTF Program, which includes the creation of a DESTF and how these funds will be disbursed to public and non-public schools annually. In order to receive funding from the DESTF, public and non-public schools must apply and receive grant approval each year. On May 2, 2023 (R2023-0612), the Board of County Commissioners approved an agreement with SBPBC to grant disbursements from the DESTF to be used for their driver education safety programs. Annual disbursements fluctuate each year based on the funds collected from the civil traffic penalties. FY 2023 disbursement of funds included approximately \$542,724 to the SBPBC. This Interlocal Agreement will continue to allow the County to grant disbursements from the DESTF to the SBPBC for their driver education safety program. Countywide (MJ)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (cont'd.)

2. Staff recommends motion to approve: Reappointment of two (2) nominees to the Consumer Affairs Hearing Board (CAHB) for the term of October 1, 2023 to September 30, 2026 as follows:

<u>Seat</u>	<u>Reappointment</u>	<u>Seat Requirement</u>	<u>Nominated by</u>
1	Steven Goldberg	Attorney	Mayor Weiss Commissioner Marino Commissioner Bernard
7	Courtney Shippey	Resident	Mayor Weiss Commissioner Marino Commissioner Bernard

**SUMMARY:** The Consumer Affairs Ordinance was approved by the Board of County Commissioners (BCC) on December 17, 2013, and codified in Chapter 9, Article I of the Palm Beach County Code. The Consumer Affairs Ordinance established a seven (7) member CAHB. The CAHB serves both as an advisory capacity to the BCC and as an Appeals Hearing Board to hear and act on appeals relating to the towing and immobilization, vehicle for hire, moving, home caregiver, adult entertainer, water taxi, and consumer affairs ordinances. Members are at-large appointments selected from various businesses, professions and the general public. Member terms are for three years with a limit of three consecutive terms expiring September 30th. These nominees are reappointments for a term of October 1, 2023 – September 30, 2026. A memo was sent to the BCC on July 17, 2023 seeking nominations for seat 1, a FL licensed attorney, and seat 7, an at-large member. The CAHB has a maximum of seven (7) members. With the reappointment of these nominees, the CAHB will have six (6) seats filled. The CAHB will have a diversity count as follows: Caucasian: 4 (66%), Asian: 1 (17%), and African American: 1 (17%). The gender ratio (male: female) will be 6:0. Countywide (RS)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (cont'd.)

3. Staff recommends motion to:

**A) receive and file** a State-funded Grant Agreement (A0388) for FY2023-24 in the amount of \$105,806 for the Emergency Management Preparedness and Assistance (EMPA) Grant with the State of Florida, Division of Emergency Management (FDEM) to receive grant funding for the period of July 1, 2023 through June 30, 2024, to improve and enhance emergency management plans and programs and provide operational support to maintain state required programs; and

**B) approve** a Budget Amendment of \$79,354 in the EMPA Fund to adjust the budget to the actual award of \$105,806.

**SUMMARY:** The EMPA grant (CSFA #31.063) is a state funded grant that recurs annually. This grant will be used to further enhance emergency planning, response, mitigation, and recovery in the County. R2012-1731 dated November 20, 2012 gave authority to the County Administrator or designee to execute this agreement on behalf of the Board of County Commissioners, that do not substantially change the scope of work, terms or conditions of the agreement. **The EMPA grant requires a match at the amount either equal to the average of the previous three years' level of county general revenue funding for the Division of Emergency Management (DEM) budget or the level of funding for the DEM budget for the last fiscal year, whichever is lower.** Countywide (DB)

4. Staff recommends motion to receive and file: an extension to Memorandum of Agreement (MOA) with the City of Miami (R2022-1379) for the Urban Area Security Initiative (UASI) GY 2021 agreement #R0521 in the amount of \$465,726 extending the grant period through December 30, 2023 in order to complete emergency management equipment purchases and planning projects totaling \$465,726. **SUMMARY:** The City of Miami offered an extension on the original MOA, which expired June 30, 2023, allowing additional time to spend the funds efficiently. The original MOA (CFDA # 97.067) provides a means of funding various domestic security activities within the County using Federal UASI funds through the City of Miami as the UASI's fiscal agent. Additional time is necessary due to supply chain delivery dates with technology and generator procurement. The incomplete projects included awards to upgrade EOC technology, purchase a generator, and provide regional CERT training and exercise. R2013-0622 gave authority to the County Administrator, or designee, to execute this agreement on behalf of the Board of County Commissioners. **No County matching funds are required.** Countywide (DB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (cont'd.)

5. Staff recommends motion to approve: the delegation of authority to the County Administrator or designee to sign the Participation Request Form for the Florida Recovery Obligation Calculation (F-ROC) Program and all future documents necessary for continued membership in the F-ROC Program. **SUMMARY:** The F-ROC program is an initiative, sponsored by the Florida Division of Emergency Management (FDEM), which assist Public Assistance Applicants in identifying risk in their organization and develops a clean action plan that will abate those risks, while standardizing and streamlining the Public Assistance Process. F-ROC is a voluntary program developed to help Public Assistance Applicants leverage technology, improve processes and ensure that recovery dollars are flowing to affected communities as quickly as possible with the least amount of financial risk. The Participation Request Form was just received from FDEM and must be submitted by September 30, 2023 therefore, delegated authority to the County Administrator is needed in order to submit the form on time. **No County funds are required for participation in the F-ROC program.** Countywide (DB)

3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES

1. **Staff recommends motion to approve:** three (3) Community Based Agency Contracts with the following agencies, for the period, starting October 1, 2023 through September 30, 2026, in an amount not to exceed \$545,000 annually, totaling \$1,635,000 over a three (3) year period as follows:
  - A) For the Children Inc. in an amount not to exceed \$185,000 annually, for a total contract amount of \$555,000 for the Lake Worth Beach Youth Empowerment Center program;
  - B) City of Riviera Beach in an amount not to exceed \$180,000 annually, for a total contract amount of \$540,000 for the Youth Empowerment Center program; and
  - C) Student Aces, Inc. in an amount not to exceed \$180,000 annually, for a total contract amount of \$540,000 for the Belle Glade Youth Empowerment Center program.

**SUMMARY:** The Contracts authorize continued funding to support Youth Empowerment Centers (YECs) in Belle Glade, Riviera Beach, and Lake Worth Beach. YECs are a key component of the Youth Violence Prevention project approved and budgeted for by the Board of County Commissioners (BCC). In addition, the YECs provide summer employment/internship opportunities for some teens in their programs. For the Children, Inc. and Student ACES, Inc. are non-profit organizations contracted to operate the Lake Worth Beach and Belle Glade Youth Empowerment Centers, respectively. The following chart shows the projected and actual outcomes for each agency from FY2022.

Agency	YEC Programming Project # Youth	YEC Programming Actual # Youth Served	Summer Internships Projected/Actual
For the Children	90	97	10/10
City of Riviera Beach	100	91	17/17
Student Aces	60	64	6/6

Each YEC program anticipates to continue to serve the same number of youth as the current contracts. The cities provide in-kind support and supplemental funding for these programs. After completion of each contract year, a report will be generated detailing each agency's progress in meeting their performance measurements. Districts 1, 3, 6 & 7 (HH)

3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES (cont'd.)

2. **Staff recommends motion to receive and file:** an Agency Affiliation Agreement (Agreement) with Nova Southeastern University, Inc. (University) for the term August 24, 2023, through August 23, 2024, with three (3) automatic one-year renewal options, for its students to complete planned and supervised clinical experiences required for a Master's or Doctoral degree, at various Youth Services Department facilities, with no additional cost to the County. **SUMMARY:** The Youth Services Department's Residential Treatment and Family Counseling Division continues to be an authorized counselor training facility for many state colleges and universities offering degrees in graduate programs of psychology, social work or other related fields of educational study. Master's/Doctoral Degree programs require field education experience in order to meet degree and licensing requirements. The County will continue to offer its services and programs as a means for the students to obtain the necessary training and experience to earn their respective degree. There are no costs associated with this Agreement. On September 22, 2015, Agenda Item 3BB-2 authorized the County Administrator, or designee, to execute future Agreements, or amendments with the University, for clinical experiences on behalf of the Board of County Commissioners. Countywide (HH)
  
3. **Staff recommends motion to approve:** a Community Based Agency Contract with Prime Time Palm Beach County, Inc., (Prime Time) for the period October 1, 2023 through September 30, 2026, in an amount not to exceed \$280,710 annually for a total contract amount of \$842,130 over a three (3) year period, to provide Quality Improvement Professional Development Expanded Learning Opportunities and other supports to out-of-school programs for middle and high school students in Palm Beach County. **SUMMARY:** This Contract will enable Prime Time to continue to provide services to practitioners and youth at 15 sites throughout the County. This will include additional learning and enhanced professional development to practitioners through the ACHIEVE Out-of-School Time (OST), a tiered incentive award program that rewards practitioners for participating in trainings and earning certificates and degrees, with an emphasis in best practices in youth development. In FY2022, Prime Time Providers of Expanded Learning Opportunities (ELO Providers) served 2,336 youth. In FY2021, ELO Providers served 530 youth, and in FY2020, they served 434 youth. Covid 19 impacted the numbers served in FY2020 and FY2021. In FYs 2023 – 2026, ELO Providers anticipate providing 2,500 youth experiences annually. After completion of each contract year, a report will be generated detailing Prime Time's progress in meeting their performance measurements. Countywide (HH)

3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES (cont'd.)

4. Staff recommends motion to approve:

- A) a Contract for Provision of Services (Contract) with Friends of Youth Services and Palm Beach County, Inc. (Friends), for the period October 1, 2023, through September 30, 2024, with four (4) automatic annual renewals at the County's sole discretion, pertaining to the funding and administrative support of the Summer Camp Scholarship Program, providing for \$443,326 in scholarship funding and \$15,700 in administrative expenses, for a total of \$459,026 annually, and providing for office space at 50 S. Military Trail, Suite 203, Youth Services Department (YSD), for use by Friends as needed for file storage and meetings; and
- B) a Budget Transfer of \$700 in the General Fund from the Administration unit (Unit 1501) to the Summer Camp Scholarship Program unit (Unit 2514) to fund the additional administrative expense associated with the Contract for year one.

**SUMMARY:** This Contract outlines the working partnership between the County and Friends for the annual funding administration service responsibilities of the Youth Services Department's (YSD) Summer Camp Scholarship Program (SCSP). The SCSP pays full tuition and associated fees for eligible children to attend day camp during the summer months. Friends receives advance payments from other funding sources prior to the SCSP start date. As an exception to Palm Beach County Administrative Code Rule 305.02 and County policy, approval of this Contract will allow the County to also provide annual advance payments to Friends, establishing the necessary funding source for Friends to pay County approved SCSP provider claims from County funds. Without this advance payment, Friends must make payments on the County's behalf using other funding sources whose eligibility criteria differs from the County. No SCSP provider claims are paid from this advance payment without prior approval of the County and any unspent funds at the end of each program year must be returned to the County by Friends. Scholarships awarded to Palm Beach County youths to attend summer camps were: FY2023 - 4,567; FY2022 - 4,043; FY2021 - 3,675 and FY2020 - 3,586. County funds (\$459,026 annually) are leveraged with Children's Services Council of Palm Beach County funds (over \$3 million annually since FY2020) to fund these scholarships. Countywide (HH)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

1. Staff recommends motion to: **A) receive and file:** Grant Modification #3 to the FY21 State Homeland Security Subgrant Agreement with the State of Florida, Division of Emergency Management, to extend the grant period through June 30, 2024. **SUMMARY:** On March 22, 2022, the Board of County Commissioners (BCC) accepted a grant award from the State of Florida, Division of Emergency Management in the amount of \$763,240 for the period of January 18, 2022 through March 31, 2023 to support various domestic security initiatives (R2022-0254). On December 6, 2022, the BCC accepted grant modification #1 which provided supplemental funds in the amount of \$462,317 to support a statewide law enforcement data sharing system administered by the Florida Department of Law Enforcement, for a total grant award of \$1,225,557 (R2022-1475). On June 6, 2023, the BCC accepted grant modification #2 which extended the grant period through September 30, 2023 (R2023-0751). Modification #3 will extend the grant period through June 30, 2024 to allow more time to complete our domestic security initiatives. **There is no match associated with this award.** The Catalog of Federal Domestic Assistance (CFDA) Number for this program is 97.067 and the contract number is R0515. Countywide (RS)

2. Staff recommends motion to:  
**A) accept** on behalf of the Palm Beach County Sheriff's Office a Financial Assistance Agreement for the FY2023-24 Drone Replacement Program between the Florida Department of Law Enforcement and the Palm Beach County Sheriff's Office for the period of July 1, 2023 through June 30, 2024; and

**B) approve** a Budget Amendment of \$257,387 in the Sheriff's Grant Fund.

**SUMMARY:** The Florida Legislature amended Section 934.50 which requires local governments using any non-compliant drones to relinquish them to the Florida Department of Law Enforcement (FDLE) and replace them with a drone from an approved manufacturer. The Legislature authorized funding through FDLE to reimburse local governments based on the depreciated value of the non-compliant drones. Thus, the Palm Beach County Sheriff's Office was awarded \$257,386.90 to offset the cost of the purchase of new compliant drones. The grant period is from July 1, 2023 through June 30, 2024. **There is no match requirement associated with this award.** The Catalog of State Financial Assistance (CSFA) number is 71.092 and the agreement number is 3X010. Countywide (RS)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (cont'd.)

3. **Staff recommends motion to: receive and file** Modification #4 to Subgrant Agreement between the Florida Division of Emergency Management and the Palm Beach County Sheriff's Office, to extend the grant period through June 30, 2024. **SUMMARY:** The Board of County Commissioners (BCC) accepted the FY20 State Homeland Security Grant Program (SHSGP) award for \$1,103,100 on February 2, 2021 (R2021-0205). On March 22, 2022, the BCC received and filed modification #1 to extend the grant period through September 30, 2022 (R2022-0256). On October 4, 2022, the BCC received and filed modification #2 to extend the grant period through March 31, 2023 (R-2022-1164). On June 6, 2023, the BCC received and filed modification #3 to extend the grant period through September 30, 2023 (R2023-0752). Modification #4 will extend the grant period through June 30, 2024 to allow more time to complete our domestic security initiatives. **There is no match associated with this award.** The Catalog of Federal Domestic Assistance (CFDA) Number for this program is 97.067 and the contract number is R0286. Countywide (RS)
4. **Staff recommends motion to: receive and file** a Modification #1 to the FY20 Prosecuting Cold Cases using DNA grant award agreement between the Department of Justice, Office of Justice Programs and the Palm Beach County Sheriff's Office to extend the grant period from September 30, 2023 through September 30, 2024. **SUMMARY:** The Board of County Commissioners (BOCC) accepted this grant for \$470,000 on February 2, 2021 (R2021-0204). This agenda item will extend the grant period from September 30, 2023 through September 30, 2024. The Department of Justice Office of Justice Programs Catalog of Federal Domestic Assistance (CFDA) Number for this program is 16.036 and the contract number is 2020-DN-BX-0155. Countywide (RS)
5. **Staff recommends motion to: receive and file** a Modification #1 to the FY20 Crime Gun Intelligence Center grant award agreement between the Department of Justice, Office of Justice Programs and the Palm Beach County Sheriff's Office to extend the grant period from September 30, 2023 through March 31, 2024. **SUMMARY:** The Board of County Commissioners (BOCC) accepted this grant for \$700,000 on February 2, 2021 (R2021-0206). This agenda item will extend the grant period from September 30, 2023 through March 31, 2024. The Department of Justice Office of Justice Programs Catalog of Federal Domestic Assistance (CFDA) Number for this program is 16.738 and the contract number is 2020-DG-BX-0012. Countywide (RS)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (cont'd.)

6. Staff recommends motion to:

**A) accept** on behalf of the Palm Beach County Sheriff's Office, a Letter of Agreement and Contract between the Palm Beach County Sheriff's Office and the University of North Florida Training and Services Institute, Inc., d/b/a Institute of Police Technology and Management ("IPTM"), for the Palm Beach County Sheriff's Office's High Visibility Enforcement Project in the amount of \$86,196.06 for the period of August 21, 2023 through May 10, 2024; and

**B) approve** a Budget Amendment of \$86,197 in the Sheriff's Grants Fund.

**SUMMARY:** On August 1, 2023, the University of North Florida Training and Services Institute, Inc., d/b/a Institute of Police Technology and Management ("IPTM"), awarded a High Visibility Enforcement (HVE) grant to the Palm Beach County Sheriff's Office (PBSO) in the amount of \$86,196.06 to support the Florida Department of Transportation's Bicycle Pedestrian Focused Initiative. These funds will be used to pay for overtime costs associated with the HVE project. **There is no match requirement associated with this award.** The Catalog of Federal Domestic Assistance (CFDA) number is 20.205, the project number is 433144-1-8404, and the FDOT Contract number is G2M61. Countywide (RS)

DD. TOURIST DEVELOPMENT COUNCIL

1. Staff recommends motion to approve: First Amendment to the Agreement (R2022-1024) with Discover Palm Beach County, Inc., (DISCOVER) for the provision of services under the County's Tourist Development Plan for a total amount of \$34,042,978 during the period of October 1, 2023, through September 30, 2024. **SUMMARY:** The First Amendment (Amendment) better defines the marketing plan content, the role DISCOVER plays in product development, deletes obsolete references to a line-item budget and non-electronic accounting procedures, adds language to allow for advance payment of services when it will result in a competitive advantage, includes training and professional education as operating expenses, include staff training and development as one of DISCOVER's responsibilities, and increases DISCOVER's deadlines for seeking certain reimbursements from 45 and 60 days to 90 days. The Amendment updates for Fiscal Year 2024, Exhibit "A" – Annual Budget, for an amount not to exceed \$27,212,286 in contractual services, \$311,471 in County direct costs, \$72,500 for Boca Bowl, and \$6,446,721 in reserves, for a total of \$34,042,978, Exhibit "H" - Performance Measures, Exhibit "K" – Organizational Chart, Exhibit "L" – Insurance, and Exhibit "M" – Diversity Schedule. The Amendment has been approved by the Tourist Development Council Board. Countywide (YBH)

3. CONSENT AGENDA APPROVAL

DD. TOURIST DEVELOPMENT COUNCIL (cont'd.)

2. **Staff recommends motion to approve:** First Amendment to the Agreement (R2022-1017) with Cultural Council of Palm Beach County, Inc., (CULTURAL COUNCIL) for the provision of services under the County's Tourist Development Plan for a total amount of \$17,391,221 during the period of October 1, 2023, through September 30, 2024. **SUMMARY:** The First Amendment (Amendment) deletes obsolete references to a line-item budget and non-electronic accounting procedures and adds language to allow for advance payment of services when it will result in a competitive advantage, includes training and professional education as operating expenses, include staff training and development as one of CULTURAL COUNCIL's responsibilities, and increases CULTURAL COUNCIL's deadlines for seeking certain reimbursements from 45 and 60 days to 90 days. The Amendment updates for Fiscal Year 2024, Exhibit "A" – Annual Budget, for an amount not to exceed \$4,712,223 in contractual services, \$7,563,842 in County direct and indirect costs (CAT B Grants and CII Grants), and \$5,115,156 in reserves, for a total of \$17,391,221, Exhibit "E" - Performance Measures, Exhibit "H" – Organizational Chart, Exhibit "J" – Insurance, Exhibit "M" – Overhead, and Exhibit "N" - Diversity Schedule. The Amendment has been approved by the Tourist Development Council Board. Countywide (YBH)
  
3. **Staff recommends motion to approve:** First Amendment to the Agreement (R2022-1018) with Palm Beach County Film and Television Commission, Inc., (FILM) for the provision of services under the County's Tourist Development Plan for a total amount of \$3,811,055 during the period of October 1, 2023, through September 30, 2024. **SUMMARY:** The First Amendment (Amendment) deletes obsolete references to a line-item budget and non-electronic accounting procedures and adds language to allow for advance payment of services when it will result in a competitive advantage, includes training and professional education as operating expenses, include staff training and development as one of FILM's responsibilities, and increases FILM's deadlines for seeking certain reimbursements from 45 and 60 days to 90 days. The Amendment updates for Fiscal Year 2024, Exhibit "A" – Annual Budget, for an amount not to exceed \$2,297,172 in contractual services, \$171,807 in County direct costs, and \$1,342,076 in reserves, for a total of \$3,811,055, Exhibit "F" - Performance Measures, Exhibit "J" – Organizational Chart, Exhibit "N" - Diversity Schedule and Exhibit "O" – Insurance. The Amendment has been approved by the Tourist Development Council Board. Countywide (YBH)

3. CONSENT AGENDA APPROVAL

DD. TOURIST DEVELOPMENT COUNCIL (cont'd.)

4. Staff recommends motion to approve: First Amendment to the Agreement (R2022-1019) with the Palm Beach County Sports Commission, Inc. (SPORTS) for the provision of services under the County's Tourist Development Plan for a total amount of \$8,427,397 during the period of October 1, 2023, through September 30, 2024. **SUMMARY:** The First Amendment (Amendment) deletes obsolete references to a line-item budget and non-electronic accounting procedures and adds language to allow for advance payment of services when it will result in a competitive advantage, include training and professional education as operating expenses, include staff training and development as one of SPORTS' responsibilities, and Increases SPORTS' deadlines for seeking certain reimbursements from 45 and 60 days to 90 days. The Amendment updates for Fiscal Year 2024, Exhibit "A" – Annual Budget, for an amount not to exceed \$2,622,645 in contractual services, \$2,076,429 in indirect costs (which is a combination of the line items for Sports Grants and Special Event Funding), \$290,913 in County direct costs, and \$3,437,410 in reserves, for a total of \$8,427,397, Exhibit "E" - Performance Measures, Exhibit "H" – Organizational Chart, Exhibit "M" – Insurance, and Exhibit "N" – Diversity Schedule. The Amendment has been approved by the Tourist Development Council Board. Countywide (YBH)

3. CONSENT AGENDA APPROVAL

DD. TOURIST DEVELOPMENT COUNCIL (cont'd.)

5. Staff recommends motion to receive and file: twelve (12) fully executed Palm Beach County FY24 Category “C-II” Grant Agreements with various grantees totaling \$1,606,649 and managed by the Cultural Council of Palm Beach County, Inc. (Culture) for the promotion/marketing of cultural events. These grants were approved by the Tourist Development Council (TDC) on June 8, 2023, for the term October 1, 2023 – September 30, 2024. **SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a Receive and File agenda item. On June 7, 1994, the Board of County Commissioners adopted resolution (R94-702) authorizing the Executive Director of the Tourist Development Council to enter into grant agreements with Category “C-II” grantees after they have been approved by the TDC. Cultural organizations with operating budgets below \$1.175 million are eligible for Category “C-II” funding. After completing an application for funding, the organizations and their programs are reviewed by a grant panel which recommends funding levels. The table below itemizes the organizations which Culture and the TDC have approved and the funding amount based on grant panel scores. The grant agreements will fund events which will promote cultural tourism in Palm Beach County. Countywide (YBH)

Council Approved Recommended Funding	Score	2024 Grant Amount
<b>Level 1 – 10% of Operating Revenue up to \$500,000</b>		
Spady Cultural Heritage Museum, Inc.	93.33	\$129,766
<b>Level 2 – Revenues between \$500,000 and \$1,174,999</b>		
Boca Ballet Theatre Company	88.00	\$131,014
Lighthouse ArtCenter, Inc.	92.67	\$137,961
The Boca Raton Philharmonic Symphonia, Inc.	91.00	\$135,480
Ballet Palm Beach, Inc	88.00	\$131,014
Ann Norton Sculpture Gardens, Inc.	85.67	\$127,540
The Lake Worth Playhouse, Inc.	90.33	\$134,488
Young Singers of the Palm Beaches, Inc.	93.67	\$139,450
Mandel Jewish Community Center of the Palm Beaches, Inc.	91.67	\$136,473
Centre for the Arts at Mizner Park, Inc	89.00	\$132,503
The Chamber Music Society of Palm Beach, Inc.	93.33	\$138,954
Historical Society of Palm Beach County	88.67	\$132,006

**Grand Total (12)**

**\$1,606,649**

3. CONSENT AGENDA APPROVAL

DD. TOURIST DEVELOPMENT COUNCIL (cont'd.)

6. Staff recommends motion to receive and file: twenty-five (25) fully executed Palm Beach County FY24 Category “B” Grant Agreements with various grantees totaling \$5,544,108 and managed by the Cultural Council of Palm Beach County, Inc. (Culture) for the promotion/marketing of cultural events. These grants were approved by the Tourist Development Council (TDC) on June 8, 2023, for the term October 1, 2023 – September 30, 2024. **SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a Receive and File agenda item. On June 7, 1994, the Board of County Commissioners adopted resolution (R94-702) authorizing the Executive Director of the Tourist Development Council to enter into grant agreements with Category “B” grantees after they have been approved by the TDC. Cultural organizations with operating budgets of \$1.175 million or more are eligible for Category “B” funding. After completing an application for funding, the organizations and their programs are reviewed by a grant panel which recommends funding levels. The table below itemizes the organizations which Culture and the TDC have approved and the funding amount based on grant panel scores. The grant agreements will fund events which will promote cultural tourism in Palm Beach County. Countywide (YBH)

3. CONSENT AGENDA APPROVAL

DD. TOURIST DEVELOPMENT COUNCIL (cont'd.)

6. SUMMARY (cont'd.):

<b>Council Approved Recommended Funding</b>	<b>2024 Grant Amount</b>
<b>Level 1 Revenues \$2 Million &amp; Under</b>	
Loxahatchee River Historical Society, Inc.	\$148,101
Adolph & Rose Levis Jewish Community Center, Inc.	\$104,069
The Boca Raton Historical Society, Inc.	\$127,787
<b>Level 2 Revenues between \$2,000,001 &amp; \$3Million</b>	
Palm Beach State College	\$181,453
The Armory Art Center, Inc.	\$177,579
Florida Atlantic University Foundation, Inc	\$174,996
Creative City Collaborative of Delray Beach, Inc.	\$185,973
Friends of Mounts Botanical Garden, Inc.	\$144,646
Palm Beach Photographic Center, Inc.	\$178,870
<b>Level 3 Revenues between \$3,000,001 &amp; \$5 Million</b>	
Palm Beach Dramaworks, Inc.	\$222,781
The Morikami, Inc.	\$226,816
The Palm Beach Symphony Society, Inc.	\$230,852
The Busch Wildlife Sanctuary, Inc.	\$214,709
<b>Level 4 – Revenues \$5 Million &amp; Over</b>	
Raymond F. Kravis Center for the Performing Arts, Inc.	\$290,583
Norton Museum of Art, Inc.	\$275,086
Cox Science Center and Aquarium, Inc.	\$279,929
Boca Raton Museum of Art, Inc.	\$268,305
SunFest of Palm Beach County, Inc.	\$262,494
Loggerhead MarineLife Center, Inc.	\$261,525
The Zoological Society of the Palm Beaches, Inc.	\$261,525
Palm Beach Opera, Inc.	\$265,399
The Henry Morrison Flagler Museum	\$269,274
Maltz Jupiter Theatre, Inc.	\$259,588
The Society of the Four Arts, Inc.	\$249,902
Miami City Ballet, Inc.	\$281,866
<b>Grand Total (25)</b>	<b>\$5,544,108</b>

3. CONSENT AGENDA APPROVAL

EE. OFFICE OF EQUAL OPPORTUNITY

1. Staff recommends motion to approve: Re-Appointment of one (1) youth representative (15-18 years of age) Sophia Nemes to serve as the ex-officio youth member to the Advisory Commission on Women commencing September 30, 2023 through September 30, 2024.

<u>Re-Appoint</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Nominated By</u>
Sophia Nemes	16	PBC Resident Youth (15-18 years of age)	Commissioner Marino Mayor Weiss

**SUMMARY:** Per Resolution R2018-0188, the Board of County Commissioners established the Advisory Commission on Women (ACW) and per Resolution R2023-0098 extended its service. The BCC may also appoint a youth representative (15-18 years of age) to serve as an ex-officio member. Sophia Nemes submitted a complete application and has expressed her interest in re-appointment. The ACW serves as an advisory body to focus on matters pertaining specifically to women. The ACW is comprised of fifteen (15) members, two (2) appointed by each County Commissioner and one (1) at-large appointed by majority vote of the BCC. The Board may also appoint a youth representative (15-18 years of age) to serve as an ex-officio member. The board meets at least quarterly. Sixteen (16) seats are currently filled. The current diversity count is Caucasian: 8 (53%), African-American: 4 (27%), Hispanic: 2 (13%) and Other: 1 (.06%). The gender ratio (female: male) is 16:0. The ACW recommends the reappointment. Countywide (JW)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to:

- A) **approve** Amendment of Solicitation/Modification of Contract No. 45310021C0038P00003 with the U. S. Equal Employment Opportunity Commission (EEOC) in the total amount of \$49,600 as payment for processing and resolving employment discrimination complaints;
- B) **approve** a net downward Budget Amendment of \$23,400 in the General Fund to adjust the budget to the actual contract amount; and
- C) **receive and file** the FY 2023 Extension of Worksharing Agreement with the EEOC.

**SUMMARY:** Execution of the documents is required so that the Office of Equal Opportunity (OEO) can receive payment for processing and resolving complaints of employment discrimination pursuant to the Worksharing Agreement with the EEOC. Contract No. 45310021C0038P00003 is for FY 2022 – 2023 and is in the amount of \$49,600 (\$41,500 for charge processing, \$2,800 for intake services, \$1,800 for FEPA Joint Innovation Project and \$3,500 EEOC/FEPA Training). The Worksharing Agreement is designed to provide individuals with an efficient procedure for obtaining redress for their grievances under Palm Beach County’s Equal Employment Ordinance and Federal laws. The Worksharing Agreement is a prerequisite to the receipt of a Charge Resolution Contract with the EEOC. On November 26, 1996, the Board of County Commissioners approved staff’s recommendation that future Worksharing Agreements be executed by the County Administrator, or designee, because of the recurring time constraints involved in this process. Pursuant to Countywide PPM-CW-O-051, the attached document is now being submitted to the BCC to receive and file. **No County funds are required.** Countywide (DO)

\* \* \* \* \*

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

A. COUNTY ATTORNEY

1. Staff recommends motion to adopt: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, repealing Chapter 14, Article II, Section 14-82, et seq., Palm Beach County Code, Ordinance No. 2022-027, “Notice of Termination of Residential Tenancies and Rental Payment Increase Ordinance”; providing for repeal of laws in conflict; providing for inclusion in the code of laws and ordinances; and providing for effective date. **SUMMARY:** On September 13, 2022, the Palm Beach County Board of County Commissioners (BCC) enacted Chapter 14, Article II, Section 14-82, et seq., Palm Beach County Code, Ordinance No. 2022-027, referred to as the “Notice of Termination of Residential Tenancies and Rental Payment Increase Ordinance” (Ordinance). On March 3, 2023, the Florida House of Representatives filed HB 1417, referred to as the “Residential Tenancies Bill”. On the same day, a similar bill, SB 1586, was filed by the Florida Senate. On June 29, 2023, the Residential Tenancies Bill was signed by Governor Ron DeSantis and became law. The new law preempts to the state the regulation of residential tenancies, the landlord-tenant relationship, and all other matters covered under the Residential Tenancies part of Chapter 83, Florida Statutes. Section 83.425, Florida Statutes supersedes any local government regulations on matters including, but not limited to: the screening process used by a landlord in approving tenancies; security deposits; rental agreement applications and fees associated with such applications; terms and conditions of rental agreements; the rights and responsibilities of the landlord and tenant; disclosures concerning the premises, the dwelling unit, the rental agreement, or the rights and responsibilities of the landlord and tenant; fees charged by the landlord; or notice requirements. The law also amends Section 83.57, F.S. by extending the notice required for termination of month to month tenancies from 15 days to 30 days, and amends Section 83.575(1), F.S. by changing the notice required for termination of tenancies with specific duration to provide that such tenancies may not require less than 30 days' notice or more than 60 days' notice of termination from either the tenant or the landlord. This law became effective on July 1, 2023. Countywide (MM)

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

B. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to:

A) **approve** the Inventory List (pursuant to Section 125.379, Florida Statutes) of all real property to which the County and its dependent special districts hold fee simple title which is appropriate for use as affordable housing; and

B) **adopt** a resolution recognizing the approval of the Inventory List.

**SUMMARY:** Pursuant to Section 125.379, Florida Statutes, as recently amended by SB 102, the County is required to prepare, by October 1, 2023, and every three years thereafter, an Inventory List of all real property within its jurisdiction to which the County or any dependent special district within its boundaries holds fee simple title which is appropriate for use as affordable housing. The Inventory List is to be reviewed by the Board of County Commissioners (Board) at a public hearing and the Board may revise the Inventory List at the conclusion of same. Following the public hearing, the Board is required to adopt a resolution that includes the Inventory List. The County is further required to make the inventory list publicly available on its website to encourage potential development. On September 12, 2023, County staff provided the Board an overview of County-owned real property and the Board approved the approximately 6.34-acre property located at 5741 Okeechobee Boulevard (property control number 00-42-43-23-00-000-7120) for inclusion in the Inventory List. The County has seven (7) dependent special districts all of which were contacted by County staff. No properties under the control of the dependent special districts were identified for inclusion in the Inventory List. See attachments 2 and 3 to this agenda item. This agenda item carries no fiscal impact. **(Property & Real Estate Management) District 2/Countywide** (HJF)

\* \* \* \* \*

5. REGULAR AGENDA

A. ADMINISTRATION

1. Staff recommends motion to:

A) **approve ~~adopt~~** a contract between the Board of County Commissioners of Palm Beach County, Florida (BCC), and Bencor, Inc. for development and implementation of a 401(a) Plan (Plan); and

B) **direct** staff on Plan design specifics for Palm Beach County employee participants.

**SUMMARY:** Based upon direction given by the BCC, staff solicited vendors for a Plan. A selection committee was assembled and a vendor selected by majority vote. The implementation of the Plan is a budget neutral benefit and will save both the employee and employer on compulsory Social Security and Medicare taxes. The Plan contributions will be submitted from compensable vacation and/or sick leave balances according to Merit Rule policy for payout upon termination per plan design. Staff is seeking direction from the BCC regarding the designated categories of employees that will participate. Countywide (DO)

5. REGULAR AGENDA

B. AIRPORTS

1. Staff recommends motion to approve: the Purchasing Department's issuance of an award letter for a six-month extension of the Term Contract for Janitorial Services at the Palm Beach International Airport (PBI) (Term Contract) with Triangle Services of Florida, Inc. d/b/a Triangle Services (Triangle) for the period commencing October 1, 2023, and ending March 31, 2024, per Master Agreement #17032D, for an amount not to exceed \$2,500,000. **SUMMARY:** The Term Contract ends on September 30, 2023, with no further renewal options. This item will authorize the extension of the Term Contract by the Purchasing Department for six additional months. Request for Proposal No. 23-057/MD was issued by the Purchasing Department on April 25, 2023, for a new janitorial services contract for PBI. The Selection Committee recommended the award of the contract to Flagship Airport Services, Inc. (Flagship); however, a protest was subsequently filed and upheld by the Purchasing Director on June 26, 2023. The Selection Committee reconvened on July 10, 2023, and Notice of Intent to Award to Flagship was posted on July 14, 2023. Due to the delay caused by the protest, additional time is required to finalize the new contract and provide a sufficient period of time for Flagship to onboard staff to perform the required services. In the event the full six-month extension is not required, the County may terminate the Term Contract for convenience. The amount approved for the current 12-month period, commencing on October 1, 2022, and ending on September 30, 2023, was \$3,600,000. The Term Contract provides for the payment of an annual management fee of \$153,800 paid in equal monthly installments of \$12,816.66. Expenses, including employee wages and benefits, are paid on a reimbursement basis in accordance with a budget approved by the Department of Airports. In consideration of the extension, Triangle requested an increase in the management fee of \$1,922.50 per month for a monthly management fee of \$14,739.16. Triangle also requested wage increases for custodians, supervisors and the manager as a part of the budget for the extended period. Wage increases are typically requested on an annual basis as a part of the budgeting process. The total not to exceed amount for the extension will be \$2,500,000, which is estimated based upon the management fee and projected reimbursable expenses. Triangle is located outside Palm Beach County in the City of Fort Lauderdale, Florida. The Term Contract was advertised pursuant to the Small Business Enterprise (SBE) Ordinance in place at the time with an SBE goal of 15%. Triangle committed to 18% SBE participation. The cumulative SBE participation to date is 19.61%. Pursuant to changes to Chapter 332, Florida Statutes, effective July 1, 2023, a governing body of a commercial service airport may not approve purchases of contractual services in excess of \$1,000,000 provided in Section 287.017, Florida Statutes, on a consent agenda. This item exceeds the threshold amount and must be approved on the regular agenda. Countywide (AH)

5. REGULAR AGENDA

~~C. HOUSING AND ECONOMIC DEVELOPMENT~~

~~1. Staff recommends motion to:~~

~~A) approve Community Development Block Grant Coronavirus (CDBG-CV) funding of up to \$1,713,000 to NOAH Development Corporation (NDC);~~

~~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 that do not substantially change the scope of work, terms or conditions of the funding award.~~

~~**SUMMARY:** NDC is a local 501(c) not-for-profit organization housing developer founded in 1985. The organization has developed, owned, and operated 349 affordable housing units across Belle Glade, Pahokee, and South Bay. NDC has entered into a contract to purchase from Harper Courts Inc., an unoccupied motel located at 308 N. Main Street, Belle Glade, that will be converted into 18 studio apartments for low income renters, including those at risk of homelessness or experiencing housing instability. Residents will have access to comprehensive social services, job placements, and mental health support through a partnership with the Belle Glade Housing Authority and other local organizations. Staff recommends a CDBG-CV forgivable loan of \$1,713,000 to partially fund costs of acquisition and rehabilitation. NDC will provide \$354,000 of cash equity towards the total development cost of \$2,172,000, and will defer a \$105,000 developer fee. NDC will be responsible for securing all necessary operational funding throughout the period of affordability. All housing units will be restricted for affordable rental to tenants with incomes no greater than 80% of Area Median Income for no less than 50 years. The County funding contribution equates to \$95,167 per affordable housing unit, with the County as first lienholder. The funding agreement and related documents pursuant to these County funds will be between the County and NOAH Development Corporation 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 CDBG-CV grant funds that do not require a local match.** District 6 (HJF)~~

\* \* \* \* \*

RECESS AS THE BOARD OF COUNTY COMMISSIONERS

CONVENE AS THE CHILD CARE FACILITIES BOARD

6. BOARD OF COUNTY COMMISSIONERS SITTING AS THE CHILD CARE FACILITIES BOARD

A. HEALTH DEPARTMENT

1. Staff recommends motion to: the re- appointment of (2) members to the Child Care Advisory Council to fill the positions listed below.

<u>SEAT #</u>	<u>NOMINEE:</u>	<u>REQUIREMENT:</u>	<u>Term</u>	<u>NOMINATED BY:</u>
3	Sandra Wilensky	Represents and operates a parochial childcare facility	10/1/2023 to 9/30/2026	Mayor Weiss
4	Claudette Rifenberg	Employed as a Consumer Protection Enforcement Official	10/1/2023 to 9/30/2026	Mayor Weiss

**SUMMARY:** The Child Care Advisory Council is comprised of seven members who serve at the pleasure of the Board of County Commissioners. Members must consist of two members who represent and operate private child care facilities in Palm Beach County, one of whom operates a family day care home or large family child care home; one member who represents and operates a parochial child care facility in Palm Beach County; one consumer protection enforcement official; one member for fire protection, engineering or technology; and one member who, at the time of appointment, was the parent of a child attending a child care facility in Palm Beach County; and one representative from the Florida Department of Children and Families. The applicant for appointment to Seat 3, Sandra Wilensky, is the Director and operator of Torah. The applicant for appointment to Seat 4, Claudette Rifenberg, is a manager with the Consumer Protection Enforcement with 18 years of experience in serving. She was appointed to the Council on October 1, 2021, to complete the term of a predecessor. She is recommended for appointment to her first full term of service. The diversity count for the six seats currently filled is Caucasian: 3 (50.0%), African American: 2 (33.3%), and Hispanic American: 1 (16.7%). The gender ratio (female: male) is 6:0. The nominee for Seat 2 is an African American female and the nominee for Seat 7 is a Caucasian female. Staff continues to address the need for increased diversity within our boards and will continue to encourage expansion of this Council’s diversity. Countywide (HH).

**ADJOURN AS THE CHILD CARE FACILITES BOARD**

**RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS**

\* \* \* \* \*

7. BOARD APPOINTMENTS

A. ADMINISTRATION

1. Staff recommends motion to approve: appointment of two of the following individuals to replace one (1) citizen member and one (1) alternate citizen member on the Value Adjustment Board (VAB):

AT-LARGE SEAT

NOMINATED BY:

Jay Nisberg

Mayor Weiss

Or

Elizabeth Accomando

Commissioner Baxter

Or

~~Jodi Schwartz~~

~~Commissioner Woodward~~

ALTERNATE SEAT

NOMINATED BY:

Ashley Cacicedo

Mayor Weiss

Or

Elizabeth Accomando

Commissioner Baxter

Or

~~Jodi Schwartz~~

~~Commissioner Woodward~~

6. BOARD APPOINTMENTS

A. ADMINISTRATION

1. **SUMMARY:** Florida Statutes 194.015 and Administrative Rule 12D-9.004 provide that every county shall have a value adjustment board (VAB) which consists of five members: (a) two members of the Board of County Commissioners (BCC); (b) one school board member; (c) a citizen member appointed by the BCC, who owns homestead property in the county, and (d) a citizen member appointed by the school board who owns a business that occupies commercial space located within the school district. Additionally, Administrative Rule 12D-9.004(3)(a) provides for the appointment of alternates. Specifically, at the same time that the BCC selects a primary member of the VAB, the BCC may select an alternate to serve in place of the primary member, as needed. The BCC-appointed citizen member and alternate must (1) own homestead property in Palm Beach County; (2) may not be a member or an employee of any taxing authority in this state; and (3) may not be a person who represents property owners, property appraisers, tax collectors, or taxing authorities in any administrative or judicial review of property taxes. Currently, due to a resignation, there exists a vacancy in the citizen member seat that must be appointed by the BCC. Additionally, there is a current vacancy in the alternate citizen member seat. Four applicants have been nominated for appointment: Mr. Jay Nisberg has been nominated by Mayor Weiss, who is Caucasian male. Ms. Ashley Cacicedo has also been nominated by Mayor Weiss, who is Caucasian female. Ms. Elizabeth Accomando has been nominated by Commissioner Baxter, who is a Caucasian female. Ms. Accomando is also the Executive Director of non-profit Barky Pines Animal Rescue & Sanctuary that currently has a contract with Palm Beach County Animal Care & Control Division, a contract that is not subject to the oversight of the Value Adjustment Board. ~~Ms. Jodi Schwartz has been nominated by Commissioner Woodward, who is a Caucasian female.~~ The diversity count for the four seats currently filled is Caucasian: 2 (50.0%), Hispanic American: 1 (25%), and Other: 1 (25%). The gender ratio (female: male) is 1:3. Staff continues to address the need for increased diversity within our boards and will continue to encourage expansion of this Council's diversity Countywide (DB)

B. COMMISSION DISTRICT APPOINTMENTS

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**SEPTEMBER 19, 2023**

**7. STAFF COMMENTS**

**A. ADMINISTRATION COMMENTS**

**B. COUNTY ATTORNEY**

**SEPTEMBER 19, 2023**

**8. COMMISSIONER COMMENTS**

**District 1 – COMMISSIONER MARIA G. MARINO**

**District 2 – COMMISSIONER GREGG K. WEISS**

**District 3 – COMMISSIONER MICHAEL A. BARNETT**

**District 4 – COMMISSIONER MARCI WOODWARD**

**District 5 - COMMISSIONER MARIA SACHS**

**District 6 - COMMISSIONER SARA BAXTER**

**District 7 – COMMISSIONER MACK BERNARD**

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**9. 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."