

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

**ADDITIONS, DELETIONS, & SUBSTITUTIONS**

**NOVEMBER 7, 2023**

<u>PAGE</u>	<u>ITEM</u>									
9	3B2	<b>*REVISED Motion / Title / Staff recommends motion to approve:</b> the following final minutes of the Board of County Commissioners' meetings:  <table><thead><tr><th><u>Meeting Date</u></th><th><u>Meeting Type</u></th></tr></thead><tbody><tr><td>September 23<del>26</del>, 2023</td><td>Budget</td></tr><tr><td>September 28, 2023</td><td>Zoning</td></tr><tr><td>October 03, 2023</td><td>Regular</td></tr></tbody></table>	<u>Meeting Date</u>	<u>Meeting Type</u>	September 23 <del>26</del> , 2023	Budget	September 28, 2023	Zoning	October 03, 2023	Regular
<u>Meeting Date</u>	<u>Meeting Type</u>									
September 23 <del>26</del> , 2023	Budget									
September 28, 2023	Zoning									
October 03, 2023	Regular									
52	4A	<b>*REVISED Title</b> - Certificate of recognition to La Tuna of <del>Okeechobee</del> <u>Okeehoelee</u> Middle School.								
52	4B	<b>*DELETED</b> – Wellington Chamber of Commerce Special Presentation								
59	5E1	<b>*REVISED Motion / Title / Staff recommends motion to:</b>  <b>A)</b> receive and file the multi-year Small/Minority/Women Business Enterprise (S/M/WBE) utilization report;  <b>B)</b> authorize up to a two (2) year extension of the S/M/WBE Program to allow time to solicit, complete and consider an updated disparity study and fairly monitor and track an uninterrupted period of two (2) years for overall County spend that was altered due to COVID-19 when emergency purchases were not subject to the Equal Business Opportunity (EBO) Program;  <b>C)</b> authorize an updated disparity study;  <b>D)</b> authorize funding not to exceed \$500,000 for the updated study;  <b>E)</b> <u>approve Budget Transfer of \$500,000 from General Fund Contingency Reserves to fund the updated Disparity Study; and</u>  <b>F)</b> support an increase in the size standards to align with current Consumer Price Index (CPI) inflation criteria, the U.S. Small Business Administration, best practices and current North American Industrial Classification System (NAICS) codes as follows: From \$9 million to \$13 million for Construction; from \$5 million to \$7 million for Professional Services CCNA Required; from \$5 million to \$7 million for Goods and from \$4 million to \$5.7 million for Professional Services (CCNA Not Required) and Other Services.								

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

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

**NOVEMBER 7, 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 9 - 51)**
- 4. SPECIAL PRESENTATIONS (Page 52)**
- 5. REGULAR AGENDA (Pages 53 - 60)**
- 6. BOARD APPOINTMENTS (Page 61)**
- 7. STAFF COMMENTS (Page 62)**
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- 9. MATTERS BY THE PUBLIC – 2:00 P.M. (Page 64)**
- 10. ADJOURNMENT (Page 65)**

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**REGULAR AGENDA**

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**B. HOUSING AND ECONOMIC DEVELOPMENT**

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**BOARD APPOINTMENTS** (Page 61)

**STAFF COMMENTS** (Page 62)

**COMMISSIONER COMMENTS** (Page 63)

**MATTERS BY THE PUBLIC – 2:00 P.M.** (Page 64)

**ADJOURNMENT** (Page 65)

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>
September <del>23</del> <u>26</u> , 2023	Budget
September 28, 2023	Zoning
October 03, 2023	Regular

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

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** the Fiscal Year 2024 sidewalk program. **SUMMARY:** Approval of the program will allow for the scheduling and construction of the proposed projects that have been compiled in response to requests from the Palm Beach County School District, the Palm Beach County Sheriff’s Office, the Board of County Commissioners (BCC), and residents of Palm Beach County. The proposed projects include nine new construction projects and six major maintenance projects. The total program cost is \$1,500,000 and is allocated among the following categories:

Major Maintenance	\$499,800
Non-School Related	\$377,810
School Related	\$593,940
Minor Maintenance & Support	\$28,450
<u>Total</u>	<u>\$1,500,000</u>

The proposed list of projects for the program was previously sent to the BCC for preliminary review by interoffice memorandum on September 15, 2023. Countywide (YBH)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to adopt: a Resolution declaring the acquisition of fee simple right-of-way designated as Parcel 102 and a temporary construction easement designated as Parcel 302 necessary for the construction of roadway improvements to extend Congress Avenue from Northlake Boulevard to Alternate A1A (Project). **SUMMARY:** Adoption of the Resolution will initiate eminent domain proceedings pursuant to Chapters 73, 74, 127, and Section 337.27, Florida Statutes, as amended, against two parcels having a total appraised value of \$343,100. The parcels are necessary to construct a new typical three lane roadway with shoulders, curb and gutter, sidewalks, a roundabout, and drainage for the Project. The Project will be constructed in two phases, and these parcels are needed for construction of the second phase. The property owner has not accepted the offer to purchase made by Palm Beach County (County) and attempts to negotiate the purchase have been unsuccessful. Eminent domain proceedings are necessary to acquire the parcels at this time in order to expedite construction of the Project. **This Project is included in the Five Year Road Program. District 1 (DO)**
  
3. Staff recommends motion to approve: Supplement No. 1 (Supplement) to Consultant Service Authorization (CSA) No. 6, dated June 14, 2023 under the Annual Construction Engineering Inspection (CEI) Services Contract (R2021-0882) dated July 13, 2021 (Contract) with Mehta and Associates, Inc. (MAI) in the amount of \$2,404,132.50 for CEI services for the Australian Avenue Drainage Improvements from Banyan Boulevard to 45<sup>th</sup> Street (Project). **SUMMARY:** Approval of this Supplement will provide the professional CEI services necessary during construction of the Project. The Contract was presented to the Goal Setting Committee (GSC) on November 6, 2019. The GSC applied Affirmative Procurement Initiatives of a 20% minimum mandatory Small Business Enterprise (SBE) participation and an SBE evaluation preference. MAI agreed to 20% SBE participation for the Contract. MAI agreed to 21% SBE participation for this Supplement. Their cumulative SBE participation to date for the Contract including this Supplement is 20.71%. MAI has an office located in Palm Beach County. **This Project is included in the Five-Year Road Program and has infrastructure sales tax funding. District 7 (YBH)**

3. CONSENT AGENDA APPROVAL

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

4. Staff recommends motion to:

**A) adopt** a Resolution approving a tri-party railroad reimbursement agreement (Agreement) with the Florida Department of Transportation (FDOT) and the South Florida Regional Transportation Authority (SFRTA) for maintenance and upgrades to the railroad grade crossing on Palm Beach Lakes Boulevard, FDOT/AAR Crossing Number 628118D (Crossing); and

**B) approve** the Agreement with the FDOT and the SFRTA to reimburse an estimated \$834,482.79 to the SFRTA for maintenance and upgrades to the Crossing.

**SUMMARY:** Adoption of the Resolution and approval of the agreement will allow the SFRTA to perform required maintenance and upgrades to the Crossing on Palm Beach Lakes Boulevard. Palm Beach County (County) is the license holder for this Crossing and as a condition of the license is required to pay for all required maintenance and upgrades for the Crossing. Required upgrades are estimated to cost \$834,482.79, which includes construction costs of \$693,735.66, 20% contingency and County staff time. The SFRTA will perform all work associated with the improvements. The SFRTA will be responsible for maintenance and operation of the Crossing upon completion of the improvements. The Crossing lies within the South Florida Rail Corridor (SFRC). The FDOT owns the SFRC property. The SFRTA maintains and operates the SFRC on behalf of the FDOT. **Crossing is included in the Five Year Road Program, Railroad Crossings Reserve.** District 7 (YBH)

5. Staff recommends motion to receive and file: a proportionate share agreement for \$323,936 with BC Boynton Industrial, LLC dated September 11, 2023, for their proposed project BC Commerce Center located at the northeast corner of Boynton Beach Boulevard and Acme Dairy Road. **SUMMARY:** In accordance with Countywide PPM CW-O-051, all delegated contracts, agreements, and grants must be submitted by the initiating department as a receive and file agenda item. This agreement was executed by the County Administrator on September 11, 2023 per Resolution R2016-0125. The County's proportionate share program allows developers to proceed with development, notwithstanding a failure of transportation concurrency, by contributing their proportionate share to one or more regionally significant transportation facilities. District 5 (SAS)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to approve: the reappointments of two (2) members to the Palm Beach County HIV Comprehensive AIDS Resources Emergency Act Council (HIV CARE Council), effective November 7, 2023:

<u>Seat No.</u>	<u>Reappointment</u>	<u>Recommended By</u>	<u>Term Expires</u>
1	Lilia Perez	HIV CARE Council	11/06/2026
2	Kristen Harrington	HIV CARE Council	11/06/2026

**SUMMARY:** The U.S. Department of Health and Human Services, Health Resources and Services Administration (HRSA) requires Palm Beach County to maintain a planning council tasked with establishing priorities and allocations for the Ryan White HIV/AIDS Program grant funding that the County receives. The Palm Beach County HIV CARE Council is the County’s planning council. Federal law requires that the planning council “shall reflect in its composition the demographics of the population of individuals with HIV/AIDS in the eligible area....”. At least 33% of planning council members must be consumers of Ryan White services who are unaffiliated with subrecipient service providers. The law also requires that members of the planning council represent designated categories including: health care providers; social service providers; community-based organizations; local public health agencies; non-elected community leaders; and grantees of Federal HIV programs. Ms. Perez is employed by FoundCare, Inc. and Ms. Harrington is employed by AIDS Healthcare Foundation, Inc., which contracts with the County for services; however, the HIV CARE Council 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 HIV CARE Council nomination process is an open process. Per Resolution No. R2018-0015, the total membership for the HIV CARE Council shall be no more than 33 at-large members. The nominees have successfully completed the nomination process and the HIV CARE Council recommends the appointments. The diversity count for the 24 seats that are currently filled is African-American: 10 (42%), Caucasian: 7 (29%), Hispanic-American: 6 (25%) and Asian-American: 1 (4%). The gender ratio (female: male) is 13:11. Ms. Perez is Hispanic-American and Ms. Harrington is Caucasian. Staff is addressing the need to increase diversity within our boards and will continue to encourage this to expand this Board’s diversity. (Ryan White Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

2. Staff recommends motion to approve:

- A) Amendment No. 1 to Contract for Provision of Services with Florida Rural Legal Services, Inc., (FRLS) (R2021-1905), to extend the end date from December 31, 2024 to September 30, 2025, and to amend, revise and replace portions of the contract, with no change to the total contract amount of \$825,000, for the provision of Rapid Response Eviction Assistance Program (RREAP) services to Palm Beach County (PBC) residents; adversely impacted by the pandemic; and
- B) Amendment No. 1 to Contract for Provision of Services with Legal Aid Society of Palm Beach County, Inc., (LASPBC) (R2021-1906), to extend the end date from December 31, 2024 to September 30, 2025, and to amend, revise and replace portions of the contract, with no change to the total contract amount of \$825,000, for the provision of RREAP services to PBC residents adversely impacted by the pandemic.

**SUMMARY:** The amendments extend the end date of each contract by nine (9) months with no increase to funding and updates the payment schedules, allowing FRLS and LASPBC to provide RREAP services through the Emergency Rental Assistance Program (ERAP). RREAP services include legal services for eviction prevention for PBC residents adversely impacted by the pandemic. Rental assistance is provided by the Community Services Department through ERAP. Currently FRLS has served 332 unduplicated clients from January 1, 2022 through July 31, 2023. LASPBC served 586 unduplicated clients from January 1, 2022 to July 31, 2023. Both agencies are projected to serve a total of 1,050 unduplicated clients through the end of the contract period. **No County match is required.** (Community Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. **Staff recommends motion to receive and file:** An Amendment for Extension of the following Public Transportation Grant Agreements (PTGAs) with the Florida Department of Transportation (FOOT). Delegation of authority for execution of the Amendments for extension of the PTGAs was approved by the Board on August 25, 2020 (R2020-1017):
  - A) Storm Hardening Facility Improvements - Phase 2 at Palm Beach International Airport (PBI), Financial Project Number 448981-1-94-01 approved by the Board on June 8, 2021 (R2021-0746), until December 31, 2024;
  - B) CCTV Camera Improvements at Palm Beach International Airport (PBI), Financial Project Number 448982-1-94-01 approved by the Board June 8, 2021 (R2021-0747) and amended on February 1, 2022 (R2022-0053), until December 31, 2024; and
  - C) Design and Construction of General Aviation Federal Inspection Service (GAFIS) Facility Improvements at PBI, Financial Project Number 434613-2-94-01 approved by the Board April 20, 2021 (R2021-0481 ), until June 30, 2026.

**SUMMARY:** Item A provides funding for improvements to various airport facilities in support of "shelter in place" operations on Airport property during weather events and other emergencies. Item B provides funding for the installation of additional cameras and supporting infrastructure at various locations throughout the airport campus. Item C provides funding for design and construction of the replacement GAFIS at PBI to provide US Customs and Border Patrol (CBP) a facility to support the inspection of international general aviation flights at PBI. The Amendment for Extension of the PTGAs extend the availability of grant funding to allow for the completion of various airport projects. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

2. Staff recommends motion to receive and file: Federal Aviation Administration (FAA) Letter Amendment (Amendment No. 1) to Grant Agreement Number 3-12-0086-017-2019 to Conduct Noise Compatibility Plan Study at Palm Beach County Park Airport (LNA) extending the Period of Performance until July 23, 2024. Delegation of authority for execution of the above standard form Grant Agreement was approved by the Board on August 25, 2020 (R2020-1017). **SUMMARY:** On October 22, 2019 (R2019-1686), the Board approved FAA Grant Agreement Number 3-12-0086-017-2019 in the amount of \$709,056 to Conduct Noise Compatibility Plan Study at LNA. This grant began on September 24, 2019 and expired on September 23, 2023. The FAA has provided Amendment No. 1 to said grant extending the Period of Performance until July 23, 2024. In an effort to address community concerns with the noise impacts of aircraft overflights in the vicinity of LNA, the Department of Airports initiated a Noise Compatibility Study under Part 150 of Title 14 of the Code of Federal Regulations (Part 150 Study). The Part 150 Study provides a structured approach for airport operators, neighboring communities and the FAA to work together to address aircraft noise concerns, while offering members of the public an opportunity for active and direct participation in the process. This effort follows Federal guidelines and recommendations related to the Part 150 Study review process in order to gain Federal approval for appropriate mitigation efforts developed under the study. Countywide (AH)
  
3. Staff recommends motion to receive and file: Federal Aviation Administration (FAA) Letter Amendment (Amendment No. 1) to Grant Agreement Number 3-12-0113-018-2019 to Conduct Environmental Study at North Palm Beach County General Aviation Airport (F45) extending the Period of Performance until July 23, 2024. Delegation of authority for execution of the above standard form Grant Agreement was approved by the Board on August 25, 2020 (R2020-1017). **SUMMARY:** On November 5, 2019 (R2019-1724), the Board approved FAA Grant Agreement Number 3-12-0113-018-2019 in the amount of \$743,198 to Conduct Environmental Study at F45. This grant began on September 24, 2019 and expired on September 23, 2023. The FAA has provided Amendment No. 1 to said grant extending the Period of Performance until July 23, 2024. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

4. Staff recommends motion to:

**A) receive and file** an Award Modification (Modification Number 00006) of Law Enforcement Officer (LEO) Reimbursement Program Other Transaction Agreement (OTA) 70T02021T6114N251 with the Transportation Security Administration (TSA) in the amount of \$80,080 for law enforcement services at Palm Beach International Airport (PBI) for the period commencing January 1, 2024 through March 31, 2024. Delegation of authority for execution of the LEO Agreements was approved by the BCC on August 14, 2012 (R2012-1093); and

**B) approve** a Budget Amendment in the Airport's Operating Fund, for the receipt of \$80,080 of funding from the TSA.

**SUMMARY:** The TSA LEO Reimbursement Agreement Program provides grants for reimbursement of airport operators for expenses incurred for the provision of LEO support at airport security checkpoints. The Palm Beach County Sheriff's Office (PBSO) provides LEO support at PBI. Acceptance of LEO Reimbursement Agreements will allow the County to recoup a portion of its costs for the provision of PBSO's services at PBI. Reimbursement is based on the availability of funds and is provided on a first-come, first-serve basis. The initial award in the amount of \$72,000 provided funds for the period of January 1, 2021 through March 31, 2021. Modification Number 00001 in the amount of \$220,000 provided funds for the period of April 1, 2021 through December 31, 2021. Modification Number 00002 in the amount of \$72,000 provided funds for the period of January 1, 2022 through March 31, 2022. Modification Number 00003 in the amount of \$220,000 provided funds for the period April 1, 2022 through December 31, 2022. Modification Number 00004 in the amount of \$72,000 provided funds for the period January 1, 2023 through March 31, 2023. Modification Number 00005 in the amount of \$220,000 provided funds for the period April 1, 2023 through December 31, 2023. Modification Number 00006 will provide for the continuation of funding for the LEO Reimbursement Program at PBI for reimbursement of LEO services/activities for the period commencing January 1, 2024 through March 31, 2024. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

5. Staff recommends motion to approve: Change Order No. 3 to the contract with Alen Construction Group, Inc. (Alen) in the amount of \$415,344.56 and 110 Calendar Days for Repairs to Short-Term and Long-Term Parking Garages 2 and 3 at Palm Beach International Airport (PBI). **SUMMARY:** The original contract with Alen for the Repairs to Short-Term and Long-Term Parking Garages 2 and 3 at PBI in the amount of \$2,684,458 and 300 Calendar Days was approved by the Board on February 14, 2023 (R2023-0218). Change Orders No. 1 and No. 2 in the amount of \$99,849.56 and 48 Calendar Days were approved in accordance with the authority designated in PPM CW-F-050. Approval of Change Order No. 3 in the amount of \$415,344.56 and 110 Calendar Days is required to complete the following items:(1) repairs to light poles in the Short-Term Garage and sidewalk pavement; (2) improvements to mitigate water intrusion in the elevator lobby located in one of the Long- Term Parking Garages, including the installation of a pre-engineered canopy awning; and improvement of an existing surface parking lot located next to Economy Parking to ensure sufficient public parking remains available during the peak travel season due to the intermittent closure of portions of the parking facilities during the project. Improvements to the surface parking lot will include the installation of pavement markings, bollards, and lighting. The project was presented to the Goal Setting Committee on July 7, 2022 and a SBE Subcontracting (minimum of 20%), Affirmative Procurement Initiative was applied. The S/M/WBE participation for Change Order No. 3 is 65.7%. The S/M/WBE subcontracting participation to date is 100%. Countywide (AH)

NOVEMBER 7, 2023

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

6. Staff recommends motion to approve:

- A) Amendment No. 10 to the General Consulting Agreement with RS&H, Inc. for Consulting/Professional Services in the amount of \$395,406.12 for New Aircraft Rescue Fire Fighting (ARFF) Facility Phasing Services and additional 400 Hz Ground Power Unit (GPU) Construction Administration (CA) & Resident Project Representative (RPR) services at Palm Beach International Airport (PBI); and
- B) a Budget Transfer in the amount of \$167,910 in the Airport's Improvement and Development Fund to provide budget for the project; including a transfer from Reserves in the amount of \$167,910.

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

6. **SUMMARY:** The Consulting Agreement with RS&H, Inc. for general airport planning and design was approved by the Board on May 7, 2019 (R2019-0612) in the amount of \$2,004,570.58 in order to carry out the approved Capital Improvement Programs for the County's Airports. Amendment No. 1 was approved by the Board on May 5, 2020 (R2020-0414) increasing the amount of the contract by \$2,304,608.30. Amendment No. 2 was approved by the Board on October 20, 2020 (R2020-1607) increasing the amount of the contract by \$3,196,990.03. Amendment No. 3 was approved by the Board on May 4, 2021 (R2021-0576) exercising the first one (1) year renewal option for the continuation of services provided under this agreement. Amendment No. 4 was approved by the Board on June 15, 2021 (R2021-0844) increasing the amount of the contract by \$2,644,110.87. Amendment No. 5 was approved by the Board on March 22, 2022 (R2022-0263) increasing the amount of the contract by \$1,325,943.87 and exercising the second and final one year renewal option. Amendment No. 6 was approved by the Board on January 24, 2023 (R2023- 0103) increasing the amount of the contract by \$1,175,706.57. Amendment No. 7 was approved by the Board on April 4, 2023 (R2023-0447) increasing the amount of the contract by \$1,109,482.80. Amendment No. 8 was approved by the Board on April 18, 2023 (R2023-0532) increasing the amount of the contract by \$1,106,284.38. Amendment No. 9 was approved by Board on October 17, 2023 increasing the amount of the contract by \$313,808.36. Approval of Amendment No. 10 will provide an additional \$395,406.12 for New ARFF Facility Phasing Services and additional 400 Hz GPU Replacement CA & RPR services at PBI. Approval of this item will allow the ARFF project to be completed in multiple phases. Additionally, the item will provide additional CA & RPR required to complete the 400 Hz GPU Replacement Project due to an extended project schedule. RS&H, Inc. is a Jacksonville, Florida based firm; however, the majority of the work to be completed in this agreement will be managed through their Fort Lauderdale, Florida offices in conjunction with several Palm Beach County-based and South Florida-based sub- consultants and firms. A Disadvantaged Business Enterprise (DBE) goal of 18% was set for this contract. RS&H, Inc. committed to 23% DBE participation for this agreement. The DBE participation for this Amendment is 57.26%. The total contract to date DBE participation including this amendment is 32.67%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

7. **Staff recommends motion to receive and file:** Five (5) Consent to Sublease (Consent) documents, consenting to the sublease of space by Signature Flight Support LLC (Signature) at the Palm Beach International Airport (PBI), with the following subtenants:

1. Abaco Xpress, LLC effective as of March 1, 2023;
2. Clean Takeoff, LLC effective as of April 15, 2023;
3. D&Y Finest Detailing, Inc. effective as of April 15, 2023;
4. Flyhouse, LLC effective as of March 1, 2023; and
5. Vortech Aviation LLC effective as of January 1, 2022.

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

8. **Staff recommends motion to receive and file:** Unmanned Aircraft System (UAS) Activity Permit (Permit) with Florida Power & Light Company (FPL), commencing September 29, 2023, and expiring September 30, 2023, (Initial Term) and automatically renewing on a year-to-year basis October 1<sup>st</sup> to September 30<sup>th</sup> until canceled, for FPL to operate a UAS, vehicles and ground support equipment at the North Palm Beach County General Aviation Airport (Airport), at no cost. **SUMMARY:** FPL uses its UAS to support inspection and maintenance of power transmission systems in South Florida. FPL received a Certificate of Waiver or Authorization (COA) from the Federal Aviation Administration and desires to operate from a base at the Airport, in accordance with the terms of the Permit. Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to approve: reappointment of Paul F. King, Esq. to the Contract Review Committee (CRC) for the term of November 7, 2023 through November 6, 2026:

Nominee  
Paul F. King

Seat No.  
5

Nominated By:  
Commissioner Gregg K. Weiss, Mayor  
Commissioner Maria Sachs, Vice Mayor  
Commissioner Maria G. Marino  
Commissioner Marci Woodward

**SUMMARY:** The CRC meets weekly to discuss and approve items brought forth by Departments that effect changes to Board approved construction or design professional contracts. On December 6, 2011 the Board of County Commissioners voted to add an At-Large appointee to the CRC. The Board directed that the At-Large appointee be a representative from the community with general contracting experience, or an attorney experienced in construction law. A request has been out to appoint an individual to the CRC to fill a vacancy on the Committee, and Paul F. King, Esq. has expressed an interest in being appointed to fill the vacancy. Mr. King is a retired attorney, including 26 years as an Assistant County Attorney with Palm Beach County, and has previous experience serving as a member of CRC. The other four members of the Committee are the County Engineer, the Directors of Facilities Development and Operations, Office of Equal Business Opportunity, Contract Development and Control/Office of Financial Management and Budget, or their designees. The County Attorney or designee attends each meeting for legal guidance. Countywide (DB)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: Work Order No. 23-011 to the annual Heating, Ventilation and Air Conditioning (HVAC) contract (R2020-0019) with Cedars Electro-Mechanical, Inc. (Contractor) in the amount of \$239,753 for the Delray Health Clinic-Outside Air Unit Replacement project for a period of 240 calendar days from notice to proceed. **SUMMARY:** The work consists of furnishing all labor, equipment, devices, tools, machinery, transportation, professional services, supervision, drawings, permitting and all miscellaneous requirements necessary to remove and replace the outside air unit at the Delray Health Clinic Facility. The existing equipment has outlived its useful life. The new outside air unit will be more efficient and provide years of dependable service. This project was competitively advertised and new contractors were invited to bid on the project by submitting prequalification documents prior to the submission of the bid response. The Contractor will have 240 calendar days from notice to proceed to substantially complete the project. Liquidated damages for failure to achieve certification of substantial completion within the contract time or approved time extension thereof are \$120 per day. This work order was solicited pursuant to the annual HVAC contract and the requirements of the Equal Business Opportunity (EBO) Ordinance. The HVAC annual contract was presented to the Goal Setting Committee on August 21, 2019 and the Committee established Affirmative Procurement Initiatives (APIs) of sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or an SBE contractor will be given a price preference for projects \$100,000 or greater if its bid is within 10% of the lowest non-small business bid. Since this project is over \$100,000, the SBE price preference API was applied. The Contractor is a local firm and certified SBE. The SBE participation on this work order is 98.54%. To date, the overall SBE participation on the annual HVAC contract is 27.65%. Funding for this project is from the Public Building Improvement Fund. **(Capital Improvements Division) District 7 (MWJ)**

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to receive and file: Two (2) Capital Improvement Agreements funded under Fiscal Year 2023-2024 Community Development Block Grant (CDBG) Program, in the amount of \$251,503, for the period shown below:

A) Town of Lantana in the amount of \$52,623 for the construction of a Community Sensory Garden with ADA accessibility on the public library grounds along W. Ocean Avenue for the period October 1, 2023 to September 30, 2024; and

B) City of Riviera Beach in the amount of \$198,880 for the replacement of several control panels for Sanitary Sewer Lift Stations for the period October 1, 2023 to December 31, 2024.

**SUMMARY:** The Fiscal Year 2023-2024 Action Plan includes the allocation of \$1,458,991 of CDBG funding for Local Entitlement Municipalities. A portion of this CDBG allocation in the amount of \$251,503 will be utilized by the following two (2) municipalities, to undertake capital improvements. The Town of Lantana will utilize the CDBG funds to create a Community Sensory Garden with ADA accessibility, where several interactive elements and activity stations engage the senses of its residents throughout the developed outdoor space within the grounds of the public library. The City of Riviera Beach will undertake the upgrade and replacement of deteriorated control panels needed to operate Sanitary Sewer Lift Stations at several locations within the City. The two (2) Agreements have been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development in accordance with Agenda Item 6D-3 (R2023-1013) as approved by the BCC on July 11, 2023 that delegated authority to the County Administrator or designee to execute forms, certifications, funding agreements, amendments thereto, and all other documents necessary for implementation of the Action Plan, CDBG, HOME and ESG activities. County PPM CW-O-051, provides that all delegated contracts, agreements and grants must be submitted by the initiating department as a receive and file agenda item. **These are Federal CDBG funds which do not require a local match.** District 7 (HJF)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to receive and file: Documents executed in connection with a loan made to Oceana Logistics International, Inc., in the amount of \$200,000 under the Housing and Urban Development (HUD) Section 108 Loan Program as follows:

- A) Palm Beach County Section 108 Promissory Note;
- B) Palm Beach County Section 108 Loan Agreement;
- C) Section 108 Loan Program Agreement;
- D) Mortgage Agreement with Assignment of Leases and Rents;
- E) Collateral Security Mortgage Agreement;
- F) Guaranty Agreement;
- G) Environmental Indemnity Agreement;
- H) Further Assurances and Errors and Omissions Statement; and
- I) State of Florida Uniform Commercial Code 1 Financing Statement.

**SUMMARY:** This Section 108 loan in the amount of \$200,000 is to Oceana Logistics International, Inc., which operates under the name of Oceana Coffee. Oceana Coffee currently has two locations in Palm Beach County with a staff of 22 employees. The total cost of the project is \$1,501,550. The company will partner with two other companies to build a commercial kitchen and café at 1301 10<sup>th</sup> Street in Lake Park, Florida. The County's Section 108 loan funds will be used for working capital. The funds are leveraged with a bank loan, Small Business Administration loan, a grant from the Town of Lake Park, and borrower's equity. The project will create ten new full-time equivalent jobs over five years. In accordance with County PPM CW-0-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The documents have been executed on behalf of the Board of County Commissioners (BCC) by the County Administrator or Designee in accordance with Resolution R2009-0725, and are now being submitted to the Board to receive and file. District 7 (DB)

3. CONSENT AGENDA APPROVAL

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

3. Staff recommends motion to receive and file: a Loan Agreement in the amount of \$857,000 in ARPA Response Replacement Fund with Everglades Townhomes LP. **SUMMARY:** The Loan Agreement with Everglades Townhomes LP, a subsidiary of Oikos Development Corporation, provided \$857,000 in ARPA Response Replacement Fund toward the construction of Everglades Townhomes, a 60-unit multifamily development located at 200 S. Barfield Highway in Pahokee. The project will include six (6) County-assisted units for tenants with incomes no greater than 50% AMI. The document has been executed on behalf of the Board of County Commissioners by the Director of the Department of Housing and Economic Development in accordance with Agenda Item 5C-1, as approved by the BCC on January 10, 2023 that delegated authority to the County Administrator or designee to execute agreements, amendments, and all other related documents necessary for project implementation. Agenda Item 5C-1 dated January 10, 2023, awarded ARPA Response Replacement Fund to successful respondents to a Notice of Funding Availability HED.2022.2. 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. **These are County ARPA Response Replacement Fund that do not require a local match.** District 6 (HJF)

3. CONSENT AGENDA APPROVAL

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

4. Staff recommends motion to receive and file:

- A) Amendment 002 to the Agreement with the City of Lake Worth Beach, dated October 1, 2021 (R2021-1533) in the amount of \$274,506 to extend the performance timeline to October 31, 2023, for project completion and allow the City to request 100% CDBG reimbursement from the County; and
- B) Amendment 003 to Agreement with the Village of Palm Springs, dated October 1, 2021 (R2021-1613) in the amount of \$130,515 to extend the performance timeline to November 30, 2023, for project completion and allow the Village to request 100% CDBG reimbursement from the County.

**SUMMARY:** The original 2021 Agreement (R2021-1533) provided \$274,506 in funding for improvements at Harold Grimes Memorial Park, in the City of Lake Worth Beach. Amendment 002 to the Agreement was necessary due to delays with the contractor completing project close-out requirements and extended the timeline to complete the project closeout phase and request 100% reimbursement of CDBG funds from the County from December 31, 2022 to October 31, 2023. The original 2021 Agreement (R2021-1613) provided \$130,515 in funding for the construction of sidewalk improvements to create an interconnected pathway system among the parks within the Village of Palm Springs. Amendment 003 to the Agreement was necessary due to delays with material supply and labor and extended the timeline to complete and closeout the project and request 100% reimbursement of CDBG funds from the County from December 31, 2022 to November 30, 2023. The documents have been executed on behalf of the Board of County Commissioners by the Director of the Department of Housing and Economic Development, in accordance with R2021-0948; dated July 13, 2021 that delegated authority to the County Administrator or designee to execute forms, certifications, funding agreements, amendments thereto, and all other documents necessary for implementation of the Consolidated Plan, Action Plan, CDBG, HOME and ESG activities. 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 Federal CDBG funds which do not require a local match.** Districts 2 & 3 (HJF)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to approve: reappointment of one (1) applicant to the Construction Board of Adjustments and Appeals (CBAA).

<u>Reappointment</u>	<u>Seat</u>	<u>Requirement</u>	<u>Term</u>	<u>Nominated by</u>
Timothy Wingate	2	Division 1 Contractor	11/07/23 – 11/06/26	Self nominated

**SUMMARY:** The Construction Board of Adjustment and Appeals (CBAA) hears appeals of decisions and interpretations of the Building Official, and considers variances of the technical codes. The CBAA was established by Palm Beach County Ordinance 89-31 and amended in 2002. The term of office for Board members is three years, with a limit of three consecutive three-year terms. The Board is comprised of nine regular members: one architect; one engineer; two Division 1 contractors (general, building, or residential); one electrical contractor; one HVAC contractor; one plumbing contractor; a member at large from the public; and any other contractors licensed category. In addition to these members, there should be two alternate members; one member with the qualifications referenced above; and one member at large from the public. The Board has 11 seats, 8 currently filled and 3 vacancies, and a diversity count of Caucasian: 6 (75%), African-American: 1(12.5%) and Hispanic: 1(12.5%). The gender ratio (male: female) is 7:1. The nominee is an African-American male. Staff has addressed the need to increase diversity within its boards and will continue to encourage this in an effort to expand the Boards diversity. Countywide (RM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. Staff recommends motion to approve:

- A) Work Order (WO) No. 3 for Gun Club Road Water Main Replacement (Gun Club Project) in the amount of \$970,146.33; and
- B) WO No. 4 for Haverhill Road Water Main (Haverhill Project) in the amount of \$1,031,495.73 to the 2022 Pipeline Continuing Construction Contract (Continuing Contract) with Johnson-Davis Incorporated (Contractor).

**SUMMARY:** On May 16, 2023, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2023-0675) with Contractor. WO No. 3 provides for the installation of approximately 1,900 linear feet of potable water main along Gun Club Road, from West Browning Drive to Kirk Road, which also includes 25 water service conversions located within Gun Club Estates residential community. WO No. 4 provides for the installation of approximately 2,300 linear feet of potable water main along Haverhill Road, from Summit Boulevard to South of Grant Lane, which includes approximately 13 water service conversions located within Dillman Heights residential community. This Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On September 8, 2022, the Goal Setting Committee applied an Affirmative Procurement Initiative of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting participation of which 5% shall be among certified African American and/or Hispanic American owned firms. The Contract provides for 20.83% SBE participation, which includes 5.52% MBE participation, 5.38% MBE (H), and 0.13% MBE (B). WO No. 3 includes 21.12% SBE participation, which includes 14.21% MBE participation, 0% MBE (H), and 0.65% MBE (B). The cumulative SBE participation including WO No. 3 is 21.12% SBE participation, which includes 14.21% MBE participation, 0% MBE (H), and 0.65% MBE (B). WO No. 4 includes 21.64% SBE participation, which includes 0.65% MBE participation, 0% MBE (H), and 0.65% MBE (B). The cumulative SBE participation including WO No. 4 is 21.64% SBE participation, which includes 0.65% MBE participation, 0% MBE (H) and 0.65% MBE (B). Contractor is a Palm Beach County based company. The Projects are included in the PBCWUD FY24 budget. (PBCWUD Project No. 15-102) District 3 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

2. Staff recommends motion to approve: Change Order (CO) No. 5 with TLC Diversified, Inc., (Contractor) for the Improvements to Master Repump Station 9-North (Project) in the amount of \$38,516.04 and for an additional Project time extension of 168 calendar days. **SUMMARY:** On July 13, 2021 the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2021-0908) with Contractor. The Project provides for the rehabilitation of Master Repump Station 9-North. Work includes mechanical, electrical, and civil rehabilitation, including a new pump, piping, valve replacements, instrumentation, control panels, electrical switchgear, drives, a new standby generator and temporary bypass pumping. CO No. 5 provides for modifications needed to the original design, which include purchasing four (4) additional hoses for the bypass pumps, furnishing & installing two (2) additional pressure sensors for the pump discharge and a 168 day extension due to the generator manufacturing and delivery delays. The Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On January 20, 2021 the Goal Setting Committee applied an Affirmative Procurement Initiative of a minimum mandatory 20% Small Business Enterprise (SBE) participation. The Contract provides for 20.87% SBE participation, which includes 14.52% MBE participation, 14.52% MBE (B). CO No. 5 includes 0% SBE participation which includes 0% MBE participation, 0% MBE (B). The cumulative SBE participation including CO No. 5 is 19.28%, which includes 13.42% MBE participation, 13.42% MBE (B). Contractor is headquartered in Palmetto, Florida, but maintains an office in Palm Beach County from which the majority of the work will be formed. The Project is included in the PBCWUD FY24 budget. (PBCWUD Project 18-036) District 5 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

3. Staff recommends motion to receive and file: An executed Standard Potable Water and Wastewater Development Agreement, a Standard Reclaimed Water Development Agreement, a Standard Reclaimed Water Service Agreement Direct System, and an Amendment to Standard (Potable Water, Wastewater, and/or Reclaimed Water) Development Agreement for the month of July 2023:

A) Standard Potable Water and Wastewater Development Agreement with W & W XXIV, LLC, SDA #05-11134-000 (District 6), Recorded in OR BK 34435 PG 698;

B) Standard Reclaimed Water Development Agreement with Pebb Atlantic II, LLC and Socro LLC, SDA #09-90018-000 (District 5), Recorded in OR BK 34435 PG 680;

C) Standard Reclaimed Water Service Agreement Direct System with Pebb Atlantic II, LLC and Socro LLC, SRWSA #09-90018-000 (District 5), Recorded in OR BK 34435 PG 689; and

D) Amendment to Standard (Potable Water, Wastewater, and/or Reclaimed Water) Development Agreement with Principal Development Group, LLC, SDA #03-01052-000 (District 5), Recorded in OR BK 34435 PG 677.

**SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants/ procurement items must be submitted by the initiating Department as a receive and file agenda item and are attached unless the documents have been recorded in the Public Records of Palm Beach County. The documents have been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Palm Beach County Water Utilities Department (PBCWUD) in accordance with Resolutions R93-1619, R96-0228, and R2003-0539 and are now being submitted to the BCC to receive and file. Districts 5 & 6 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

4. Staff recommends motion to approve: Amendment No. 3 to the Contract for Consulting/Professional Services Secondary Clarifier and Effluent Filtration Improvements Engineering Services (Contract) with Hazen and Sawyer, P.C., (Consultant) to extend Contract by 450 calendar days. **SUMMARY:** On December 19, 2017, the Board of County Commissioners (BCC) approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2017-1912) with Consultant to provide engineering services during the design, permitting, bidding, and construction phases for the Secondary Clarifier and Effluent Filtration Improvements (Project) at Southern Region Water Reclamation Facility. Amendment No. 3 will extend the Contract duration for the remainder of the construction and allow the Consultant to provide additional coordination and engineering services during construction. This Contract was procured under the requirements of the 2002 Small Business Enterprise (SBE) Ordinance (R2002-0064) prior to the adoption of the new Equal Business Ordinance on October 16, 2018. The SBE participation goal established under the 2002 SBE Ordinance was 15% overall participation. The Contract provides for 21% SBE participation. Amendment No. 3 includes 0% SBE participation. The cumulative SBE participation including Amendment No. 3 is 21.83% SBE. The Consultant is headquartered in New York, New York, 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 FY24 budget. (PBCWUD Project No. 17-022) District 5 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

5. Staff recommends motion to approve: Change Order (CO) No. 3 with TLC Diversified, Inc. (Contractor) for the Lift Station Rehabilitation Project B Bid Package 2 (Project) in the amount of \$110,449.36 and for a Project time extension of 78 calendar days. **SUMMARY:** On January 12, 2021 the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2021-0063) with Contractor. The Contract provides for the rehabilitation of twenty-nine (29) lift stations throughout the PBCWUD service area to meet the current PBCWUD standards. CO No. 3 provides for modifications to the original design at eleven (11) lift stations including line stops, additional piping, expanding concrete slabs and sidewalks and landscaping changes. The Contract was procured under the requirements of the Equal Business Opportunity (EBO) Ordinance. On January 29, 2020, the Goal Setting Committee applied an Affirmative Procurement Initiative of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting participation of which 5% shall be among certified African American and/or Hispanic American owned firms. The Contract provides for 29.32% SBE participation which includes 8.97% MBE participation, 8.97% MBE (B). One of the vendors which accounted for 20.35% of the SBE participation graduated from the SBE program in July 2021 and is no longer an SBE. The Contractor performed a good faith effort and applied for a waiver with the Office of Equal Business Opportunity (OEBO). OEBO approved the waiver and the new SBE requirement was reduced to 8% SBE with a 5% MBE participation. CO No. 3 includes 7.45% SBE participation, which includes 0% MBE participation, 0% MBE (B). The cumulative SBE participation including CO No. 3 is 9.33% SBE participation, which includes 9.21% MBE participation, 9.21% MBE (B). Contractor is headquartered in Palmetto, Florida, but maintains an office in Palm Beach County from which the majority of the work will be performed. The Project is included in the FY24 budget. (PBCWUD Project 15-096B) Districts 2, 5, 6 and 7 (MWJ)

NOVEMBER 7, 2023

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to approve: a Budget Transfer of \$400,000 within the Golf Course Capital Fund from Reserves to the John Prince Golf Learning Center Lighting Improvements project. **SUMMARY:** Funding for the John Prince Golf Learning Center Lighting Improvements project will be used to improve the lighting coverage for the driving range and practice greens areas. The existing lighting uses outdated sports lighting bulbs that are lower efficiency and expensive to replace. This project will replace all the existing fixtures with LED lighting and expand the number of lights, which will improve lighting coverage, extend the overall life cycle of the bulbs, and lower energy costs. Funding for this budget transfer is from the Golf Course Capital Reserves. District 3 (AH)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to:

- A) **receive and file** Grant Adjustment Notice (GAN) 4 of the John D. and Catherine T. MacArthur Foundation Safety and Justice Challenge (SJC) Grant 19-1806-153373-CJ to realign the previous award budget and to reflect a no cost extension to December 31, 2024;
- B) **receive and file** GAN 1 of the John D. and Catherine T. MacArthur Foundation SJC Grant 22-2001-154459-CJ to realign the previous award budget;
- C) **approve** a Budget Transfer of \$16,458 in the MacArthur Foundation's SJC \$1.4M Fund to realign the budget based on the approved GAN;
- D) **approve** a Budget Amendment of \$2,590 in the General Fund Public Safety Department to recognize the increase from the \$1.4M MacArthur Grant; and
- E) **approve** a Budget Transfer of \$90,527 in the MacArthur Foundation's SJC \$875K Fund to realign the budget based on the approved GAN.

**SUMMARY:** In 2017, Palm Beach County was awarded a \$2M grant from the John D. and Catherine T. MacArthur Foundation (Foundation) SJC (R2017-1709). In 2019, Palm Beach County was awarded an additional \$1.4M from the Foundation (R2020-0484; R2020-0485). GAN 4 was approved by the Foundation to realign the budget to best fit the goals of the grant and to incorporate a no cost extension to December 31, 2024. In 2023, Palm Beach County was awarded an additional \$875,000 sustainability grant from the Foundation (R2023-0953). GAN 1 was approved by the Foundation to realign the budget to best fit the goals of the grant. The goals of the SJC initiative include safely reducing the average daily population (ADP), admissions, and length of stay. The jail ADP and admissions have both been reduced by 20% over the period of the project (ADP 2,353 in August 2016 to ADP 1,891 in August 2023) and admissions (2,511 in August 2016 to 1,997 in August 2023). The length of stay has increased by 6% (34 days in August 2016 to 36 days in August 2023). **No County matching funds are required.** Countywide (HH)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

1. Staff recommends motion to:

- A) **receive and file** the acceptance and approval of a U.S. Department of Homeland Security Federal Emergency Management Agency (“FEMA”) FY2022 Staffing for Adequate Fire and Emergency Response (“SAFER”) Grant Program Agreement No. EMW-2022-FF-00029, in the amount of \$8,091,025 to fund 100% in years 1, 2 and 3 for the staffing of 27 firefighters, for the period of March 13, 2024 through March 12, 2027;
- B) **approve** a Budget Amendment of \$8,091,025 within the Fire/Rescue MSTU Fund to recognize the grant award; and
- C) **approve** an increase to the Fire Rescue personnel complement by twenty seven (27) firefighters, for an estimated cost of \$1,260,695 for FY24.

**SUMMARY:** On May 2, 2023 the Board ratified the SAFER grant application (R2023-0610), and delegated authority to the County Administrator, or designee, to accept, approve, execute and submit the grant award and certain related grant documents on County’s behalf. On September 15, 2023, the County received notification of the grant award from FEMA (CFDA#97.083). This grant will allow for increased staffing of 6 aerial/ladder units from 3 people to 4 people on each unit, as part of a pilot program. These positions will be eliminated at the end of the grant and submitted as a supplemental request through the budget process prior to the expiration of the grant. The County must comply with all terms, conditions, certifications, assurances and other requirements of the grant program and related regulations, including the Summary Award Memo, Agreement Articles, Obligating Document, Notice of Funding Opportunity and the grant application package. This award package is now being submitted to the Board to receive and file. **This grant award equals a total project cost of \$8,091,025 and does not require a County match.** Countywide (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (cont'd.)

2. Staff recommends motion to:

A) **receive and file** the acceptance and approval of a U.S. Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA) FY 2022 Fire Prevention & Safety (FPS) Grant Program Agreement No. EMW-2022-FP-00024, in the amount of \$85,642.85 for the purchase of 1500 combination photoelectric smoke/carbon monoxide alarms with built-in lithium batteries for the period of August 18, 2023 through August 17, 2025; and

B) **approve** a Budget Amendment of \$85,642.85 within the Fire/Rescue MSTU Fund to recognize the grant award, including a transfer of \$4,282.15 from contingency reserves for Fire Rescue's matching requirement.

**SUMMARY:** On May 2, 2023, the Board ratified a grant application (R2023-0611) requesting \$85,643 to purchase 1500 combination photoelectric smoke/carbon monoxide alarms with built-in lithium batteries; and delegated authority to the County Administrator, or designee, to accept, approve, execute and submit the grant award and certain related grant documents on County's behalf. The application included the required match of \$4,282. On August 11, 2023, the County received notification of the grant award from FEMA (CFDA#97.044). The eligible activities under this grant are the purchase of combination photoelectric smoke/carbon monoxide alarms with built-in lithium batteries to be installed in at-risk, low-income residential areas of the Glades. The County must comply with all terms, conditions, certifications, assurances and other requirements of the grant program and related regulations, including the Summary Award Memo, Agreement Articles, Obligating Document, Notice of Funding Opportunity and the grant application package. This award package is now being submitted to the Board to receive and file. **This grant award equals a total project cost of \$89,925 and requires a 5% County match.** District 6 (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (cont'd.)

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

- A) City of Riviera Beach,
- B) Village of Wellington; and
- C) City of Boynton 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 three (3) standard agreements are being submitted to receive and file. Countywide (RM)

T. HEALTH DEPARTMENT

1. Staff recommends motion to approve: A Contract with the Department of Health (DOH) in the amount of \$2,302,173 for Environmental Health and Engineering programs provided by the Palm Beach County Health Department (CHD) for the period October 1, 2023, through September 30, 2024. **SUMMARY:** This Contract sets forth the funding responsibilities of the DOH and the County for the operation of the CHD. The State and County share in the funding of the \$10,628,792 Environmental Health Budget. The State's share is \$3,419,450 (32.17%), primarily from State general revenue and fees. Funding from the County's FY 2024 budget is \$2,302,173 (21.66%), which includes Childcare Enforcement & Control Funding in the amount of \$149,939 and is a 4.76% increase from FY 2023 funding. The remaining local share (46.17%) is comprised of County authorized fees of \$3,437,221 (32.34%), federal funds of \$371,518 (3.50%), Department of Environmental Protection (DEP) Funds of \$104,085 (0.98%), and Air Pollution Tag Fees of \$994,345 (9.36%). County funding is used primarily for staff related salaries and benefits. The environmental staffing is responsible for surveillance of public drinking water systems, permitting and inspection of septic tanks, regulation of air pollution sources, inspection and licensing of childcare and other group care facilities, and other duties related to environmental health. The Childcare Enforcement & Control funding provides for a full-time attorney/Hearing Officer and a half-time paralegal position to provide counsel for the Child Care Advisory Council and to serve as Acting Environmental Control Officer for the Environmental Control Hearing Board. County funds are included in the FY 2024 budget. No additional funds are requested. Countywide (HH)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to:

A) **rescind** Interlocal Agreement R2018-2035;

B) **approve** the replacement Interlocal Agreement providing updated contract terms and increased network services with the City of Lake Worth Beach for an annual revenue of \$22,200; and

C) **authorize** the County Administrator or designee to approve and execute revenue generating Task Orders for additional IT services, up to a maximum dollar value of \$50,000 per Task Order.

**SUMMARY:** The City of Lake Worth Beach has an existing Interlocal Agreement with Palm Beach County (R2018-2035) for network services and has requested an increase in those services from 1G to 6G for an annual increase in revenue of \$9,300; from \$12,900 to \$22,200. Staff recommends rescinding the existing Agreement and replacing it with a new Agreement for a period of one (1) year with four (4) automatic one-year renewals unless notice is given by either party. This new Interlocal Agreement includes updated contract terms to provide IT services to the City of Lake Worth Beach. The Florida LambdaRail, LLC has approved connection of the City of Lake Worth Beach to the Florida LambdaRail network. Districts 2&3 (DB)

2. Staff recommends motion to approve: the Third Amendment to the Interlocal Agreement to provide additional phone services to the City of Greenacres. **SUMMARY:** The City of Greenacres has an existing Interlocal Agreement with Palm Beach County (R2020-1834 as amended by R2022-0213 and R2023-0957) for network and telephone services. The City of Greenacres has requested five additional telephone lines to their current 112 lines of basic telephone service, for a total of 117 phone lines. This Third Amendment of Exhibit B to the Interlocal Agreement will generate an increase in annual income of \$600 to the County from \$13,440 to \$14,040 for telephone services. District 3 (DB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to approve: Second Amendment to the Contract for Professional Consultation and Emergency Services in the areas of veterinary medicine with Veterinary Emergency Group, LLC (VEG) for relief veterinary services at their facility for an amount not to exceed \$120,000 for the period November 15, 2023 through November 14, 2024. **SUMMARY:** On November 15, 2022, the County entered into a Contract with VEG for overnight emergency veterinary services (R2022-1383) which provided for an extension for up to two (2) additional one (1) year terms. On August 22, 2023, the parties entered into the First Amendment to the Contract to increase the not to exceed amount of the Contract to \$120,000 (R2023-1135). This Second Amendment to the Contract only extends the Contract for an additional one-year term and does not change the scope of work. The Contract with VEG enables the Division of Animal Care and Control (ACC) to continue providing overnight and after-hours emergency veterinary care to animals. The demand for ACC's veterinary staff to work after-hours is already high and this contract minimizes the need for ACC's veterinarians to work overnight and after-hours to care for sick and injured animals. ACC's veterinary staff provides intake medical exams to more than 15,000 animals annually, gives medical treatments to approximately 200 animals daily, and services approximately 10,000 animals each year. Countywide (SF)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (cont'd.)

2. Staff recommends motion to:

- A) **receive and file** Victim of Crime Act (VOCA) FY2023/2024 grant agreement No. VOCA-C-2023-Palm Beach County Board of Count-00104 with the State of Florida, Department of Legal Affairs, Office of the Attorney General for the period October 1, 2023 through September 30, 2024, to receive grant funding in the amount of \$476,154 to provide victim advocacy services; and
- B) **approve** downward Budget Amendment of \$55,675 in the Public Safety Grants Fund to adjust the budget to reflect the actual grant award.

**SUMMARY:** The VOCA FY2023/2024 grant (CFDA 16.575) agreement is an annual grant that provides funding to the Public Safety Department's Division of Victim Services (DVS) to assist victims of crime in Palm Beach County. In FY2023, VOCA grant funded DVS advocates served 809 new victims of crime, providing them with 8,968 units of service such as crisis counseling, personal advocacy, assistance with victim compensation, criminal justice advocacy, and information and referral. For grant year 2022/2023, the VOCA grant funded six (6) full-time Victim Advocate positions (pay grade 29). Due to the reduction of \$55,675 in the 2023/2024 grant award, only five (5) Victim Advocate positions can continue to be funded through this grant. To continue providing the same level of victim advocacy services, the one (1) remaining Victim Advocate position will be converted to an ad valorem funded position. A vacant Administrative Technician III position will be deleted to offset the cost of converting the one (1) Victim Advocate position to ad valorem. The Victim Advocates provide victims with advocacy services such as crisis counseling, personal advocacy, court accompaniment, assistance with applying for victim's compensation, information and referral, emergency legal advocacy, and safety planning. If VOCA grant funding ceases, the positions will be deleted from the DVS complement. R2006-0099 authorized the County Administrator or designee to execute operational agreements with the State of Florida, Office of the Attorney General, Bureau of Advocacy and Grant Management on behalf of the Palm Beach County Board of County Commissioners. In accordance with the Victims of Crime Act (VOCA) Fix Act, a blanket match waiver was signed for all 2023-2024 VOCA sub grantees, therefore; **No County matching funds are required.** Countywide (RS)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (cont'd.)

3. Staff recommends motion to approve: Contract with Choice to Change, Inc. (C2C), a not-for-profit corporation, to provide community service assistance and restitution sponsorship services to eligible youth reentry participants for the period retroactive to October 1, 2023, through September 30, 2024 in an amount not to exceed \$44,790. **SUMMARY:** The Public Safety Department's Youth Reentry Program under their Justice Services Division provides critical services to juvenile-justice involved youth returning to the community from incarceration. Youth reentry services are comprised of targeted case management, support services, community outreach, and partnerships with community partners to create a continuum of coordinated care across systems and providers. As part of support services, C2C will organize community service events for youth reentry participants to earn community service hours. Once community service hours are completed, C2C will provide proportionate financial payments towards their restitution and court fee payments. C2C's program will help build skills, strengths, and competencies that positively impact the youth's criminogenic risk and needs. This will be the second contract with C2C. The previous contract term was March 14, 2023 to September 30, 2023. In a six-month period, 6 youth were enrolled with Choice to Change, Inc.; 44 different community service events were attended, 195 community service hours were completed, and over \$1,800 of payments were made towards restitution. Countywide (RS)

3. CONSENT AGENDA APPROVAL

CC. MEDICAL EXAMINER

1. Staff recommends motion to:

**A) receive and file** a subrecipient agreement for Federal grant funding assistance through the Florida Department of Law Enforcement (FDLE) in the amount of \$2,787.80. It will be for the purchase of four (4) digital cameras for the Medical Examiner's Office for the period of October 1, 2022 through September 30, 2024; and

**B) approve** a downward Budget Amendment of \$212 in the General Fund to adjust the budget to reflect the actual grant award of \$2,788.

**SUMMARY:** The United States Department of Justice, Office of Justice Programs, National Institute of Justice has awarded the FY2022 Paul Coverdell Forensic Sciences Improvement Act Formula Grant Program, CFDA No. 16.742; Federal grant award number 15PBJA-22-GG-01948-COVE, to the Palm Beach County Medical Examiner's Office, through the FDLE. The grant funding will be used to purchase digital cameras. These new, higher quality cameras will more accurately capture death scenes and autopsy examinations, thus improving the quality of photographic evidence for families, prosecutors and attorneys. On June 4, 2013 (R2013-0704), the County Administrator or designee was authorized to execute future grant agreements, amendments, and modifications with the FDLE. **No County match is required for this grant.** Countywide (SF)

3. CONSENT AGENDA APPROVAL

DD. SHERIFF

1. Staff recommends motion to:

**A) accept** on behalf of the Palm Beach County Sheriff's Office a Department of Justice, Office of Justice Programs FY2023 Enhanced Collaborative Model to Combat Human Trafficking grant award in the amount of \$750,000 for the period of October 1, 2023 through September 30, 2026; and

**B) approve** a Budget Amendment of \$750,000 in the Sheriff's Grants Fund.

**SUMMARY:** On September 25, 2023, the Palm Beach County Sheriff's Office (PBSO) received a Federal grant award in the amount of \$750,000 to support the multidisciplinary human trafficking task force, related human trafficking investigations, law enforcement training, and communitywide education, to address human trafficking crimes and victimization occurring in Palm Beach County. Funding will be used to continue to support one detective allocation, contractual services, training, data collection, supplies, and community awareness. An increase in funding from the County may be requested through our annual budget process once the grant ends. There is a \$255,250 in-kind match requirement associated with this award which is approved in our FY24 operating budget. The Catalog of Federal Domestic Assistance (CFDA) Number for this program is 16.320 and the contract number is 15POVC-23-GK-02727-HT. Countywide (RS)

3. CONSENT AGENDA APPROVAL

DD. SHERIFF (cont'd.)

2. Staff recommends motion to:

**A) accept** on behalf of the Palm Beach County Sheriff's Office an Interlocal Agreement between the City of Boynton Beach and the Palm Beach County Sheriff's Office for the FY2023-24 State Assistance for Fentanyl Eradication (SAFE) Program for the period of September 28, 2023 through June 30, 2024; and

**B) approve** a Budget Amendment of \$110,000 in the Sheriff's Grant Fund.

**SUMMARY:** The City of Boynton Beach received a grant award from the Florida Department of Law Enforcement through the FY2023-24 State Assistance for Fentanyl Eradication (SAFE) Program. The City of Boynton Beach entered into an Interlocal Agreement with the Palm Beach County Sheriff's Office in the amount of \$110,000 to conduct joint operations, investigations and other activities as authorized through FDLE's SAFE Program. The period of performance is from September 28, 2023 through June 30, 2024. **There is no match requirement associated with this award.** The Catalog of State Financial Assistance (CSFA) number is 71.002 and the agreement number is 2023-SAFE-SF-004. Countywide (RS)

3. CONSENT AGENDA APPROVAL

DD. SHERIFF (cont'd.)

3. Staff recommends motion to:

**A) accept** on behalf of the Palm Beach County Sheriff's Office a Department of Justice, Office of Justice Programs FY2023 Connect and Protect: Law Enforcement Behavioral Health Response Program grant award in the amount of \$550,000 for the period of October 1, 2023 through September 30, 2026; and

**B) approve** a Budget Amendment of \$550,000 in the Sheriff's Grants Fund.

**SUMMARY:** On September 26, 2023, the Palm Beach County Sheriff's Office (PBSO) received a Federal grant award in the amount of \$550,000 to support a Palm Beach County Co-Responder Community Resource Team Pilot Strategy (Strategy). Funding will be used to support one Detective allocation and one Case Manager allocation, contractual services, training, and community awareness. An increase in funding from the County may be requested through our annual budget process once the grant ends. There is a \$232,925 in-kind match requirement associated with this award which is approved in our FY24 operating budget. The Catalog of Federal Domestic Assistance (CFDA) Number for this program is 16.745 and the contract number is 15PBJA-23-GG-02188-MENT. Countywide (RS)

3. CONSENT AGENDA APPROVAL

DD. SHERIFF (cont'd.)

4. Staff recommends motion to:

**A) accept** on behalf of the Palm Beach County Sheriff's Office a Department of Justice, Office of Justice Programs FY2023 Missing and Unidentified Human Remains (MUHR) Program grant in the amount of \$500,000 for the period of October 1, 2023 through September 30, 2026; and

**B) approve** a Budget Amendment of \$500,000 in the Sheriff's Grants Fund.

**SUMMARY:** On September 28, 2023, the Palm Beach County Sheriff's Office (PBSO) received a Federal grant award in the amount of \$500,000 to improve the reporting, transportation, processing, and identification of missing persons and unidentified remains. Funding will be used to support contractual services, investigative costs, travel, training, and supplies. There is no match requirement associated with this award. The Department of Justice Office of Justice Programs Catalog of Federal Domestic Assistance (CFDA) Number for this program is 16.050 and the contract number is 15PBJA-23-GG-00825-MISP. Countywide (RS)

5. Staff recommends motion to:

**A) accept** on behalf of the Palm Beach County Sheriff's Office an Agreement Between the State of Florida, Office of the Attorney General and the Palm Beach County Sheriff's Office for a Victim of Crime Act (VOCA) award in the amount of \$211,981 for the period October 1, 2023 through September 30, 2024; and

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

**SUMMARY:** On August 28, 2023, the Palm Beach County Sheriff's Office (PBSO) received a VOCA grant. These funds will be used to continue funding the three victim advocate positions to concentrate on the domestic violence, human trafficking, and violent crime victim population in Palm Beach County. The three positions will coordinate services with PBSO Deputies, the County's Victim Services Programs, and other municipal agencies to offer crisis intervention, lethality assessments, safety plans, and case management services. An increase in funding from the County may be requested through our annual budget process once the grant ends. The OAG Catalog of Federal Domestic Assistance (CFDA) Number for this program is 16.575 and OAG grant number VOCA-C-2023-Palm Beach County Sheriff's Offi-00127. Countywide (RS)

3. CONSENT AGENDA APPROVAL

EE. OFFICE OF COMMUNITY REVITALIZATION

1. Staff recommends motion to approve:

- A) Expenditure of an additional \$43,010 to complete the installation of 23 speed humps in the Country Club Acres Countywide Community Revitalization Team (CCRT) area;
- B) Expenditure of \$6,100 for the installation of 1 speed hump in the San Castle CCRT area; and
- C) a Budget Transfer of \$43,010 from the CCRT Recoup Funding capital reserve account to fund the cost associated with the Country Club Acres Speed Hump Project; and \$6,100 to fund the cost associated with the San Castle Speed Hump Project.

**SUMMARY:** The installation of speed humps in Country Club Acres was requested by neighborhood residents to address the need to slow down traffic and improve safety along County maintained roadways within the community. The initial funding was approved by the Board on October 4, 2022. The original total cost of the project was \$97,290. The requested \$43,010 is to pay for increased unit costs associated with a new construction contract that raises the total cost of the project to \$140,300 with each of the 23 speed humps costing \$6,100 (\$4,900 for construction and \$1,200 for signing and striping). The installation of the speed hump in San Castle was requested by neighborhood residents along Coral Street to address the need to slow down traffic and improve safety. The total cost of the project is \$6,100 with one speed hump costing \$6,100. The requested budget transfers are needed to cover the cost of implementation. Funding is available through the CCRT Recoup Funding account. Districts 5 and 7 (RS)

3. CONSENT AGENDA APPROVAL

EE. OFFICE OF COMMUNITY REVITALIZATION (cont'd.)

2. Staff recommends motion to:

**A) approve** the following agreements (FY 2024 NEAT Grant Agreements) to implement various community improvement projects and initiatives through the Office of Community Revitalization's (OCR) Neighborhood Engagement and Transformation (NEAT) Grants Program for a total of \$150,000:

1. an Agreement with Caleb Ephraim Project, Inc. in an amount not-to-exceed \$5,000 for a landscaping project in the Cam Estates Countywide Community Revitalization Team (CCRT) area;
2. an Agreement with Community Faith Outreach Ministries, Incorporated in an amount not-to-exceed \$15,000 for a garden expansion project (\$10,000) and a gardening outreach project (\$5,000) in the Lantana Homes CCRT area;
3. an Agreement with Lake Worth West Resident Planning Group, Inc. d/b/a Family Impact Palm Beach County in an amount not-to-exceed \$10,000 for a beautification project in the Lake Worth West CCRT area;
4. an Agreement with Country Club Acres Association Inc in an amount not-to-exceed \$20,000 for a playground installation project (\$10,000); a median landscaping project (\$5,000); and barrier landscaping project (\$5,000) in the County Club Acres CCRT area;
5. an Agreement with the City of Pahokee in an amount not-to-exceed \$30,000 for a bench installation project (\$10,000); a trash receptacle project (\$10,000); and a basketball and fitness equipment project (\$10,000);
6. an Agreement with the City of South Bay in an amount not-to-exceed \$10,000 for a community cleanup and landscaping project;
7. an Agreement with The Glades Initiative, Inc. in an amount not-to-exceed \$19,003 for an emergency preparedness project (\$10,000) and a shelter project (\$9,003) in the City Belle Glade;
8. an Agreement with Palm Beach County Sheriff's Office in an amount not-to-exceed \$10,997 for a community service equipment project (\$4,671) and a community engagement project (\$6,326) in various CCRT neighborhoods;
9. an Agreement with Restoration Bridge International, Inc. in an amount not-to-exceed \$10,000 for a food distribution equipment project in various CCRT areas and the Glades region;

3. CONSENT AGENDA APPROVAL

EE. OFFICE OF COMMUNITY REVITALIZATION (cont'd.)

2. (continued)

10. an Agreement with Paint Your Heart Out Palm Beach County, Inc. in an amount not-to-exceed \$10,000 for a painting project in various CCRT neighborhoods;

11. an Agreement with Rebuilding Together of the Palm Beaches, Inc. in an amount not-to-exceed \$10,000 for critical home repairs for low-income homeowners in various CCRT neighborhoods; and

**B) delegate** authority to the County Administrator or designee to approve minor changes to the scope of work of the FY 2024 NEAT Grant Agreements that do not increase the awarded grant funding or change the scope of work or the overall intent of the program.

**SUMMARY:** The NEAT Grants Program was established by the Board of County Commissioners (BCC) on March 13, 2018, and amended on December 6, 2022 to clarify the program guidelines and eligibility requirements, focus County funding on areas that are under OCR's purview, and to allow for critical neighborhood improvements. The program provides funding to neighborhood-based groups and/or organizations for projects that improve the quality of life in their communities. This agenda item includes eleven (11) Agreements for the recommended eighteen (18) projects for this year's cycle. The projects will be completed in FY 2024 and include a variety of activities. Project summaries are provided under Attachment "1". Staff is requesting BCC approval of the agreements and related funding, as well as the delegation of authority to the County Administrator or designee to approve minor changes to the scope of work. Countywide (RS)

3. CONSENT AGENDA APPROVAL

FF. TOURIST DEVELOPMENT COUNCIL

1. Staff recommends motion to receive and file: two fully executed Palm Beach County FY2023, Category “G” Grant Agreements managed by the Palm Beach County Sports Commission, Inc. (Sports Commission), on behalf of the Palm Beach County Tourist Development Council (TDC) with:

A) Prospect Select Baseball, Inc., for the promotion of the Prospect Select World Invite, held from September 8 – 11, 2023, for the term April 8, 2023 – December 11, 2023. This grantee was approved by the TDC on May 11, 2023, in the amount of \$12,500; and

B) Perfect Game USA, Inc., for the promotion of the Perfect Game Youth Fall Invitational, held from September 22 – 24, 2023, for the term April 22, 2023 – December 24, 2023. This grantee was approved by the TDC on May 11, 2023, in the amount of \$18,000.

**SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File agenda item. On June 7, 1994, the Board of County Commissioners adopted Resolution R94-702, as amended, authorizing the County Administrator and/or the Executive Director of the TDC to enter into grant agreements with Category G (Sports) grantees after they have been approved by the TDC. The total fiscal impact of \$30,500 impacts the FY23 budget. Room nights generated for Prospect Select Baseball, Inc./Prospect Select World Invite were 1,253, and room nights generated for Perfect Game USA, Inc. / Perfect Game Youth Fall Invitational were 945. Districts 1, 2, & 7 (YBH)

3. CONSENT AGENDA APPROVAL

GG. INTERNAL AUDITOR

- 1. Staff recommends motion to: reappoint the following individual to the Internal Audit Committee:

Seat	Nominee	Seat Requirement	Term	Nominated by:
5	Donna Wisneski, CPA	Not seat specific	Expires 9/30/2026	Commissioner Woodward

**SUMMARY:** Seat 5 became vacant when the previous incumbent, Marc Cohn’s term expired September 2023. Ms. Wisneski is currently serving as the Committee Alternate Member. The Internal Audit Committee at its June 2023 meeting voted unanimously to recommend Ms. Wisneski to Regular Member from the Alternate Member seat. The audit committee consists of five full member seats and one alternate member seat. All members of the Internal Audit Committee are required to be citizens of the County, independent of County operations and officials, with experience in business or finance; government accounting, auditing, operations or financial management; or other relevant experience. Following this reappointment, the five full-member seats will be filled, and the alternate member seat will be vacant. Diversity count will be Caucasian: five (100%). The gender ratio (male: female) will be 4:1. Ms. Wisneski is a Caucasian female. Countywide (DB)

- 2. Staff recommends motion to receive and file: Audit Risk Assessment and Annual Work Plan for FY 2024. **SUMMARY:** The County Code requires the Internal Audit Committee to review and approve the annual risk assessment and audit plan prepared by the County Internal Auditor. The County Code also requires the County Internal Auditor to submit the approved plan to the Board of County Commissioners. The Annual Work Plan is being submitted to the Board of County Commissioners as required by the County Code. Countywide (DB)

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**4. SPECIAL PRESENTATIONS – 9:30 A.M.**

- A)** Certificate of recognition to La Tuna of ~~Okeechobee~~ Okeeheelee Middle School. (District 3)
- ~~**B)** Proclamation declaring November 7, 2023 as Wellington Chamber of Commerce Day. (District 6)~~
- C)** Certificates in Recognition of Kristen Smethurst and Rosemary Paulino for their contribution to the Back to School Program. (District 3)
- D)** Recognizing Lambda Alpha Alpha Chapter and Sigma Delta Delta Chapter of Omega Psi Phi Fraternity, Inc. for Outstanding Work on the Curb Appeal Project. (District 7)
- E)** Proclamation declaring November as Family Court Awareness Month in Palm Beach County. (District 5)
- F)** Certificate of recognition to Jessica Cecere for her many years of service to the nonprofit community. (District 2)
- G)** Proclamation declaring November 7, 2023 as Veteran Service Dog Day. (District 5)
- H)** Certificates of congratulations to the Palm Beach Karate School, sensei and award-winning students. (District 2)
- I)** Proclamation declaring November 11 – 18, 2023 as National Hunger and Homelessness Awareness Week. (District 1)
- J)** Proclamation declaring November 2023 as Palm Beach County Disability Employment Awareness Month. (District 4)
- K)** Proclamation recognizing Palm Beach North Chamber of Commerce for being selected as the 2023 Chamber of the Year, and Proclamation honoring President/CEO Noel Martinez. (District 1)

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5. REGULAR AGENDA

A. AIRPORTS

1. Staff recommends motion to approve:

- A) Amendment No. 1 to the General Consulting Agreement with AECOM Technical Services, Inc. (AECOM) for Consulting/Professional Services in the amount of \$1,396,545.04 for the continued performance of professional planning and design services related to the approved Palm Beach County Department of Airports Capital Improvement Program; and
- B) a Budget Transfer in the amount of \$426,244 in the Airport's Improvement and Development Fund to provide budget for Amendment No. 1; including a transfer from Reserves in the amount of \$426,244.

**SUMMARY:** The Consulting Agreement with AECOM for general airport planning and design was approved by the Board on July 11, 2023 (R2023-0980) in the amount of \$2,126,629.78 to carry out the approved Capital Improvement Programs for the County's Airports. Approval of Amendment No. 1 will provide an additional \$1,396,545.04 to complete Task I Services - North Palm Beach County General Aviation Airport (F45) Stormwater Master Plan; Palm Beach County Park Airport (LNA) Stormwater Master Plan; Palm Beach County Glades Airport (PHK) Stormwater Master Plan; Palm Beach International Airport (PBI) Turnage Boulevard Rehabilitation; PBI Terminal Wall Repairs; and Task 3 Services- Miscellaneous Planning and Engineering Services. AECOM is a Dallas, Texas based firm; however, the majority of the work to be completed in this agreement will be completed and/or managed through their West Palm Beach and Tampa, Florida offices in conjunction with several Palm Beach County based sub-consultants and firms. A Disadvantaged Business Enterprise (DBE) goal of 20.9% was set for this contract. AECOM has committed to 22% DBE participation for this agreement. The total DBE participation to date including this amendment is 29.1%. Pursuant to changes to Chapter 332, Florida Statutes, effective July 1, 2023, a governing body of a medium hub commercial service airport may not approve purchases of contractual services in excess of \$1,000,000 on a consent agenda. This agreement exceeds the threshold amount and must be approved on the regular agenda. Countywide (AH)

5. REGULAR AGENDA

B. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to:

- A) **approve** a HOME American Rescue Plan (HOME-ARP) Program award of \$2,438,634 to West Palm Beach Housing Authority;
- B) **direct** staff to negotiate the Loan Agreement; and
- C) **authorize** the County Administrator, or designee, to execute the Loan Agreement, amendments thereto, and all other documents necessary for project implementation that do not substantially change the scope of work, terms, or conditions of the award.

**SUMMARY:** On May 10, 2023, the Department of Housing and Economic Development (HED) issued a Notice of Funding Availability (NOFA) HED.2023.1 making up to \$7,891,211 in Federal HOME-ARP funding available for the development of multifamily rental housing, permanent supportive housing, and residential facilities to serve qualifying populations including the homeless; at-risk of homelessness; persons fleeing domestic violence, sexual assault or human trafficking; and those experiencing housing instability. This funding was made available to not-for-profit organizations, public agencies and for-profit housing developers. All projects must increase the local inventory of affordable housing units and/or residential facilities that serve qualifying populations. Applications were accepted on a first-come, first-eligible and first funded basis. Staff reviewed applications to ensure the projects met criteria for eligibility, responsiveness, and viability. Staff recommends funding in the amount of \$2,438,634 to the West Palm Beach Housing Authority to construct 1400 Henrietta, a rental development to consist of 18 townhomes to be located at 1400 Henrietta Avenue, West Palm Beach. The total development cost is \$6.2M and includes a \$2.75M contribution from the City of West Palm Beach and \$1M from the U.S. Department of Housing and Urban Development (HUD). All 18 townhomes will provide housing to homeless families and will bear affordability requirements of the HOME-ARP Program for no less than 30 years. The funding agreement and related documents pursuant to these HOME-ARP funds will be between the County and the West Palm Beach Housing Authority (and its respective successors and/or assigns). To facilitate project implementation, staff requests authorization for the County Administrator, or designee, to execute the Loan Agreement and related documents. **These are Federal HOME-ARP Program funds which do not require a local match.** District 7 (HJF)

5. REGULAR AGENDA

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

2. Staff recommends motion to approve:

- A) submittal of a request to the U.S. Department of Housing and Urban Development (HUD) to convert Neighborhood Stabilization Program 1 (NSP1) program income in the amount of \$3,500,000 to Community Development Block Grant (CDBG) funds;
- B) to allocate the \$3,500,000 in CDBG conversion funds for the Gramercy Park Neighborhood Center project;
- C) Budget Transfer of \$5,000,000 in the Neighborhood Stabilization Program Fund to the Housing and Economic Sustainability Fund;
- D) Budget Amendment of \$5,000,000 in the Housing and Economic Sustainability Fund to recognize the transfer from the Neighborhood Stabilization Program Fund and appropriate it to the Park Improvement Fund; and
- E) Budget Amendment of \$5,000,000 in the Park Improvement Fund to recognize the transfer from the Housing and Economic Sustainability Fund.

**SUMMARY:** Staff is requesting the Board of County Commissioners' (BCC) approval to submit a request to HUD to convert \$3,500,000 of NSP1 program income to CDBG funds. Staff is further requesting the BCC to approve the allocation of CDBG conversion funds for the Gramercy Park Neighborhood Center project. The conversion is necessary because CDBG allows for a greater range of eligible activities, including construction of public facilities. In 2009, the County received a NSP1 grant for acquisition, rehabilitation, and redevelopment of foreclosed, abandoned, and vacant residential properties. The Department of Housing and Economic Development (DHED) successfully implemented NSP1 mortgage lending and acquisition/rehabilitation activities that resulted in the generation of program income. On July 2, 2019 (Agenda Item 5A-5), the BCC approved a request to convert and allocate \$1,500,000 of NSP1 program income for the Gramercy Park Neighborhood Center project to construct a 5,000 square foot County facility within an existing County park located at 5675 Parke Avenue in West Palm Beach. Additional funding is now required due to updated plans for the Neighborhood Center that consist of a larger 12,000 square foot building with additional amenities to accommodate the surrounding neighborhood, as well as a result of rising costs of construction labor and materials. The Center will include a large multi-purpose room, classroom, kitchen, offices, building support spaces, parking lot, and a walking trail to serve the neighborhood. The additional \$3,500,000 would provide funding for the project and enable the Facilities Development and Operations Department to move forward with finalizing development and operating plans. **These are federal NSP1/CDBG funds which require no local match.** District 7 (HJF)

NOVEMBER 7, 2023

5. REGULAR AGENDA

C. PALM TRAN

1. Staff recommends motion to:

**A) adopt** a Resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, approving Public Transportation Grant Agreement (PTGA) (FM no. 453185-1-84-01) with the State of Florida Department of Transportation (FDOT), in the amount of \$500,000 in Transit Corridor Development Program funding (CSFA 55.013) to provide operating assistance for the Port St. Lucie Express Regional Transit Pilot Program (PSL Express). This PTGA will become effective upon FDOT execution with an expiration date of September 30, 2027;

**B) adopt** a Resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, approving Public Transportation Grant Agreement (PTGA) (FM no. 453192-1-84-01) with the State of Florida Department of Transportation (FDOT), in the amount of \$600,000 in Transit Corridor Development Program funding (CSFA 55.013) for the Port St. Lucie Express Regional Transit Pilot Program (PSL Express) coach bus lease. This PTGA will become effective upon FDOT execution with an expiration date of September 30, 2027; and

**C) approve** an upward Budget Amendment of \$1,100,000 in Palm Tran's Operating Fund 1340 to recognize the grant awards.

5. REGULAR AGENDA

C. PALM TRAN (cont'd.)

1. **SUMMARY:** The PSL Express route will travel north-south via I-95 providing two (2) morning and two (2) evening peak-time trips between West Palm Beach and Port St. Lucie. The PSL Express will connect riders to major employment destinations and activity centers in Palm Beach County. The PSL Express will utilize Coach-styled buses to transport riders along the designated routes. These vehicles will be leased during the duration of this pilot. The leasing and operating assistance costs will be 100% grant funded by FDOT for the first year, with additional funding to be supplemented for the second and third years of the agreement(s). FDOT has committed to funding this project for several years after the completion of a successful pilot phase. Palm Tran will continue to collaborate with FDOT and St. Lucie County/Area Regional Transit for service continuation, as this is a key project identified in their Transit Development Plan (TDP). Combined, the two (2) PTGA's in the amount of \$1,100,000 **do not require a local match**. The grant requires broader indemnification by the County than that approved by PPM CW-F-049. The grant requires the County and its officers, agents, or employees to indemnify, defend, and hold harmless the State of Florida, FDOT, including FDOT's officers and employees, from liabilities, damages, losses, and costs, including, but not limited to, reasonable attorney's fees, to the extent caused by the negligence, recklessness, or intentional wrongful misconduct of the County and persons employed or utilized by the County in the performance of this grant agreement. The indemnification obligation must also be passed on to contractors and/or consultants. The Risk Management Department and County Attorney's Office have reviewed the indemnification requirements of this grant. Given that liability is limited to the County's non-compliance or performance of this agreement and the statutory caps of Section 768.28, Florida Statutes, Palm Tran recommends Board approval. Countywide (MM)

5. REGULAR AGENDA

D. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve:

- A) an Agreement for Purchase and Sale of a 1.50 acre parcel of vacant land located north of Indiantown Road and east of Bee Line Highway from James Jean-Francois, for \$23,250 plus closing, title insurance and recording costs estimated to be \$545; and
- B) a Memorandum of Agreement with James Jean-Francois, to be recorded in the public records to provide notice of this Agreement.

**SUMMARY:** On November 2, 2021, the Board of County Commissioners (Board) approved a Fiscal Strategy for the spending of American Rescue Plan Act (ARPA) funds, which included an allocation of \$4,000,000 for the acquisition of environmentally sensitive lands. The parcel owned by James Jean-Francois (Jean-Francois Parcel) is an interior parcel located in an area known as Palm Beach Heights (part of the Pal-Mar Ecosite). The Pal-Mar Ecosite is part of a large ecological greenway that stretches from just west of the Atlantic Ocean to just east of Lake Okeechobee. The area provides habitat for a wide variety of native plants and animals and it is part of a hydrologically significant region that includes the headwaters of the federally designated Wild and Scenic Northwest Fork of the Loxahatchee River. Hence its value as environmentally sensitive land. Appraisals were obtained from Anderson & Carr, Inc. and M.R. Ford & Associates, Inc. who assigned a \$15,000 and \$16,000 per acre value for interior Palm Beach Heights parcels, respectively. Callaway & Price, Inc. reviewed the appraisals and concluded a reasonable aggregate value of \$15,500 per acre for interior Palm Beach Heights parcels, which is the basis of the offer. The Agreement allows for the County's due diligence review of the parcel within 45 days of Board approval. The County will pay title insurance policy premium, closing and recording costs estimated to be \$545 for the Jean-Francois Parcel. The Environmental Resources and Management (ERM) Department will perform pre-acquisition environmental assessments for the parcel prior to closing. A boundary survey will not be obtained for the parcel due to the remote location. ERM will be responsible for the administration of the parcel. All costs related to the acquisition will be paid from existing funds received from the ARPA Response Replacement Fund. **These are County ARPA Response Replacement funds that do not require a local match. This acquisition must be approved by a supermajority vote (5 Commissioners). (Property & Real Estate Management) District 1 (HJF)**

5. REGULAR AGENDA

E. OFFICE OF EQUAL BUSINESS OPPORTUNITY

1. Staff recommends motion to:

- A) receive and file the multi-year Small/Minority/Women Business Enterprise (S/M/WBE) utilization report;
- B) authorize up to a two (2) year extension of the S/M/WBE Program to allow time to solicit, complete and consider an updated disparity study and fairly monitor and track an uninterrupted period of two (2) years for overall County spend that was altered due to COVID-19 when emergency purchases were not subject to the Equal Business Opportunity (EBO) Program;
- C) authorize an updated disparity study;
- D) authorize funding not to exceed \$500,000 for the updated study;
- E) approve Budget Transfer of \$500,000 from General Fund Contingency Reserves to fund the updated Disparity Study; and
- F) support an increase in the size standards to align with current Consumer Price Index (CPI) inflation criteria, the U.S. Small Business Administration, best practices and current North American Industrial Classification System (NAICS) codes as follows: From \$9 million to \$13 million for Construction; from \$5 million to \$7 million for Professional Services CCNA Required; from \$5 million to \$7 million for Goods and from \$4 million to \$5.7 million for Professional Services (CCNA Not Required) and Other Services.

**SUMMARY:** The Office of Equal Business Opportunity (OEBO) is tasked with providing a written report on the progress of the program elements used to increase participation of small, minority, women business enterprises (S/M/WBEs). The program report shows some reduction of barriers and disparities in small business contract participation and payments to minority, women business enterprises (M/WBEs); the graduation of SBEs and M/WBEs from the program and an increase in the number of S/M/WBEs who are ready, willing and able to perform on County Contracts. The Equal Business Opportunity (EBO) S/M/WBE Program is making progress and has positively impacted small businesses in the County; however, continued support of the M/WBE program is necessary to achieve parity. The report contains recommendations for program modification with justification for each recommendation. Countywide (RS)

5. REGULAR AGENDA

E. OFFICE OF EQUAL BUSINESS OPPORTUNITY

2. **Staff recommends motion to approve:** **On preliminary reading and advertise for public hearing on November 21, 2023 at 9:30 AM:** amending Chapter 2, Article III, Division 2, Part C of the Palm Beach County Code of Ordinances pertaining to the Equal Business Opportunity Program providing for definitions; providing for repeal of laws in conflict; providing for savings clause; providing for severability; providing for inclusion in the code of laws and Ordinance; providing for captions; and providing for an effective and sunset date. **SUMMARY:** Staff seeks to modify the sunset date of the Ordinance from December 31, 2023 to December 31, 2025 to allow time to solicit, complete and consider the findings of an updated disparity study and fairly monitor and track an uninterrupted period of two (2) years for overall county spend that was altered due to COVID-19 when emergency purchases were not subject to the Equal Business Opportunity (EBO) Program. Staff also seeks to modify the definition of the current gross annual revenue size standards for small businesses under the EBO Program to align size standards with the current Consumer Price Index Inflation (CPI) calculator, the U.S. Small Business Administration and the current North American Industrial Classification System (NAICS) codes as follows: From \$9 million to \$13 million for Construction; from \$5 million to \$7 million for Professional Services (Consultants' Competitive Negotiation Act (CCNA) Required); from \$5 million to \$7 million for Goods; and from \$4 million to \$5.7 million for Professional Services (CCNA Not Required) and Other Services. Countywide (RS)

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NOVEMBER 7, 2023

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

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NOVEMBER 7, 2023

7. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

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

B. COUNTY ATTORNEY

**NOVEMBER 7, 2023**

**8. COMMISSIONER COMMENTS**

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

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

Requesting off-site approval for Proclamation declaring November 2023 as Alzheimer’s Awareness Month.

**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**

Requesting off-site approval for Proclamation declaring December 2023 as Impaired Driving Awareness Month.

**NOVEMBER 7, 2023**

**9. MATTERS BY THE PUBLIC – 2:00 P.M.**

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**NOVEMBER 7, 2023**

**10. ADJOURNMENT**

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