

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

**ADDITIONS, DELETIONS, & SUBSTITUTIONS**

**NOVEMBER 21, 2023**

<u>PAGE</u>	<u>ITEM</u>	
32	3H9	<b>*REVISED SUMMARY / (FDO) / SUMMARY:</b> Since 1998, the County and the Fair have had an agreement under which the County uses the Fair's existing Expo Center as a special needs shelter during times of emergencies (currently the 2023 Amended and Restated SNU Agreement R2023-1097). Both parties recognize the need for the Fair to have additional expo space at the Fairgrounds and for the County to have additional space for sheltering evacuees during emergencies. Under the new Agreement, the County will fund/reimburse the Fair up to \$1,000,000 of development, design and construction costs for the New Expo Center – SNU-2 Project. The Fair will be responsible for: 1) selecting and overseeing all consultants and contractors; 2) submitting the design documents to the County for review for compliance with the design requirements for use of the building as an emergency shelter; 3) obtaining funding for the new building in excess of the County's contribution. The County's obligation under the Agreement will be to timely pay any and all costs paid by Fair for the New Expo Center/SNU-2 Project not to exceed the currently appropriated County contribution of one million dollars (\$1,000,000). The County also agrees out of its currently appropriated contribution to advance up to \$100,000 to Fair upon approval of the Agreement to reimburse expenses incurred by the Fair for the project prior to approval of the Agreement. <u>Both parties expect that the currently appropriated County contribution will be primarily (if not completely) spent in the development of initial design documents and construction cost estimates. Once the same are completed by the Fair, County staff will prepare an agenda item for consideration by the Board of County Commissioners with a recommendation on the matter of the possibility of cost sharing for the design/construction elements that will allow the new Expo Center to serve as a special needs center.</u> Under the Agreement, the Fair grants to the County exclusive use and possession of the SNU-2 during emergencies upon substantial completion of the New Expo Center/SNU-2 Project. The parties also agree to enter into an agreement which is substantially similar to the 2023 Amended and Restated SNU Agreement regarding use of new facility by the County during emergencies. Funding for this agreement is from the General Fund. <b>(FDO Admin) District 6/Countywide</b> (MWJ)
34	3H11	<b>*DELETED – postponed by staff for further review. (FDO)</b>
35 61 online	3J1	<b>*RENUMBERED TO 5D2 – Regular Agenda (PZB)</b>
59 56 online	5C1	<b>*RENUMBERED TO 4C1 – Public Hearing (HED)</b>

**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 21, 2023**

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

**COMMISSION  
CHAMBERS**

**REORGANIZATIONAL MEETING**

**1. CALL TO ORDER**

- A. Roll Call
- B. Invocation
- C. Pledge of Allegiance
- D. Election of Mayor
- E. Election of Vice Mayor
- F. Comments

**ADJOURN AS THE BOARD OF COUNTY COMMISSIONERS**

**BOARD OF COUNTY COMMISSIONERS SITTING AS THE SOLID WASTE AUTHORITY**

**TIME CERTAIN: 9:30 A.M.**

**ADJOURN AS THE SOLID WASTE AUTHORITY**

**CONVENE AS THE BOARD OF COUNTY COMMISSIONERS**

**1. CALL TO ORDER**

- A. Roll Call

**2. AGENDA APPROVAL**

- A. Additions, Deletions, Substitutions
- B. Adoption

**3. CONSENT AGENDA (Pages 11 - 52)**

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

**NOVEMBER 21, 2023**

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

**COMMISSION  
CHAMBERS**

- 4. PUBLIC HEARINGS - 9:30 A.M.** (Pages 53 - 56)
- 5. REGULAR AGENDA** (Pages 57 - 63)
- 6. BOARD APPOINTMENTS** (Page 64)
- 7. STAFF COMMENTS** (Page 65)
- 8. BCC COMMENTS** (Page 66)
- 9. ADJOURNMENT** (Page 66)

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- 3B-1 Warrant list
- 3B-2 Minutes
- 3B-3 Contracts and claims settlements list

**C. ENGINEERING & PUBLIC WORKS**

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- 3C-1 Change Order No. 7 and a time extension request with R&D Paving, LLC for the PGA Boulevard Intersection Improvements project.
- 3C-2 Street Lighting System Design and Related Inspection Contract with HBC Engineering Company.

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- 3C-3 Amendment to the Infrastructure Surtax Project Plan to increase the budget for the Drainage Pipe Replacements.

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- 3C-4 Work Order with Ranger Construction Industries, Inc. to mill and resurface the County's residential streets within the Sherbrooke Estates Subdivision.

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- 3C-5 Resolution approving County Deed to convey a fee simple right-of-way for the construction of the PGA Boulevard and Central Boulevard intersection improvements.

**E. COMMUNITY SERVICES**

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- 3E-1 Performance Based Agreement with Coalition of Florida Farmworker Organizations, Inc. for outreach and enrollment services for farm and food workers who incurred expenses due to the COVID-19 pandemic through USDA.

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- 3E-2 PBC Comprehensive Opioid Abuse Program Award to extend the end date to continue program services and complete outreach services.

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- 3E-3 Amendment No. 1 with FDOH to decrease Grant Year GY 2023 core medical and support services category.

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3E-5 Amendment No. 2 with the City of West Palm Beach for Housing Opportunities for Persons with AIDS Program under the CARES Act, to redistribute budget line items to align with actual County expenditure and the extend the term of the grant award.

3E-6 Ratify the Mayor’s signature on the Ryan White Part A HIV Emergency Relief Grant Year FY2024 Agreements and Compliance Assurances.

Page 20

3E-7 Contract for Provision of Services with 211 Palm Beach/Treasure Coast, Inc. for the Transportation Administration Services Pilot Program and General Helpline Services.

3E-8 Ratify the Mayor’s signature on the HUD 2023 Continuum of Care Competition and Renewal/Replacement of the Youth Homeless Demonstration Program Grant Application for Pathways to Independence to provide permanent housing.

Page 21

3E-9 Use of Facility Agreement for Government Entities with the City of Greenacres for five (5) years to provide congregate meal site for seniors and Facility Agreement with Lubavitch of West Palm Beach, Inc.

**F. AIRPORTS**

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3F-1 PBI Operating Permit with Global Crossing Airlines, Inc. for a single flight operation at PBI.

3F-2 Eight (8) First Amendments to Agreements for Rental Car Lease and Concession at PBI.

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3F-3 First Amendment to Airport On-Demand Ground Transportation Services Agreement with 4R Services to extend the Contract.

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

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3G-1 Resolution approving Fiscal Year 2023 Year End Budget Transfers and Amendments, along with the following FY 2023 Year End Budget Transfers and Amendments.

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3H-2 Annual contract with Decon Environmental & Engineering, Inc. for annual Indoor Air Quality remediation services as needed within the County.

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3H-3 Annual contract with Security 101 Holdings, LLC dba Security 101 for low voltage services as needed within the County.

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3H-4 Annual contract with Master Mechanical Services, Inc. for Heating, Ventilation and Air Conditioning services as needed within the County.

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3H-5 Annual contract with Sun Art Painting Corporation for painting and weatherproofing services as needed within the County.

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3H-6 Task Order No. 2 with The Weitz Company, LLC for preconstruction services for the Main County Courthouse Buildout and Renovations project t.

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3H-7 Standard Lease Agreement for Use of County-Owned Property with PBSO to wash PBSO owned vehicles.

3H-8 Interlocal Agreement with City of Lighthouse Point allowing interoperable communications through the countywide common talk groups.

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3H-9 Agreement with South Florida Fair and Palm Beach County Expositions, Inc. for development, design and construction for a new Expo Center at the fairgrounds which will be used as special needs center by the County during emergencies.

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3H-10 Change Order No. 6 to Amendment No. 3 with the Kast Construction Company LLC for PBSO Headquarters Renovations Exterior and Interior project and increase the duration.

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**J. PLANNING, ZONING & BUILDING**

Page 35

~~3J-1 Interlocal Agreement with the Town of Lake Clarke Shores providing for the annexation of an enclave.~~

**K. WATER UTILITIES**

Page 36

3K-1 Change Order No. 4 with Florida Design Drilling LLC for the Wellfield Improvements Phase 1 project and to extend the project.

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3K-2 Standard Potable Water and Wastewater Development Agreements, Standard Reclaimed Water Development Agreements and Standard Lake Discharge System and Direct System Agreements.

Page 38

3K-3 Work Order No. 2 to the 2022 Pipeline Continuing Construction Contract with Hinterland Group Inc. for the Palmetto Park Road Force Main Replacement project.

3K-4 Permit and License for Water Pipeline M-Canal Crossing for a revocable license from the City of West Palm Beach.

Page 39

3K-5 Professional Consulting Services contract with Zeman Consulting Group, LLC for Surveying and Mapping Services.

3K-6 Change Order No. 1 with Cardinal Contractors, Inc. for Repump Station No. 8310 Upgrades and Improvements project and time extension.

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3K-7 Board reappointment of two (2) to the Water Utilities Department Advisory Board.

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**M. PARKS & RECREATION**

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3M-1 Twelve (12) Independent Contractor Agreements with various entities.

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3M-2 Four (4) First Amendments to Independent Contractor Agreements with various entities.

**P. COOPERATIVE EXTENSION SERVICE**

Page 44

3P-1 Approve a refund to the Friends of the Mounts Botanical Garden, Inc. associated with the hosting the traveling art exhibit sculptures, and approve a Budget Amendment.

**S. FIRE RESCUE**

Page 44

3S-1 Side Agreement with Professional Firefighters/Paramedics of Palm Beach County, Local #2928 amending Article 16 – Promotions of the Collective Bargaining Agreement.

**U. INFORMATION SYSTEMS SERVICES**

Page 45

3U-1 Pricing Schedule for AT&T Dedicated Internet agreement.

**Z. RISK MANAGEMENT**

Page 45

3Z-1 Settlement Agreement with United Healthcare Services, Inc. providing refunds to those County employees and retirees enrolled in the 2023 year United Open Access – CHOICE Plan.

**AA. PALM TRAN**

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3AA-1 FTA application and Grant Agreement.



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**CC. SHERIFF**

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3CC-1 FY2023 DNA Capacity Enhancement and Backlog Reduction Program Grant from DOJ, and a Budget Amendment.

3CC-2 Grant Modification #1 with Office National Drug Control Policy to provide supplemental funds for PBSO and a Budget Amendment.

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3CC-3 FY24 Grant Award for Statewide Criminal Analysis Laboratory System Project.

Page 48 - 49

3CC-4 Budget Transfer from Law Enforcement Trust Fund.

**DD. CAREERSOURCE**

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3DD-1 Appointment of one (1) member to the CareerSource Palm Beach County, Inc. Board of Directors.

**EE. OFFICE OF EQUAL OPPORTUNITY**

Page 51

3EE-1 FY 2024 Worksharing Agreement with EEOC.

3EE-2 Appointment of one (1) member to the Fair Housing/Equal Employment Board.

**FF. SUPERVISOR OF ELECTIONS**

Page 52

3FF-1 Approval for 35 precinct boundary changes that are being submitted for approval.

**GG. OFFICE OF COMMUNITY REVITALIZATION**

Page 52

3GG-1 Approve expenditure for installation of and twenty (20) years of maintenance of twenty (20) street lights in the Haverhill East Countywide Community Revitalization Team area, approve a Budget Transfer and a Budget Amendment.

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**PUBLIC HEARINGS – 9:30 A.M.**

**A. OFFICE OF EQUAL BUSINESS OPPORTUNITY**

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4A-1 Adopt Ordinance change in Office Equal Business Opportunity Program.

**B. CRIMINAL JUSTICE COMMENTION**

Page 54 - 55

4B-1 Adopt Ordinance change in the Criminal Justice Commission related to changes in membership.

**C. HOUSING AND ECONOMIC DEVELOPMENT**

Page 59

5C-1 Resolution making certain findings and designating three (3) parcels at Clint Moore Road as a Brownfield Area.

**REGULAR AGENDA**

**A. AIRPORTS**

Page 56

5A-1 Termination of Term Contract with Triangle Services of Florida, Inc. dba Triangle Services at PBI, and approve Term Contract with Flagship Airport Services, Inc. for janitorial services.

**B. FACILITIES DEVELOPMENT & OPERATIONS**

Page 57 - 58

5B-1 Contract with Global Spectrum, L.P. for the operation and management of the PBC Convention Center, and approve Termination Agreement with Global Spectrum, L.P. as amended.

~~**C. HOUSING AND ECONOMIC DEVELOPMENT**~~

~~Page 59~~

~~5C-1 Resolution making certain findings and designating three (3) parcels at Clint Moore Road as a Brownfield Area.~~

**D. PLANNING, ZONING AND BUILDING**

Page 61

5D-1 Proposed annexations by City of Palm Beach Gardens and Village of North Palm Beach.  
5D-2 Interlocal Agreement with the Town of Lake Clarke Shores providing for the annexation of an enclave.

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**REGULAR AGENDA**

**E. FIRE RESCUE**

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5E-1 Approve and permission to advertise change to the Ordinance with updated Florida Fire Prevention Code information.

**F. OFFICE OF COMMUNITY REVITALIZATION**

Page 63

5F-1 Contract with Spirit of Giving Network, Inc. for professional services to assist with the planning of and purchase of school supplies for the 2024 Back to School PBC event, and authorize advance payments.

**BOARD APPOINTMENTS** (Page 64)

**STAFF COMMENTS** (Page 65)

**COMMISSIONER COMMENTS** (Page 66)

**ADJOURNMENT** (Page 67)

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>
October 17, 2023	Regular
October 26, 2023	Zoning

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

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve: Change Order No. 7 in the amount of \$259,368.25 and a time extension of 265 days to the contract dated September 14, 2021 (R2021-1196) (Contract) with R & D Paving, LLC (RDP) for the PGA Boulevard and Military Trail Intersection Improvements (Project). **SUMMARY:** Per PPM CW-F-050, the total of this Change Order exceeds the threshold of \$100,000 and allowable time extensions relating to staff approvals of change orders to contracts and requires approval by the Board of County Commissioners. Approval of Change Order No. 7 will provide a 265 day contract time extension and compensate RDP for replacing the fiber optic control cabinet located on the northeast corner of PGA Boulevard and Military Trail. After starting construction of the project, the Construction Coordination Division was notified that the cabinet was located within the clear zone of Military Trail and needed to be replaced, as the fiber optic lines could not be disconnected for an extended period of time. This Change Order includes compensation for additional maintenance of traffic and devices utilized to accommodate the time extension, resulting from utility relocation delays caused by Florida Power and Light Company, Florida Public Utilities Company, AT&T, and Comcast. The Contract was approved on September 14, 2021, for the amount of \$1,259,514.17. The Contract's total value including this Change Order and previous change orders is \$1,601,509.91. The County is obligated by the Contract to pay for Change Order No. 7; however, the County will seek reimbursement from the utility companies for the delay. The Affirmative Procurement Initiative selected for this Contract on January 15, 2020, by the Goal Setting Committee is a 10% minimum mandatory Small Business Enterprise (SBE) participation. RDP committed to 25.7% SBE participation for this Contract. The estimated SBE participation for this Change Order is 44%. Their cumulative SBE participation for this Contract, including this Change Order, is 28.6%. District 1 (YBH)
  
2. Staff recommends motion to approve: the Street Lighting System Design and Related Inspection (CEI) Professional Continuing Services Contract with HBC Engineering Company (HBC) to be in effect for 36 months from the date of approval by the Board of County Commissioners (BCC). **SUMMARY:** Approval of this contract will provide the professional services necessary for street lighting system design and related construction engineering inspection services throughout Palm Beach County (County) on a consultant services authorization basis. The contract period for this contract is 36 months from the date of approval by the BCC. On October 5, 2022, the Goal Setting Committee applied an Affirmative Procurement Initiative of a Small Business Enterprise (SBE) Evaluation Preference. HBC agreed to 100% SBE participation for their contract. On August 10, 2023, the Consultant's Competitive Negotiations Act Selection Committee selected HBC and, in accordance with PPM No. CW-O-048, the BCC was notified of the selection on August 11, 2023. HBC has an office located in the County and is a certified SBE company. Countywide (YBH)

3. CONSENT AGENDA APPROVAL

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

3. Staff recommends motion to approve:

- A) an amendment to the Infrastructure Surtax (IST) Project Plan approved by the Board of County Commissioners (BCC) on April 4, 2017, as amended on January 4, 2022, to increase the budget for the "Drainage (Pipe Replacements) - various other locations Countywide" line item (Pipe Replacement Line Item) from \$200,000 to \$3,200,000; and
- B) a Budget Transfer of \$3,000,000 within the IST Fund from Engineering's IST Reserves to increase the budget for the Pipe Replacement Line Item.

**SUMMARY:** Approval of the amendment and budget transfer will increase the funding for the Pipe Replacement Line Item by \$3,000,000 in FY2024. The IST Project Plan originally funded the Pipe Replacement Line Item at \$1,700,000 in various fiscal years. To date, approximately \$1,000,000 of the \$1,700,000 has been spent. The Pipe Replacement Line Item is currently funded at \$200,000 in FY2024. The reason for this additional funding request is due to an increase in pipe failures under Palm Beach County (County) roads because of aging infrastructure, especially with regard to metal pipe commonly used in the 1970s and 1980s. All failing pipes need to be replaced in order to properly drain and maintain County roads in a safe operating condition. This additional funding will allow pipe repair work at the following locations: Foxwood Lane, Snead Circle, Catalina Isle Drive, and Hatteras Drive. The total funding for the Pipe Replacement Line Item will be increased from \$1,700,000 to \$4,700,000 in various fiscal years. The Sales Tax Oversight Committee reviewed this request at their November 16, 2023 meeting and approved it unanimously. **The Pipe Replacement Line Item is included in the infrastructure sales tax. Countywide** (YBH)

3. CONSENT AGENDA APPROVAL

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

4. Staff recommends motion to approve: Work Order 2021050-53 in the amount of \$837,000 to mill and resurface the residential streets within the Sherbrooke Estates Subdivision utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2021-0984 (Contract) with Ranger Construction Industries, Inc. (Ranger). **SUMMARY:** Per County PPM CW-F-050, this work order exceeds the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners (BCC). The identified streets to be resurfaced are all public and county maintained streets. Approval of this work order will allow the contractual services necessary to construct the improvements. Prior to this meeting date, approximately \$19 million of the \$50 million Contract that was approved on August 17, 2021, by the BCC, has been spent or encumbered. This Contract is one of three contracts with an available cumulative total of \$50 million for the annual asphalt milling and resurfacing program. The Affirmative Procurement Initiative selected for this Contract on September 16, 2020 by the Goal Setting Committee is a 15% minimum mandatory Small Business Enterprise (SBE) participation. Ranger agreed to 15% SBE participation for the Contract and 13.43% SBE participation for this work order. Their cumulative SBE participation, including this work order is 13%. District 6 (YBH)

3. CONSENT AGENDA APPROVAL

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

5. Staff recommends motion to:

**A) adopt** a Resolution approving a County Deed to convey a fee simple right-of-way designated as R/W Parcel 101 to the Florida Department of Transportation (FDOT) for construction of the PGA Boulevard and Central Boulevard intersection improvements (Project); and

**B) approve** a County Deed to convey R/W Parcel 101 to FDOT for the Project.

**SUMMARY:** Adoption of the Resolution will approve a County Deed to convey R/W Parcel 101 to the FDOT for the Project. Palm Beach County (County) will widen Central Boulevard, a County road, to add a second southbound right turn lane at PGA Boulevard. PGA Boulevard, also known as SR 786, is an FDOT road. As part of the permitting process for the Project, FDOT requires that R/W Parcel 101 be conveyed to them free and clear of all encumbrances. **The Project is included in the Five Year Road Program. In accordance with Palm Beach County ordinance (2019-038), a supermajority (5 votes) is required by the Board of County Commissioners (BCC) for all transfers of real property that requires BCC approval.** District 1 (YBH)

E. COMMUNITY SERVICES

1. Staff recommends motion to approve: the Performance Based Agreement with the Coalition of Florida Farmworker Organizations, Inc. (COFFO), for the period October 12, 2023 through October 11, 2024, in an amount not-to-exceed \$18,750, for outreach and enrollment services to approximately 250 unduplicated farm and food workers who incurred expenses due to the COVID-19 pandemic through the U. S. Department of Agriculture (USDA). **SUMMARY:** The United Migrant Opportunity Services, Inc. (UMOS) is a U.S. Department of Agriculture (USDA) Farm and Food Worker Relief (FFWR) Program approved organization that has entered into an agreement with COFFO to serve farm and food workers throughout the state of Florida. COFFO seeks to enter into an agreement with Palm Beach County to enroll approximately 250 unduplicated farm and food worker beneficiaries in the FFWR Program. Palm Beach County staff will conduct outreach activities, determine eligibility and assist with the application process for interested farm and food workers throughout Palm Beach County. The cost per unduplicated worker applications is \$75 per completed application. UMOS will process payments directly to eligible workers and COFFO will compensate Palm Beach County for services rendered. Agricultural and meatpacking workers, as well as select grocery workers, may receive one relief payment per person if they worked in an eligible front-line job in the U.S. during the COVID-19 pandemic (between January 20, 2020 through March 11, 2023). **No County match is required.** (Human Services and Community Action Program) Countywide (HH)



3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

2. Staff recommends motion to receive and file: Palm Beach County Comprehensive Opioid Abuse Program Award No. 2019-AR-BX-K023 (R2021-0781) Funded Award Details with the Department of Justice (DOJ) Comprehensive Opioids, Stimulants, Substance Abuse Program (COSSAP), to extend the end date from September 30, 2023 to September 30, 2024, with no change to the original total amount of \$1,200,000, to continue program services and complete research services under the DOJ COSSAP demonstration program. **SUMMARY:** The DOJ has approved a second extension of the initial grant award for the period October 1, 2019 through September 30, 2024 to allow for the demonstration program to be completed. To date, COSSAP funding has been used to support a Care Coordinator/Housing Specialist to assist program participants in securing a recovery housing placement through an established Recovery Housing Voucher Program and Recovery Residence Provider Network. Recovery support services have been provided by a Peer Recovery Support Specialist, who has had access to Recovery Support Services Funds to further assist participants. In FY 2022, approximately nine (9) clients per month were provided housing vouchers through RHVP. Throughout the course of the program, 109 were duplicated clients. A total of 80% of clients in the program remained stably housed and achieved housing stability post program completion. This intervention program has prioritized and expedited recovery support services to individuals at high risk for overdose. The Community Services Department currently has a contract with Florida Atlantic University (FAU) to continue research services under the DOJ COSSAP demonstration program. FAU research has found that the project has reduced program participant re-arrests. It has also found certain recovery capital indicators that are predictive of desired outcomes. **No County match is required.** (Community Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

3. Staff recommends motion to approve: Amendment No. 1 to Interlocal Agreement for Ryan White Program HIV/AIDS Part A (RWHAP) for Health Support Services with the Florida Department of Health in Palm Beach County (FDOH) (R2021-1010), for the three (3) year period March 1, 2021 through February 29, 2024, to decrease Grant Year (GY) 2023 core medical and support services category by \$85,000, for a new GY 2023 agreement amount not-to-exceed \$417,900, for a new three (3) year agreement amount totaling \$1,423,700, for the provision of services to improve health outcomes for people living with HIV/AIDS. **SUMMARY:** On December 17, 2021, the Board of County Commissioners (BCC) ratified the Mayor's signature on the Ryan White Part A HIV Emergency Relief Gant Program application (R2021-1778). This amendment is needed to allocate funds, as well as reallocate funds that were swept from agencies that were unable to spend them in the designated categories. Sandra Anderson and Dominique Lane, employees of FDOH, are members of the HIV CARE Council. This board provides no regulation, oversight, management, or policy-setting recommendation regarding the agency contract listed above. Disclosure of this contractual relationship at duly noticed public meeting is being provided in accordance with the provisions of Section 2-443, of the Palm Beach County Code of Ethics. This amendment will allow the agency to continue improving health outcomes for people with HIV/AIDS under the early intervention and oral health care services. FDOH will serve approximately 997 clients. Under the Ryan White Part A HIV Emergency Relief Gant Program grant, approximately 3,600 clients will be served. In GY 2022, 3,100 clients were served. **No County match is required.** (Ryan White Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

4. Staff recommends motion to approve:

- A) Amendment 001 to Standard Agreement No. IZ023-9500 (R2023-1279) for Alzheimer's Disease Initiative (ADI) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), for period July 1, 2023 through June 30, 2024, to amend, revise and replace portions of the standard agreement and increase the overall total funding by \$130,000 for a new total agreement amount not-to-exceed \$2,365,100, to assist seniors afflicted with Alzheimer's disease and other forms of dementia, as well as their caregivers, with services to help seniors reside independently in their own homes;
- B) Amendment 002 to Standard Agreement No. IZ023-9500 (R2023-1279) for ADI with AAA, for period July 1, 2023 through June 30, 2024, to amend, revise and replace portions of the standard agreement, with no change to the overall total agreement amount of \$2,365,100, to assist seniors afflicted with Alzheimer's disease and other forms of dementia, as well as their caregivers, with services to help seniors reside independently in their own homes; and
- C) an upward Budget Amendment of \$130,000 in FY 2023 in the Division of Senior and Veteran Services (DSVS) Administration Fund to align the budget to the actual grant award.

**SUMMARY:** The ADI amendments (Catalog of State Financial Assistance (CSFA) 65.002 and 65.004), allows DSVS to continue providing case management, in-home and facility based respite services to seniors. ADI has served 118 clients from July 1, 2023 through October 30, 2023. The budget amendment is necessary to align the County budget with the actual grant awards. DSVS is responsible for providing services north of Hypoluxo Road. The areas of service include all of the districts, excluding District 2, 4, 5 and 7 south of Hypoluxo Road. The Mae Volen Center, Inc. is responsible for providing services in the areas south of Hypoluxo Road. **No County match is required under ADI Amendment 002 CSFA 65.002 and 65.004 (DSVS) Countywide except for portions of Districts 2, 4, 5, and 7 south of Hypoluxo Rd. (HH)**

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

5. Staff recommends motion to receive and file: Amendment No. 2 to Interlocal Agreement with the City of West Palm Beach for Housing Opportunities for Persons with AIDS (HOPWA) (R2020-1539) Program under the Coronavirus Aid, Relief, and Economic Security (CARES) Act, to redistribute budget line items to align with actual County expenditure, and extend the term of the grant award from April 30, 2023 to September 30, 2023, to provide supportive services and housing stability for HOPWA program clients in Palm Beach County. **SUMMARY:** The Ryan White Program was selected as a grant recipient project sponsor from the City of West Palm Beach to provide supportive and housing services to prevent homelessness for people with HIV living in Florida. The Interlocal Agreement was amended to redistribute the budget line item from Supportive Services, Permanent Housing Placement, Leasing-Hotel/Motel Vouchers and Sponsor Administration to the budget line item Short-Term Rent, Mortgage and Utility Assistance, and to extend the term of the agreement to September 30, 2023, with no change to the original total agreement amount of \$440,000. The total agreement amount has been fully expended. Under the HOPWA Program, 164 families affected by HIV have received homelessness prevention and intervention services. On October 20, 2020, the Board of County Commissioners (BCC) granted signature authority to the County Administrator or designee, on grant agreements, amendments thereto, and all other documents necessary for the implementation of the HOPWA Program under the CARES Act. Staff is submitting this item as a receive and file item to allow the Clerk and Comptroller's Office to receive and file the item in accordance with PPM CW-O-051. **No County match is required.** (Ryan White Program) Countywide (HH).
  
6. Staff recommends motion to ratify: the signature of the Mayor on the Ryan White Part A HIV Emergency Relief Grant Year (GY) 2024 Agreements and Compliance Assurances, Non-Compete Continuation (NCC) Progress Report, for the period March 1, 2024 through February 28, 2025, in an amount not-to-exceed the available ceiling amount of \$7,939,132, for the provision of services to improve health outcomes for people living with HIV/AIDS. **SUMMARY:** The U.S. Department of Health and Human Services (HHS), Health Resources and Services Administration (HRSA) transitioned the Ryan White Program from an annual competitive program to a three (3) year non-competing continuation program, effective in GY 2023. The Ryan White Program is still annually funded; however, to reduce administrative burden and better align programmatic goals, NCC Progress Reports will be submitted in lieu of complete applications in the second and third budget periods. This will be the third and final budget period of the current three (3) year cycle. The funding for GY 2024 will allow us to serve approximately 3,800 Palm Beach County residents with HIV/AIDS and advance our goal to end HIV by 2030. The emergency signature process was utilized because there was not sufficient time to submit the NCC Progress Report through the regular Board of County Commissioners agenda process and meet the grantor's deadline. **No County match is required.** (Ryan White Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

7. Staff recommends motion to approve: a Contract for Provision of Services with 211 Palm Beach/Treasure Coast, Inc. (211), for the period October 1, 2023 through September 30, 2024, in an amount not-to-exceed \$298,500, for the Transportation Administration Services (TAS) Pilot Program for low-income residents, and General Helpline Services (GES) to persons requesting information, assessment and referral services in Palm Beach County. **SUMMARY:** 211 will provide two (2) services under the new contract. TAS is a new pilot program, which will provide on-demand transportation via ride share to low-income clients, as well as Ryan White and Human Services clients. 211 will include and/or coordinate TAS to the target population, as determined by the Community Services Department approved referral sources. TAS will include transportation from the client's location to medical appointments, pharmacies, detoxification facilities, CareerSource, public assistance offices and other local service providers, to ensure clients make it to their appointments with minimal impact on their personal schedule. 211 will also provide confidential, community helpline and crisis hotline services and immediate guidance and support, emergency intervention, and disaster relief/recovery services to individuals and families in Palm Beach County seeking guidance. In FY 2024, TAS will provide on- demand transportation assistance and general helpline, emergency intervention and disaster relief/recovery services to approximately 1,400 clients and persons seeking referral services. (Financially Assisted Agencies) Countywide (HH).
  
8. Staff recommends motion to ratify: the signature of the Mayor on the U.S. Department of Housing and Urban Development (HUD) 2023 Continuum of Care (CoC) Competition and Renewal/Replacement of the Youth Homeless Demonstration Program (YHDP) Grant Application for Pathways to Independence, for the period December 1, 2024 through November 30, 2025, in the amount of \$482,117, to provide permanent housing through the Rapid Re-housing Model to approximately 22 households. **SUMMARY:** Palm Beach County Human Services and Community Action Program (HSCAP), in conjunction with the City of West Palm Beach Department of Housing and Community Development (City), applied for the 2023 HUD CoC Renewal/Replacement of the YHDP Grant Application, to serve approximately 22 homeless households who are medically fragile, chronically homeless and residing on the street. The City will serve as the subcontractor and will be responsible for providing all direct services. The City will assess the service needs of clients and provide case management, life skills training, utility deposits and other much needed services as stated in the grant application. HSCAP will provide contract oversight and grant compliance, as well as HUD reimbursement draws. The match requirement of \$120,530 is being provided by the City. **No County match is required.** (Human Services and Community Action Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont'd.)

9. Staff recommends motion to approve:

A) a Use of Facility Agreement for Government Entities with the City of Greenacres, at no cost to the County, for the five (5) year period November 21, 2023 through November 20, 2029, to provide a congregate meal site for seniors at the Greenacres Community Center; and

B) a Use of Facility Agreement for Non-Government Entities with Lubavitch of West Palm Beach, Inc., at no cost to the County, for the five (5) year period November 21, 2023 through November 20, 2023, to provide a congregate meal site for seniors at the Chabad of West Palm Beach.

**SUMMARY:** The Division of Senior and Veteran Services (DSVS) receives federal funds from the Older Americans Act (OAA) to provide congregate meal sites. These agreements enable DSVS to operate a congregate meal site at no cost for the space and energy usage. The City of Greenacres and Lubavitch of West Palm Beach, Inc. will recruit volunteers to operate the congregate meal sites. DSVS will provide training for the volunteers. Meals and necessary food related services and supplies are furnished by the County through its designated food service vendor, subject to the availability of funds. The City of Greenacres will serve approximately 30 seniors with approximately 3,300 lunch meals annually. The estimated total cost of the meals is \$17,127 and is funded under OAA in the amount of \$15,414 (90%) and \$1,712 (10%) in County match, which is included in the current budget. Lubavitch of West Palm Beach, Inc. will serve approximately 30 seniors with approximately 3,300 lunch meals annually. The estimated total cost of the meals is \$72,600 and is funded under OAA in the amount of \$65,340 (90%) and \$7,260 (10%) in County match, which is included in the current budget. DSVS is responsible for providing services north of Hypoluxo Road. The areas of service exclude portions of Districts 2, 4, 5 and 7 south of Hypoluxo Road. The Mae Volen Center, Inc. is responsible for providing services in the excluded areas. **No additional County match is required.** (Division of Senior and Veteran Services) Countywide except for portions of Districts 2, 4, 5, and 7 south of Hypoluxo Rd. (HH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. **Staff recommends motion to receive and file:** Palm Beach International Airport (PBI) Operating Permit with Global Crossing Airlines, Inc. (Global), a Delaware corporation, for a single flight operation at PBI occurring on October 22, 2023, for payment of \$1,487.28. **SUMMARY:** The Operating Permit enabled Global to use certain airport facilities at PBI for a flight operation from the commercial terminal at PBI on October 22, 2023. Charges include landing, baggage handling, gate and holdroom fees. Resolution 2014-1709 authorizes the County Administrator or designee, the Director of the Department of Airports, to execute the standard form operating permit. Countywide (AH)
  
2. **Staff recommends motion to receive and file:** Eight (8) First Amendments (Amendment), to each of the following Agreements for Rental Car Lease and Concession (Agreement) at the Palm Beach International Airport (PBI):
  - A) Avis Budget Car Rental, LLC, as the sole owner of Avis Rent A Car System, Inc. (Avis) and Zipcar, Inc. (Zipcar) (R2022-0936);
  - B) Avis Budget Car Rental, LLC as the sole owner of Budget Rent A Car System, Inc. (Budget) and Payless Car Rental, Inc. (Payless) (R2022-0937);
  - C) Enterprise Leasing Company of Florida, LLC (Enterprise Leasing), d/b/a Alamo Rent A Car (Alamo) and National Car Rental (National) (R2022-0831);
  - D) Enterprise Leasing, d/b/a Enterprise Rent-A-Car (Enterprise) (R2022-0832);
  - E) Fox Rent A Car, Inc., d/b/a Fox Rent A Car and Europcar (R2022-0829);
  - F) The Hertz Corporation, d/b/a Dollar Rent A Car and Thrifty Car Rental (Dollar/Thrifty) (R2022-0834);
  - G) The Hertz Corporation (Hertz), d/b/a Hertz (R2022-0833); and
  - H) Sixt Rent A Car, LLC (Sixt), d/b/a Sixt Rent A Car (R-2022-0835).**SUMMARY:** On August 22, 2023, the Board adopted Resolution (R2023-1074) establishing a standard form amendment, clarifying requirements for local revenue, monthly statements of gross revenues, accounting records, audit requirements, reporting and airport concession disadvantaged business enterprise participation. The Amendment also adds a provision for liquidated damages for failure to comply with Agreement requirements. Resolution 2023-1074 adopted the standard form amendment and provided for delegation of authority for the Director of Airports to sign the Amendments. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

3. Staff recommends motion to receive and file: First Amendment to Airport On-Demand Ground Transportation Services Agreement (Agreement) with 4R Services, at the Palm Beach International Airport (PBI) (R2021-0416), extending the Contract by three months to December 31, 2023, and increasing the total not to exceed amount by \$44,138.64. **SUMMARY:** The Agreement provides for on-demand taxi and luxury sedan/SUV service at PBI. The Agreement was assigned by WHC WPB, LLC, to Metro Taxi of Florida, LLC (Metro) effective as of June 29, 2021 (R2022-0111), and Metro simultaneously reassigned the Agreement to 4R Services, an affiliate of Metro. The Agreement expired on September 30, 2023 with no further renewals. The Amendment extends the Agreement by three additional months to December 31, 2023, and increases the total not to exceed amount by \$44,138.64. Delegation of authority for execution of the Amendment is provided in Section 2-54(c)(9) of the Purchasing Code. Countywide (AH)



3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to approve:

A) Resolution of the Board of County Commissioners of Palm Beach County, Florida Approving Fiscal Year 2023 Year End Budget Transfers and Amendments; and

B) the following FY 2023 Year End Budget Transfers and Amendments:

1. Budget Amendment of \$6,812 in the General Fund 0001 to reallocate budget between departments and to transfer revenues between funds;
2. Budget Transfer of \$9,423 in the Housing and Economic Sustainability Fund 1101 to allocate expenses to the HUD Loan Repayment Account Fund based on revenues and expenditures;
3. Budget Amendment of \$232,405 in the Fire/Rescue MSTU Fund 1300 to recognize increased 911 revenues from Public Safety Answering Points (PSAPs);
4. Budget Transfer of \$788,511 in the Emergency Communications Number "E-911" Fund 1434 to allocate expenses to other agencies for PSAPs based on 911 revenues and expenditures;
5. Budget Amendment of \$9,423 in the HUD Loan Repayment Account Fund 1540 to transfer revenues between funds;
6. Budget Amendment of \$21,784 in the 11.6M Note Payable 08 DS, ESL Jupiter Fund 2061 to transfer revenues from the General Fund to cover increased interest expense; and
7. Budget Transfer of \$6,812 in the Beach Improvement Fund 3652 to transfer revenues between funds.

**SUMMARY:** These transfers and amendments are necessary to properly allocate budget for FY 2023. The General Fund amendment of \$6,812 includes a reallocation of budget between departments to adjust amounts for expenses due to an unexpected increase in certain costs. The other budget transfers are necessary to align the budget without increasing the total appropriations of the funds. The budget amendments relate to adjustments for unanticipated revenue received for a specific purpose. Countywide (DB).

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: an annual contract with the following contractor for flooring services on an as-needed basis through May 17, 2026.

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
O'Neill Brothers Flooring, Inc.	Local	Non-SBE

**SUMMARY:** On May 18, 2021, the Board of County Commissioners (Board) approved the annual flooring contract (R2021-0633 through R2021-0639). The work consists of new installations, replacement and/or repairs of flooring to County-owned properties on an as needed basis. The Contractor now joins the list of eleven (11) prequalified contractors for a total of twelve (12) prequalified contractors with a contract expiration date of May 17, 2026. The specific requirements of the work will be determined by individual work orders issued against this annual flooring contract. These contracts are five (5) year indefinite-quantity contracts with a maximum cumulative value of \$2,000,000 across all prequalified contractors. Work will be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors may qualify at any time and be added to this annual flooring contract before the term ends. Projects less than \$100,000 are bid among the pool of certified Small Business Enterprise (SBE) contractors, when three (3) or more small businesses are qualified under the contract. Projects \$100,000 or greater are advertised on the vendor self-service (VSS) website and are bid among the pool of pre-qualified contractors while projects \$200,000 or greater are advertised on the VSS website and additionally advertised in the newspaper. The bidding pool is further expanded, for projects \$100,000 or greater, to include additional bidders responding to the specific project advertisement that submit a qualification application at least ten (10) calendar days before the bid due date. The annual flooring contract was presented to the Goal Setting Committee on January 20, 2021 and the Committee established Affirmative Procurement Initiatives (APIs) of sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or an SBE contractor will be given a price preference for projects \$100,000 or greater if its bid is within 10% of the lowest non-small business bid. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for all work orders issued. To date, the cumulative S/M/WBE participation for all work orders under the annual flooring contract is 66.08%. **(Capital Improvements) Countywide** (MWJ)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to approve: an annual contract with the following contractor for annual Indoor Air Quality (IAQ) remediation services on an as-needed basis through August 21, 2028.

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
Decon Environmental & Engineering, Inc.	Non-Local	Non-SBE

**SUMMARY:** On August 22, 2023, the Board of County Commissioners (Board) approved the annual IAQ remediation services contract. The work consists of indoor air quality, infectious disease and blood borne pathogen remediation services on an as needed basis. The Contractor now joins the list of seven (7) prequalified contractors for a total of eight (8) prequalified contractors with a contract expiration date of August 21, 2028. The specific requirements of the work will be determined by individual work orders issued against this annual IAQ remediation services contract. These contracts are five (5) year indefinite-quantity contracts with a maximum cumulative value of \$3,000,000 across all prequalified contractors. Work will be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors may qualify at any time and be added to this annual IAQ remediation services contract before the term ends. Projects less than \$100,000 are bid among the pool of certified Small Business Enterprise (SBE) contractors, when three (3) or more small businesses are qualified under the contract. Projects \$100,000 or greater are advertised on the vendor self-service (VSS) website and are bid among the pool of pre-qualified contractors while projects \$200,000 or greater are advertised on the VSS website and additionally advertised in the newspaper. The bidding pool is further expanded, for projects \$100,000 or greater, to include additional bidders responding to the specific project advertisement that submit a qualification application at least ten (10) calendar days before the bid due date. The annual IAQ remediation services contract was presented to the Goal Setting Committee on March 15, 2023 and the Committee established Affirmative Procurement Initiatives (APIs) of sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or an SBE contractor will be given a price preference for projects \$100,000 or greater if its bid is within 10% of the lowest non-small business bid. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for all work orders issued. To date, there is no cumulative S/M/WBE participation for any work order under the annual IAQ remediation services contract. **(Capital Improvements) Countywide (MWJ)**

3. CONSENT AGENDA APPROVAL

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

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

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
Security 101 Holdings, LLC dba Security 101	Local	Non-SBE

**SUMMARY:** On August 17, 2021, the Board of County Commissioners (Board) approved the annual low voltage contract (R2021-1064 through R2021-1069). The work consists of low voltage services to County-owned properties on an as needed basis. The Contractor now joins the list of twelve (12) prequalified contractors for a total of thirteen (13) prequalified contractors with a contract expiration date of August 16, 2026. The specific requirements of the work will be determined by individual work orders issued against this annual low voltage contract. These contracts are five (5) year indefinite-quantity contracts with a maximum cumulative value of \$4,000,000 across all prequalified contractors. Work will be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors may qualify at any time and be added to this annual low voltage contract before the term ends. Projects less than \$100,000 are bid among the pool of certified Small Business Enterprise (SBE) contractors, when three (3) or more small businesses are qualified under the contract. Projects \$100,000 or greater are advertised on the vendor self-service (VSS) website and are bid among the pool of pre-qualified contractors while projects \$200,000 or greater are advertised on the VSS website and additionally advertised in the newspaper. The bidding pool is further expanded, for projects \$100,000 or greater, to include additional bidders responding to the specific project advertisement that submit a qualification application at least ten (10) calendar days before the bid due date. The annual low voltage contract was presented to the Goal Setting Committee on March 17, 2021 and the Committee established Affirmative Procurement Initiatives (APIs) of sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or an SBE contractor will be given a price preference for projects \$100,000 or greater if its bid is within 10% of the lowest non-small business bid. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for all work orders issued. To date, the cumulative S/M/WBE participation for all work orders under the annual low voltage contract is 79.67%. **(Capital Improvements) Countywide (MWJ)**

3. CONSENT AGENDA APPROVAL

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

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

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
Master Mechanical Services, Inc.	Non-Local	Non-SBE

**SUMMARY:** On January 7, 2020, the Board of County Commissioners (Board) approved the annual HVAC contract (R2020-0019 through R2020-0023). The work consists of HVAC services related to system and component installations, upgrades, replacements, modifications and repairs to County-owned properties on an as needed basis. The Contractor now joins the list of twenty-two (22) prequalified contractors for a total of twenty-three (23) prequalified contractors with a contract expiration date of January 6, 2025. The specific requirements of the work will be determined by individual work orders issued against this annual HVAC contract. These contracts are five (5) year indefinite-quantity contracts with a maximum cumulative value of \$23,000,000 across all prequalified contractors. Work will be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors may qualify at any time and be added to this annual HVAC contract before the term ends. Projects less than \$100,000 are bid among the pool of certified Small Business Enterprise (SBE) contractors, when three (3) or more small businesses are qualified under the contract. Projects \$100,000 or greater are advertised on the vendor self-service (VSS) website and are bid among the pool of pre-qualified contractors while projects \$200,000 or greater are advertised on the VSS website and additionally advertised in the newspaper. The bidding pool is further expanded, for projects \$100,000 or greater, to include additional bidders responding to the specific project advertisement that submit a qualification application at least ten (10) calendar days before the bid due date. The annual HVAC 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. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for all work orders issued. To date, the cumulative S/M/WBE participation for all work orders under the annual HVAC contract is 27.56%. **(Capital Improvements) Countywide (MWJ)**

3. CONSENT AGENDA APPROVAL

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

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

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
Sun Art Painting Corporation	Local	SBE

**SUMMARY:** On April 4, 2023, the Board of County Commissioners (Board) approved the annual painting and weatherproofing services contract (R2023-0416 through R2023-0420). The work consists of painting and weatherproofing services to County-owned properties on an as needed basis. The Contractor now joins the list of ten (10) prequalified contractors for a total of eleven (11) prequalified contractors with a contract expiration date of April 3, 2028. The specific requirements of the work will be determined by individual work orders issued against this annual painting and weatherproofing services contract. These contracts are five (5) year indefinite-quantity contracts with a maximum cumulative value of \$3,000,000 across all prequalified contractors. Work will be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors may qualify at any time and be added to this annual painting and weatherproofing services contract before the term ends. Projects less than \$100,000 are bid among the pool of certified Small Business Enterprise (SBE) contractors, when three (3) or more small businesses are qualified under the contract. Projects \$100,000 or greater are advertised on the vendor self-service (VSS) website and are bid among the pool of pre-qualified contractors while projects \$200,000 or greater are advertised on the VSS website and additionally advertised in the newspaper. The bidding pool is further expanded, for projects \$100,000 or greater, to include additional bidders responding to the specific project advertisement that submit a qualification application at least ten (10) calendar days before the bid due date. The annual painting and weatherproofing services contract was presented to the Goal Setting Committee on December 7, 2022 and the Committee established Affirmative Procurement Initiatives (APIs) of sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or an SBE contractor will be given a price preference for projects \$100,000 or greater if its bid is within 10% of the lowest non-small business bid. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for all work orders issued. To date, there is no S/M/WBE participation for work orders under the annual painting and weatherproofing services contract. **(Capital Improvements) Countywide (MWJ)**

3. CONSENT AGENDA APPROVAL

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

6. Staff recommends motion to approve: Task Order No. 2 to the Construction Manager (CM) at Risk Services contract with The Weitz Company, LLC for preconstruction services for the Main County Courthouse (MCCH) Buildout and Renovations—1<sup>st</sup>, 7<sup>th</sup> and 8<sup>th</sup> Floor Renovation project in the amount of \$233,015. **SUMMARY:** On March 14, 2023, the Board of County Commissioners (Board) approved the CM at Risk Services Contract with The Weitz Company, LLC for the MCCH Buildout and Renovations project. The MCCH Buildout and Renovations project consists of interior improvements primarily to the 1<sup>st</sup>, 7<sup>th</sup> and 8<sup>th</sup> floors of the MCCH building. Task Order No. 2 authorizes preconstruction services necessary for the MCCH 1<sup>st</sup>, 7<sup>th</sup> and 8<sup>th</sup> floor renovation. Construction management services for preconstruction activities include, but are not limited to, design reviews, value analysis, scheduling services, cost estimates, prequalification of trade contractors and competitive public bidding of trade contracts. In addition, a full size mockup consisting of a judge and clerk bench, witness stand, raised jury box platform, a ramp made of plywood and temporary walls on casters for three (3) courtroom types will be included. The mockups will be used to simulate the courtroom layout so that the Chief Judge can clearly understand the sightlines from the bench prior to his approval and detailed development of the construction documents. The solicitation for selection of the CM was advertised on August 7, 2022 according to the Equal Business Opportunity (EBO) Ordinance, with final selection taking place on November 14, 2022. On July 20, 2022, the Goal Setting Committee established Affirmative Procurement Initiatives (APIs) of a Small Business Enterprise (SBE) evaluation preference of up to 10 points for SBE participation plan and 5 points for CM/SBE partnering. The Weitz Company, LLC is not a certified Small/Minority/Women-Owned (S/M/WBE) Business Enterprise. The Weitz Company, LLC partnered with All-Site Construction Inc., an S/MBE firm, for services in an amount not less than 15% of its preconstruction and construction phase fees. SBE participation on this Task Order No. 2 is 12.68%. The CM is on notice that all GMP Amendments for construction services issued pursuant to this contract will be subject to the requirements of the Equal Business Ordinance, including requesting that an Affirmative Procurement Initiative (API) be set prior to bidding the subcontracts. The Weitz Company, LLC is a local business. **Funding for this project is from the Infrastructure Sales Tax Fund. (Capital Improvements Division) District 7 (MWJ)**

3. CONSENT AGENDA APPROVAL

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

7. Staff recommends motion to receive and file: Standard License Agreement for Use of County-Owned Property (Bus Wash, 38601 James Wheeler Way, Belle Glade) for the period of November 1, 2023 through October 31, 2026, with Palm Beach Sheriff's Office (PBSO) to wash PBSO owned vehicles, entailing a license fee of \$5,000. **SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts, agreements, and grants must be submitted by the initiating Department as a receive and file agenda item. The attached standard agreement has been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator or designee, who in this case was the Director of the Facilities Development and Operations Department. The Standard License Agreement was approved in accordance with R2010-0333, as amended and approved by the Board on October 1, 2013. The Agreement with PBSO has a license fee of \$5,000. The executed documents are now being submitted to the Board to receive and file. **(FDO Admin) Countywide** (YBH)
  
8. Staff recommends motion to approve: an Interlocal Agreement ("Agreement") with the City of Lighthouse Point ("Municipality") allowing for interoperable communications through the countywide common talk groups of the County's Public Safety Radio System ("System") from November 21, 2023 through November 20, 2028. **SUMMARY:** This Agreement provides the terms and conditions under which the Participant can program into its radios and utilize the countywide common talk groups for certain types of inter-agency communications. The County's System will not be utilized for routine operational communications by the Municipality. The terms of the Agreement are standard and have been offered to all municipalities and local branches of state and federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with this Agreement. The Municipality is required to pay all costs associated with Municipality's subscriber units and to comply with the established operating procedures for the County's System. The Agreement provides for an initial term of five (5) years with two (2) renewal options, each for a period of five (5) years. This Agreement may be terminated by either party, with or without cause, upon ten (10) days prior notice to the other party. There is no fiscal impact associated with this Agreement. **(ESS) Countywide** (MWJ)



3. CONSENT AGENDA APPROVAL

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

9. Staff recommends motion to approve: an Agreement (“Agreement”) with the South Florida Fair and Palm Beach County Expositions, Inc. (“Fair”) under which the County will fund/reimburse up to \$1,000,000 in development, design and construction costs for a new Expo Center at the fairgrounds which will be used as special needs center by the County during emergencies (“New Expo Center – SNU-2 Project”). The Agreement will continue until completion of the New Expo Center – SNU-2 Project, at which time the parties agree to enter into a use agreement for the special needs shelter. **SUMMARY:** Since 1998, the County and the Fair have had an agreement under which the County uses the Fair’s existing Expo Center as a special needs shelter during times of emergencies (currently the 2023 Amended and Restated SNU Agreement R2023-1097). Both parties recognize the need for the Fair to have additional expo space at the Fairgrounds and for the County to have additional space for sheltering evacuees during emergencies. Under the new Agreement, the County will fund/reimburse the Fair up to \$1,000,000 of development, design and construction costs for the New Expo Center – SNU-2 Project. The Fair will be responsible for: 1) selecting and overseeing all consultants and contractors; 2) submitting the design documents to the County for review for compliance with the design requirements for use of the building as an emergency shelter; 3) obtaining funding for the new building in excess of the County’s contribution. The County’s obligation under the Agreement will be to timely pay any and all costs paid by Fair for the New Expo Center/SNU-2 Project not to exceed the currently appropriated County contribution of one million dollars (\$1,000,000). The County also agrees out of its currently appropriated contribution to advance up to \$100,000 to Fair upon approval of the Agreement to reimburse expenses incurred by the Fair for the project prior to approval of the Agreement. Both parties expect that the currently appropriated County contribution will be primarily (if not completely) spent in the development of initial design documents and construction cost estimates. Once the same are completed by the Fair, County staff will prepare an agenda item for consideration by the Board of County Commissioners with a recommendation on the matter of the possibility of cost sharing for the design/construction elements that will allow the new Expo Center to serve as a special needs center. Under the Agreement, the Fair grants to the County exclusive use and possession of the SNU-2 during emergencies upon substantial completion of the New Expo Center/SNU-2 Project. The parties also agree to enter into an agreement which is substantially similar to the 2023 Amended and Restated SNU Agreement regarding use of new facility by the County during emergencies. Funding for this agreement is from the General Fund. **(FDO Admin)** District 6/Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

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

10. Staff recommends motion to approve: Change Order No. 6 to Amendment No. 3 (R2021-0345) to the Construction Manager (CM) at Risk Services contract (R2020-0249.1) with Kast Construction Company LLC for the Palm Beach Sheriff's Office (PBSO) Headquarters Renovations-Exterior and Interior project in the amount of \$696,293.57, increasing the project duration by 90 calendar days. **SUMMARY:** On March 9, 2021, the Board of County Commissioners (Board) approved Amendment No. 3 (R2021-0345) to the CM at Risk Services contract (R2020-0249.1) with Kast Construction Company LLC in the amount of \$33,653,791 establishing a Guaranteed Maximum Price (GMP) for construction management services for the PBSO Headquarters Renovations-Exterior and Interior project. The PBSO Headquarters Renovations-Exterior and Interior project entails interior and exterior work including, but not limited to, hardening the existing exterior wall and window systems including new wall cladding to be installed for hurricane protection; adding new reinforced concrete walls; replacement of the existing roofing system; replacement and upgrades to the Heating, Ventilation and Air Conditioning (HVAC) systems; renovation of the fire suppression and lighting systems; and renovations and modifications to the interior of all three levels of the facility to accommodate additional offices, workstations and conference spaces. Change Order No. 6 to Amendment No. 3 (Change Order No. 6) authorizes the labor and materials necessary for additional work and modifications to the low voltage, electrical, plumbing and HVAC systems as well as additional general contracting work for the PBSO Headquarters Renovations-Exterior and Interior project that were unforeseen and unknown at the scope development phase. Change Order No. 6 also increases the project duration by 90 calendar days as a result of the long lead procurement time items. The project is currently in the close out phase, with occupancy expected by the end of calendar year 2023. Staff is currently working with the CM in final project reconciliation. The CM at Risk Services contract with Kast Construction Company LLC was awarded pursuant to the Small Business Enterprise (SBE) ordinance however Amendment No. 3, having been initiated after January 1, 2019, is subject to the requirements of the Equal Business Opportunity (EBO) Ordinance. Kast Construction Company LLC is not an SBE, but has partnered with All-Site Construction, Inc., an SBE CM. In September 2020, prior to subcontractor advertisement and bidding, the Goal Setting Committee applied an Affirmative Procurement Initiative (API) to the construction subcontracts of 25% SBE participation, of which 5% must be a Minority Business Enterprise (MBE) African American or Hispanic American. SBE participation on this Change Order is 23.96% of which (12.25) % is MBE participation (African American and/or Hispanic American). To date, the overall SBE participation on this project is 25.80% SBE subcontracting participation of which 4.64% is MBE participation (African American and/or Hispanic American). Kast Construction Company LLC is a Palm Beach County business. Funding for this project is from the Public Building Improvement Fund. **(Capital Improvements Division)** District 3 (MWJ)

3. CONSENT AGENDA APPROVAL

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

~~11. Staff recommends motion to approve:~~

~~A) Budget Transfer in the amount of \$4 Million within the IST Fund from IST Reserves to appropriate funds to the Gramercy Park Expansion project; and~~

~~B) Amendment No. 1 to the Construction Manager (CM) at Risk Services Federally funded project contract (R2022-1193) with Hatcher Construction & Development, Inc. (CM), establishing a Guaranteed Maximum Price (GMP) in the amount of \$11,284,247.68 for the Gramercy Park Neighborhood Center project for a period of 380 calendar days from notice to proceed.~~

~~**SUMMARY:** On October 18, 2022, the Board of County Commissioners (Board) approved the CM at Risk Services Federally funded project contract (R2022-1193) with the CM for the Gramercy Park Neighborhood Center project. The Gramercy Park Neighborhood Center project includes, but is not limited to, the construction of an approximately 11,000 square foot neighborhood center located at the corner of Park Avenue and 45th Street in West Palm Beach. The center includes a large multi-purpose room, classroom, kitchen, offices and building support spaces. Site amenities include a parking lot, landscaping, a mulch surfaced walking trail and associated site infrastructure work. Amendment No. 1 establishes a GMP in the amount of \$11,284,247.68 for the construction management services necessary for the construction of the Gramercy Park Neighborhood Center. The CM will have 380 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 \$550 per day. The CM was selected through a competitive solicitation in accordance with the Federal requirements provided by the Department of Housing and Economic Development (DHED). Under the Federal requirements, this project has a 22.4% minority and 6.9% female Equal Employment Opportunity (EEO) participation goal. The CM anticipates EEO utilization of 22.4% Minority and 6.9% Female participation in the construction phase. **Funding for this project is from the Infrastructure Sales Tax, CDBG, and Ad Valorem Funds. (Capital Improvements Division) District 7 (MWJ)**~~

3. CONSENT AGENDA APPROVAL

~~J. PLANNING, ZONING & BUILDING~~

- ~~1. Staff recommends motion to approve: An Interlocal Agreement with the Town of Lake Clarke Shores (Town) providing for the annexation of an enclave, known as the Edgewater Park Enclave, generally located on the east side of S. Florida Mango Rd, south of Palm Terr., west of W. Lake Drive. **SUMMARY:** The Florida Legislature designated a portion of Edgewater Park as an enclave per Chapter 2022-232, Laws of Florida. Consequently, the Town is proposing to annex the subject enclave through an enclave Interlocal Agreement under Section 171.046, Florida Statutes. The Town approved the proposed Interlocal Agreement on October 10, 2023, to annex the 32.76 acre legislatively declared enclave, identified in Exhibit A of the Interlocal Agreement. The proposed annexation was processed through the County's reviewing departments, including Fire Rescue; Engineering; Planning, Zoning & Building; Environmental Resources Management; Parks and Recreation; Water Utilities; County Attorney; Property and Real Estate Management; Sheriff's Office; and the Office of Financial Management and Budget. The Town provided written notice to all owners of real property located within the enclave. The proposed annexation is consistent with the Intergovernmental Coordination Element of the County's Comprehensive Plan. District 3 (DL)~~

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. **Staff recommends motion to approve:** Change Order (CO) No. 4 with Florida Design Drilling LLC, (Contractor) for the Wellfield Improvements Phase 1 (Project) in the amount of \$55,926.08 and for a Contract project time extension of 110 calendar days. **SUMMARY:** On October 20, 2020, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2020-1584) with Contractor. The Project provides for construction of one (1) new production well and the rehabilitation of five (5) production wells located in Boca Raton and replacement of three (3) production wells and rehabilitation of two (2) production wells located in Delray Beach. CO No. 4 includes additional costs and contract time to install a motor shroud at well 3W-24, repair a pipe break at well 3W-27, install pumps and motors in wells 3W-15 and 3W-16, install a traffic-rated electric box at well 3W-24, extend the antenna height at wells 3W-16 and 3W-19, install a raw water linestop assembly and plug and abandon the associated raw water main between wells 9W-6 and 9W-7. Time extensions are provided for well acidifications, casing grouting, an investigation video, a time delay for laboratory testing and for an unforeseen power delay due to a failed transformer at wells 3W-15 and 3W-16. This work is in the amount of \$55,926.08 and 110 calendar days. This change order also adds 200 calendar days to the third interim completion deadline related to material delivery and work delays however it does not impact the overall construction duration. The Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On April 15, 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 24.09% SBE participation, which includes 5.14% M/WBE participation, 1.61% MBE (B), 3.46% MBE (H), and 0.07% WBE. This Change Order includes 8.63% overall participation, which includes 3.57% M/WBE participation, 3.57% MBE (H), 0% (B), 0% WBE. The cumulative SBE participation, including this Change Order is 5.16%, which includes 5.12% M/WBE participation, 1.59% MBE (B), 3.46% MBE (H), and 0.07% WBE. Florida Design Drilling LLC has graduated from the SBE program. The Contractor is a Palm Beach County based company. The Project is included in the PBCWUD FY 24 budget. (PBCWUD Project No. 19-022) Districts 2 & 5 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

2. Staff recommends motion to receive and file: Two (2) executed Standard Potable Water and Wastewater Development Agreements, two (2) Standard Reclaimed Water Development Agreements, a Standard Reclaimed Water Service Agreement Lake Discharge System, and a Standard Reclaimed Water Service Agreement Direct System for the months of June and July 2023.

A) Standard Potable Water and Wastewater Development Agreement with West Atlantic Business Plaza, LLC, SDA #09-01103-000 (District 5), Recorded in OR BK 34379 PG 299;

B) Standard Potable Water and Wastewater Development Agreement with Boynton Beach Associates 30, LLLP, SDA #05-11135-000 (District 5), Recorded in OR BK 34462 PG 1001;

C) Standard Reclaimed Water Development Agreement with Boynton Beach Associates 30, LLLP, SDA #05-90029-000 (District 5), Recorded in OR BK 34462 PG 1011;

D) Standard Reclaimed Water Service Agreement Lake Discharge System with Boynton Beach Associates 30, LLLP, RWSA #05-90029-000 (District 5), Recorded in OR BK 34462 PG 1021;

E) Standard Reclaimed Water Development Agreement with Principal Commercial Group, LLC, SDA #03-90014-000 (District 5), Recorded in OR BK 34462 PG 1031; and

F) Standard Reclaimed Water Service Agreement Direct System with Principal Commercial Group, LLC, SRWSA #03-90014-000 (District 5), Recorded in OR BK 34462 PG 1039.

**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. District 5 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

3. **Staff recommends motion to approve:** Work Order (WO) No. 2 to the 2022 Pipeline Continuing Construction Contract (Continuing Contract) with Hinterland Group Inc., (Contractor) for the Palmetto Park Road Force Main Replacement (Project) in the amount of \$3,144,459.20. **SUMMARY:** On May 16, 2023, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Continuing Contract (R2023-0676) with Contractor. WO No. 2 provides for the installation of approximately 7,700 linear feet of 12-inch and 4,200 linear feet of 16-inch force main along Palmetto Park Road from Boca Falls Drive to Catskill Court. The 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 20.96% SBE participation, which includes 5.85% MBE participation, 5.85% MBE (H). WO No. 2 includes 15.44%% SBE participation, which includes 0%% MBE participation, 0% MBE (H). The cumulative SBE participation, including WO No. 2, is 15.44% SBE, which includes 0% MBE participation, 0% MBE (H). Contractor is a Palm Beach County based company. The Project is included in the PBCWUD FY24 budget. (PBCWUD Project No. 22-015) District 5 (MWJ)
  
4. **Staff recommends motion to approve:** a Permit and License for Water Pipeline M-Canal Crossing for a revocable license (License) from the City of West Palm Beach (City) within the M-Canal right-of-way located south of Orange Boulevard, east of Royal Palm Beach Boulevard in West Palm Beach. **SUMMARY:** The Palm Beach County Water Utilities Department (PBCWUD) is planning to install a 12-inch water main along 110<sup>th</sup> Avenue North south within the M-Canal right-of-way. The City is granting PBCWUD a 20-feet by 80.6-feet License for the construction and maintenance of the proposed water main that will interconnect to the existing water main within the M-Canal. PBCWUD staff has coordinated with the City for the area needed for the License. A Sketch and Legal description of the License area is attached and was approved by the City. (PBCWUD Project No. 21-041) District 6 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

5. **Staff recommends motion to approve:** Contract for Professional Consulting Services for a three (3) year term with Zeman Consulting Group, LLC (Zeman) for Surveying and Mapping Services (Surveying). **SUMMARY:** The Contract will provide land surveying and mapping services for Palm Beach County Water Utilities Department (PBCWUD). This Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On March 13, 2023, the Goal Setting Committee applied an Affirmative Procurement Initiative of up to 15 evaluation preference points be reserved for all SBE prime respondents. The Contract provides for 100% SBE participation. Zeman is a Palm Beach County based company. (PBCWUD Project No. 23-018) Countywide (MWJ)
  
6. **Staff recommends motion to approve:** Change Order (CO) No. 1 with Cardinal Contractors, Inc. (Contractor) for Repump Station No. 8310 Upgrades and Improvements (Project) in the amount of \$37,572.47 and for a project time extension of 266 calendar days. **SUMMARY:** On August 23, 2022 the Board of County Commissioners (BCC) approved the Palm Beach County Water Utilities Department (PBCWUD) Contract for the Rehabilitation of Repump Station 8310 (R2022-0855). The Contract provides for the demolition of an existing repump pumping station and abandoned building and construction of a new replacement pumping station, including auger cast pile supported concrete equipment pads; a pole barn; retaining wall; and mechanical and electrical equipment; relocation of an existing generator, portable engine driven pump, and chemical storage and feed equipment; and site grading and site improvements. CO No. 1 will extend the contract time by 266 days to offset the schedule slippage caused by the long lead time for instrumentation and control systems. CO No.1 will offset the cost associated with a failed owner pipe and material and labor for a new Programmable Logic Cards (PLC). Substantial completion will move from November 3, 2023 to July 25, 2024. The Contract was procured under the requirement of the Equal Business Opportunity (EBO) Ordinance. On March 17, 2021, the Goal Setting Committee approved an Affirmative Procurement Initiative of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting participation of which 3% shall be among certified African American and /or Hispanic American owned firms. The Contract provides for 23.47% SBE participation, which includes 20.41% MBE participation, 3.05% MBE (B). CO No. 1 includes 0.0% SBE participation, which includes 0% MBE and 0% MBE (B). The cumulative SBE participation including CO No. 1 is 23.14% SBE participation, which includes 3.01% MBE participation, 3.01% MBE (B). The Project is included in the 2023 budget. (PBCWUD Project 18-064) District 6 (MWJ)



3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

7. Staff recommends motion to approve: the reappointment of two (2) at-large members to the Water Utilities Department Advisory Board (WUAB) for a three (3) year term effective November 21, 2023 through September 30, 2026.

Nominees:	Requirements:	Seat No.	Nominated By:
William Nuss	Current Palm Beach County Water Utilities Customer and Village of Royal Palm Beach Resident	11 At-Large Royal Palm Beach	Mayor Weiss Commissioner Baxter Commissioner Woodward Commissioner Marino
Rob Hawkins	Current Palm Beach County Water Utilities Customer and Resides in Palm Beach County	8 At-Large	Mayor Weiss Commissioner Baxter Commissioner Woodward Commissioner Marino

**SUMMARY:** The WUAB reviews the Department’s annual budget plans, acquisitions, new technologies for improving water, wastewater and reclaimed water service, and assists in the handling of the Department’s Administrative Hearings. Resolution No. R2014-0457 provides for an eleven-member WUAB. The membership consists of seven (7) District members, two (2) County-wide At-Large members, one (1) Lake Region member and one (1) Royal Palm Beach member. Department staff recommend the reappointments of Mr. William Nuss and Mr. Rob Hawkins who have indicated a desire to continue serving as WUAB members. The Board has 11 seats, 9 seats currently filled and a diversity count of six (6) Caucasians (66.7%), two (2) African Americans (22.2%) and one (1) Hispanic-American (11.1%) and the gender ratio (female:male) is 3:6. Staff has been addressing the need to increase diversity within our boards and will continue to encourage this to expand this Board’s diversity. Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. [Staff recommends motion to receive and file:](#) the following twelve (12) executed Independent Contractor Agreements:
  - A) Coralytes, LLC, US Synchronized Swimming Coach at Aqua Crest Pool, for the period of October 1, 2023 through September 30, 2024 in an amount not to exceed \$42,391;
  - B) LB2 Enterprises, Inc., US Masters Swimming Coach at Aqua Crest Pool, for the period of October 1, 2023 through September 30, 2024 in an amount not to exceed \$82,391;
  - C) Lightning Swimming, LLC, USA Swimming Coach at Lake Lytal Pool, for the period of October 1, 2023 through September 30, 2024 in an amount not to exceed \$117,702;
  - D) LB2 Enterprises, Inc., US Masters Swimming Coach at Lake Lytal Pool, for the period of October 1, 2023 through September 30, 2024 in an amount not to exceed \$35,000;
  - E) Jupiter Diving Academy, US Diving Coach at North County Aquatic Complex, for the period of October 1, 2023 through September 30, 2024 in an amount not to exceed \$66,300;
  - F) Jupiter Dragons Swim Team LLC, USA Swimming Coach at North County Aquatic Complex, for the period of October 1, 2023 through September 30, 2024 in an amount not to exceed \$190,000;
  - G) LB2 Enterprises, Inc., US Masters Swimming Coach at North County Aquatic Complex, for the period of October 1, 2023 through September 30, 2024 in an amount not to exceed \$128,700;
  - H) Mary Lou Putnam, Water Aerobics Instructor at North County Aquatic Complex, for the period of October 1, 2023 through September 30, 2024 in an amount not to exceed \$21,000;
  - I) Stephen VanCoppennolle, Water Aerobics Instructor at North County Aquatic Complex, for the period of October 1, 2023 through September 30, 2024 in an amount not to exceed \$14,906;
  - J) Gold Coast Gymnastics, Inc., Gymnastics Instructor at West Boynton Recreation Center, for the period of October 17, 2023 through October 11, 2024 in an amount not to exceed \$7,546;

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (cont'd.)

1. (continued)

K) Modern Bujutsu Karate Florida, Inc., Karate Instructor at West Boynton Recreation Center, for the period of October 16, 2023 through October 25, 2024 in an amount not to exceed \$11,813; and

L) Go with Gabe LLC, Pickleball Instructor at various Palm Beach County Parks locations (indoor and outdoor), for the period of October 1, 2023 through January 31, 2024 in an amount not to exceed \$9,940.

**SUMMARY:** These Independent Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (BCC) by the County Administrator and Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 2002-2103, 2007-0409, 2012-0168, 2017-0822 and 2021-2049. The Department is now submitting these agreements in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a Receive and File agenda item. Countywide (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (cont'd.)

2. [Staff recommends motion to receive and file:](#) the following four (4) executed First Amendments to Independent Contractor Agreements:

- A) First Amendment to the Independent Contractor Agreement with Stephen VanCoppennolle, Adult Water Aerobics Program, at the North County Aquatic Complex, to increase the amount of the agreement (R2022-1464) by \$1,250 for a total amount not to exceed \$8,250 for the period October 1, 2022 through September 30, 2023;
- B) First Amendment to the Independent Contractor Agreement with Mary Lou Putnam, Adult Water Aerobics Program at North County Aquatic Complex, to increase the amount of the agreement (R2022-1463) by \$1,600 for a total amount not to exceed \$25,601 for the period October 1, 2022 through September 30, 2023;
- C) First Amendment to the Independent Contractor Agreement with Jupiter Diving Academy, LLC, US Diving Program at North County Aquatic Complex, to increase the amount of the agreement by \$4,000 for a total amount not to exceed \$11,000 for the period August 1, 2023 through September 30, 2023; and
- D) First Amendment to the Independent Contractor Agreement with LB2 Enterprises Inc., US Masters Swimming Program at Lake Lytal Family Pool, to increase the amount of the agreement (R2022-1459) by \$1,900 for a total amount not to exceed \$28,822 for the period October 1, 2022 through September 30, 2023.

**SUMMARY:** These First Amendments to the Independent Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (BCC) by the County Administrator and the Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 2002-2103, 2007-0409, 2012-0168 and 2017-0822. The Department is now submitting these Amendments in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a Receive and File agenda item. Districts 1 and 3 (AH)

3. CONSENT AGENDA APPROVAL

P. COOPERATIVE EXTENSION SERVICE

1. Staff recommends motion to:

A) **approve** the refund of \$20,000 to the Friends of the Mounts Botanical Garden, Inc. (Friends) to fund costs associated with hosting the traveling art exhibit sculptures known as “Origami in the Garden”, by BoxStudio, LLC.; and

B) **approve** a Budget Amendment to decrease the budget in the Cooperative Extension Revenue Fund (Fund 1482) in the amount of \$20,000.

**SUMMARY:** The Friends voted for Palm Beach County to host and display Artist Kevin Box’s “Origami in the Garden” art exhibition at the Mounts Botanical Garden of Palm Beach County (MBG). The original \$145,400 donation, which was approved on August 22, 2023 by the Board of County Commissioners (3P1), was to pay the costs associated with hosting the “Origami in the Garden” exhibit at the MBG from January 7, 2024 through May 12, 2024 and fees associated with PBC Art in Public Places (AiPP). These costs include payment to the artist, shipping of the exhibit, installation costs, and AiPP fees. The AiPP fee of \$2,400 includes exhibition curation, Risk Management coordination and contract administration. The Friends previously paid a \$20,000 deposit directly to the vendor, which was then deleted from the amount the County owed the vendor. The Friends are still paying the \$143,000 in total, but the County is only paying \$123,000 due to the deposit paid by the Friends. Therefore, \$20,000 needs to be refunded to the Friends from the Cooperative Extension Revenue Fund (Fund 1482). District 6 (AH)

S. FIRE RESCUE

1. Staff recommends motion to approve and ratify: a Side Agreement amending Article 16 – Promotions, of the Collective Bargaining Agreement (“CBA”) with the Professional Firefighters/Paramedics of Palm Beach County, Local #2928, IAFF, Inc., (“Union”). **SUMMARY:** Both parties are requesting a side agreement to the current CBA, October 1, 2021 – September 30, 2024 (R2021-1554). This Side Agreement addresses changes to Article 16 Sections 1 through 8, as agreed jointly by Fire Rescue staff and Union Leadership. The change provides for an extension to complete any post-promotional requirements for a duration equivalent to any leave taken for certain illnesses, including but not limited to, high risk pregnancies, certain cancers and posttraumatic stress disorder, as defined in the CBA and Florida Statutes; Countywide (MM)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to receive and file: a fully executed Pricing Schedule for AT&T Dedicated Internet for a period of twenty four (24) months. **SUMMARY:** The Pricing Schedule has been fully executed on behalf of the Board of County Commissioners (BCC) by the County Administrator and the Chief Information Officer in accordance with Resolution 2023-0958. Information Systems Services is now submitting the schedule in accordance with County PPM CW-O-051, which requires all delegated schedules to be submitted by the initiating Department to the BCC as a receive and file agenda item. The AT&T Dedicated Internet Pricing Schedule renews existing services at current discounted rates for a twenty four (24) month period under the new AT&T Master Agreement 158865UA (R2023-0958). Countywide (DB)

Z. RISK MANAGEMENT

1. Staff recommends motion to approve:
  - A) a Settlement Agreement with United Healthcare Services, Inc., (UHC) concerning the 2023 calendar year implementation of the Contract for Employee Self-Funded Medical Benefits Plan (Contract No. 22-076/MD, as amended), in the amount of \$436,552; and
  - B) a refund to current employees and certain retirees who were enrolled during calendar year 2023 in the United Open Access – CHOICE Plan (CHOICE) of the difference between premiums paid for the CHOICE Plan and premiums payable for the Neighborhood Health Partnership Plan (NHP or HMO).

**SUMMARY:** Staff recommends Board approval of a Settlement Agreement between the County and UHC in the amount of a fee credit of \$436,552 related to an error in the 2023 calendar year implementation of Contract No. 22-076/MD, as amended. The error provided certain CHOICE Plan benefits to members enrolled in the lower cost HMO Plan. The settlement allows the County to refund a group of approximately 750 members. In addition, the settlement includes \$68,788 to help offset any additional claim costs to the County. Countywide (HH)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. Staff recommends motion to receive and file: the electronically executed Federal Transit Administration (FTA) Application and Grant Agreement obligating \$19,567,894 for FY2019 Section 5307 (CFDA 20.507), Section 5339 (CFDA 20.526) and Flex Funds (CFDA 20.507). **SUMMARY:** The electronic documents have been fully executed on behalf of the BCC by Palm Tran through the County Administrator in accordance with R2019-1817, which delegated authority to execute, and to transmit electronically the BCC's approval of the grant application, award and resulting grant agreement. In accordance with County PPM CW-F-003 and CW-O-051, a signed copy of agreements executed under delegated authority must be placed on the BCC's agenda as a Receive and File. The executed documents are now being submitted to the BCC to allow the Clerk's Office to receive and file. Countywide (MM)

CC. SHERIFF

1. Staff recommends motion to:
  - A) **accept** on behalf of the Palm Beach County Sheriff's Office a FY2023 DNA Capacity Enhancement and Backlog Reduction (CEBR) Program Grant from the Department of Justice, Bureau of Justice Assistance in the amount of \$329,769 for the period of October 1, 2023 through September 30, 2025; and

**B) approve** a Budget Amendment of \$329,769 in the Sheriff's Grants Fund.

**SUMMARY:** The Palm Beach County Sheriff's Office (PBSO) received a grant award for the FY23 DNA Capacity Enhancement and Backlog Reduction (CEBR) Program in the amount of \$329,769 for the period of October 1, 2023 through September 30, 2025. PBSO's Forensic Biology Unit provides forensic DNA analysis of case samples from over 28 municipalities, the school district as well as state and federal agencies as needed. These grant funds will be used to continue to support the salary and benefits of two full time Forensic Scientists, training, supplies, and contractual services that will increase the efficiency of the crime lab and reduce the backlog of forensic DNA cases. **There is no match requirement associated with this award.** The Catalog of Federal Domestic Assistance (CFDA) number is 16.741 and the grant number is 15PBJA-23-GG-01271-DNAX. Countywide (RS)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (cont'd.)

2. Staff recommends motion to:

A) **receive & file** Grant Modification #1 with the Office of National Drug Control Policy to provide supplemental funds in the amount of \$18,791.23 for the Palm Beach County Sheriff's Office; and

B) **approve** a Budget Amendment of \$18,792 in the Sheriff's Grant Fund.

**SUMMARY:** On April 4, 2023, the Board of County Commissioners (BCC) accepted a grant award from the Office of National Drug Control Policy (ONDCP) in the amount of \$105,154 for the period of January 1, 2023 through December 31, 2024 (R-2023-0444), to support the Palm Beach County Narcotics Task Force (PBCNTF). This agenda item will provide an additional \$18,791.23 in grants funds for the PBCNTF, which brings the total grant award to \$123,945.23. There is **no match requirement** associated with this award. The Catalog of Federal Domestic Assistance (CFDA) number is 95.001 and the contract number is G23MI0011A. Countywide (RS)



3. CONSENT AGENDA APPROVAL

CC. SHERIFF (cont'd.)

3. Staff recommends motion to: **A) Accept** on behalf of the Palm Beach County Sheriff's Office a Grant Award for the FY24 Statewide Criminal Analysis Laboratory System Project between the Florida Department of Law Enforcement and the Palm Beach County Sheriff's Office for the period of October 1, 2023 through September 30, 2024. **SUMMARY:** The Florida Department of Law Enforcement (FDLE) provides state financial assistance to five locally-funded laboratories in the State of Florida, including Palm Beach County. The Palm Beach County Sheriff's Office (PBSO) operates the Palm Beach County Crime Laboratory. This grant award provides funding for personnel, equipment, training, and expenses to operate the Crime Lab. Since the total award amount is not known in advance, \$300,000 was budgeted in the Sheriff's Grant fund for FY24. We will amend the budget after the final quarterly payment is received in September to reconcile the revenue. **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 Y7004. Countywide (RS)
  
4. Staff recommends motion to approve: a Budget Transfer of \$450,000 from the Law Enforcement Trust Fund (LETF) to the Palm Beach County Sheriff's Office (PBSO). **SUMMARY:** Section 932.7055(5), Florida Statutes; provides that the seizing agency shall use Forfeiture proceeds for school resource officer, crime prevention, safe neighborhood, drug abuse education and prevention programs, or for other law enforcement purposes, which include defraying the cost of protracted or complex investigations, providing additional equipment or expertise, purchasing automated external defibrillators, and providing matching grant funds. Section 932.7055(5), Florida Statutes; also requires that no less than 25% of the LETF's previous year's revenues be used for the support or operation of drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood and school resource officer programs of various non-profit organizations. The PBSO's FY 2023 estimated donation requirement will not be finalized until year-end close-out. The PBSO's support of these programs exemplifies its strong commitment to the prevention and reduction of crime throughout the communities it serves and its desire to put money back into these communities to support organizations that provide such services. The year-to-date transfer for all donations to outside organizations after approval of this item is \$450,000. The funds requested are to aid PBSO and qualified organizations that meet the requirements set forth in Section 932.7055(5), Florida Statutes. Use of LETF requires approval by the Board, upon request of the Sheriff. The current State LETF balance is \$3,058,061. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$2,608,061. The PBSO certifies that the use of these funds is in accordance with Section 932.7055(5), Florida Statutes. Below is a table indicating the organizations the PBSO seeks to fund and the corresponding amount of funding proposed per respective organization or agency. No new positions are needed and no additional County funds are required. Countywide (RS)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (cont'd.)

4. Summary (cont'd.)

ORGANIZATION	AMOUNT
Anti-Defamation League, Inc.	\$30,000
Faith, Hope, Love, Charity, Inc.	\$25,000
Faith's Place Center for Arts Education, Inc.	\$50,000
Florida Sheriff's Youth Ranches, Inc.	\$130,000
Lake Worth West Resident Planning Group, Inc.	\$25,000
New Hope Charities, Inc.	\$25,000
Operation 300, Inc. - Fallen Officers Program	\$50,000
Palm Beach Area Tennis Patrons, Inc.	\$25,000
Palm Beach County PAL, Inc. - Summer Basketball Program	\$25,000
Sunset House, Inc.	\$15,000
The ARC of Palm Beach County, Inc.	\$25,000
Wounded Veterans Relief Fund, Inc.	\$25,000
<b>Total Amount</b>	<b>\$450,000</b>

3. CONSENT AGENDA APPROVAL

DD. CAREERSOURCE

1. Staff recommends motion to approve: the appointment of Michael J. Burke to the CareerSource Palm Beach County, Inc. Board of Directors (Board) for the seat and term indicated below.

Appointment	Seat No.	Term	Area of Representation	Nominated By
Michael J. Burke	15	11/21/23-11/20/30	Labor Organization Youth	The School District of Palm Beach County

**SUMMARY:** The Board is to develop a more efficient system to prepare Floridians for high skill and high wage jobs, and to oversee Welfare Reform, School- to- Work, and Adult/Literacy educational training. On October 5, 2021, the Board of County Commissioners (BCC) approved the Interlocal Agreement Palm Beach Workforce Development Consortium, which replaced Interlocal Agreement R2007-1220; First Amendment to the Interlocal Agreement R2007-1446; Amendment No. 2 to the Interlocal Agreement R2008-1268; and Third Amendment to the Interlocal Agreement R2014-1650. The Agreement states the BCC will appoint private sector board members to assure a minimum 51% private sector majority. The federal Workforce Innovation and Opportunity Act requests that an emphasis be placed on Chief Executive Officers or highest level of management positions for both community and business sector appointments. Michael J. Burke is the Superintendent of the School District of Palm Beach County. The CareerSource Palm Beach County, Inc. Board of Directors is comprised of a minimum of 19 members with representation established in Attachment 4. The Board has a maximum of 33 seats, 23 currently filled and a diversity count of Caucasian: 17 (74%), African-American: 3 (13%) and Hispanic: 3 (13%). The gender ratio (female:male) is: 9:14. The nominee is Caucasian male. Staff is addressing the need to increase diversity within our boards and will continue to encourage this to expand this Board’s diversity. Countywide (HH)

3. CONSENT AGENDA APPROVAL

EE. OFFICE OF EQUAL OPPORTUNITY

1. **Staff recommends motion to receive and file:** the FY 2024 Worksharing Agreement with the U.S. Equal Employment Opportunity Commission (EEOC). **SUMMARY:** The Worksharing Agreement is designed to provide individuals with an efficient procedure for obtaining redress for their grievances under Palm Beach County's Equal Employment Ordinance and Federal laws. The Worksharing Agreement is a prerequisite to the receipt of a Charge Resolution Contract with the EEOC. On November 26, 1996, the Board of County Commissioners approved staff's recommendation that future Worksharing Agreements be executed by the County Administrator, or designee, because of the recurring time constraints involved in this process. Pursuant to Countywide PPM-CW-O-051, the attached document is now being submitted to the BCC to receive and file. **No County funds are required.** Countywide (DO)
  
2. **Staff recommends motion to approve:** appointment of one (1) at-large member to the Fair Housing/Equal Employment (FH/EE) Board for a three (3) year term effective on November 21, 2023 through September 30, 2026.

<u>Nominee</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Term</u>	<u>Nominated By</u>
Zade Shamsi-Basha	9	PBC Resident	11/21/23- 9/30/26	Commissioner Marino  Commissioner Bernard  Vice-Mayor Sachs

**SUMMARY:** The FH/EE board serves as a quasi-judicial body empowered to hear and decide upon the merits of employment and housing discrimination complaints investigated by the Office of Equal Opportunity. The FH/EE board is comprised of nine (9) members, consisting of seven (7) district appointments and two (2) at-large members. Following the resignation of at-large appointee Jefferson Grant, Zade Shamsi-Basha submitted an application and nominations were requested in a September 26, 2023 memo to the Board of County Commissioners. Five (5) of the board's nine (9) seats are currently filled with a diversity count of Caucasian: 3 (33%), African American: 0 (0%) and Hispanic: 2 (22%). The gender ratio (female: male) is: 3:2. This nominee is a Caucasian male. Staff is addressing the need to increase diversity within its boards and will continue to encourage this in an effort to expand this Boards diversity. Countywide (JW)

3. CONSENT AGENDA APPROVAL

FF. SUPERVISOR OF ELECTIONS

1. Staff recommends motion to approve: 35 precinct boundary changes, submitted by Wendy Sartory Link, Supervisor of Elections, as required by Section 101.001(1), Florida Statutes. **SUMMARY:** 35 precinct boundary changes are recommended by Wendy Sartory Link, Supervisor of Elections (SOE), due to municipal annexations and a municipal single member redistricting. Districts 1, 2, 3, 6 and 7 (AH)

GG. OFFICE OF COMMUNITY REVITALIZATION

1. Staff recommends motion to approve:
  - A) an expenditure of \$200,000 for the installation and twenty (20) years of maintenance of twenty (20) Light Emitting Diode (LED) streetlights in the Haverhill East Countywide Community Revitalization Team (CCRT) area;
  - B) a Budget Transfer of \$200,000 in the Capital Outlay Fund to establish a transfer of \$80,000 for the Haverhill East CCRT area street lighting project to fund the installation and a transfer of \$120,000 to the Office of Community Revitalization (OCR) Special Projects and Initiatives Fund for project maintenance; and
  - C) a Budget Amendment of \$120,000 in the OCR Special Projects and Initiatives Fund to recognize the transfer and allocate it to the Haverhill East CCRT area street lighting project maintenance.

**SUMMARY:** In May of 2023, community members of the Haverhill East CCRT area requested streetlights to enhance safety and reduce crime, leading to the initiation of the Haverhill East CCRT area street lighting project. The project entails the installation and maintenance of twenty (20) LED streetlights for twenty (20) years. The requested transfer of \$200,000 is needed to cover the cost of installation and twenty (20) years maintenance of the streetlights. Funding is available in the CCRT Recouped Funding account in the Capital Outlay Fund. District 7 (RS)

\* \* \* \* \*

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

A. OFFICE OF EQUAL BUSINESS OPPORTUNITY

1. Staff recommends motion to adopt: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 2, Article III, Division 2, Part C of the Palm Beach County Code, (Ordinance No. 2018-021), pertaining to the Equal Business Opportunity Program; providing for an effective date and sunset; providing for repeal of laws in conflict; providing for savings clause; providing for severability; providing for inclusion in the code of laws and ordinances; and providing for captions. **SUMMARY:** The Board of County Commissioners approved the amended Equal Business Opportunity (EBO) Ordinance on preliminary reading on November 7, 2023 to include the modification of 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. Countywide (RS)

NOVEMBER 21, 2023

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

B. CRIMINAL JUSTICE COMMISSION

1. Staff recommends Motion to: adopt AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 2, ARTICLE V, DIVISION 5 OF THE PALM BEACH COUNTY CODE (ORDINANCE 88-16, AS AMENDED BY ORDINANCES 89-3, 90-38, 92-14, 92-25, 93-1, 93-35 95-6, 2014-003, AND 2016-017) PERTAINING TO THE PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION, AMENDING SECTION 2-216 (CREATED), AMENDING SECTION 2-217 (OBJECTIVES), AMENDING SECTION 2-218 (AUTHORITY), AMENDING SECTION 2-219 (OPERATION), AMENDING SECTION 2-220 (STAFF COOPERATION AND SUPPORT), AND AMENDING SECTION 2-221 (ADMINISTRATION); PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR CAPTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

B. CRIMINAL JUSTICE COMMISSION (cont'd.)

1. **SUMMARY:** The CJC seeks to amend Chapter 2, Article V, Division 5 of the Palm Beach County Code of Ordinances to include an expanded private sector membership reflective of the County and diversity in community voice. Therefore, the CJC is making the following recommended amendments to the CJC Ordinance:

1) Modify the membership of the CJC by reducing the public sector members from 21 to 18 by removing a) Supervisory Special Agent, Federal Bureau of Investigation, West Palm Beach, b) Senior Agent, Drug Enforcement Administration, West Palm Beach, and c) Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms (ATF), West Palm Beach Field Office, U.S. Treasury Department;

2) Modify the membership of the CJC by increasing the private sector members from 11 to 17 by maintaining the ten (10) members who will be nominated by the Palm Beach County Economic Council, of which consideration should be given to one (1) representative from CareerSource and one (1) representative from the Health Care District of Palm Beach County; and by increasing the one (1) member at large to six (6) members at large, which will include one (1) local clergy, one (1) returning citizen, one (1) crime survivor, one (1) student between the age of seventeen (17) and twenty-two (22) years-of-age, one (1) person who will be nominated by, and will represent, the Black Chamber of Commerce, and one (1) person who will be nominated by, and will represent, the Hispanic Chamber of Commerce. These six (6) at large members will be nominated by the Criminal Justice Commission and approved by the Board of County Commissioners; and

3) Additional amendments clarify the nomination process and update the CJC Ordinance in keeping with uniform policies and procedures for the Palm Beach County Commissioners.

On September 26, 2023 these recommended amendments were presented to the CJC and supported unanimously. The recommended amendments were also presented to the Palm Beach County Economic Council and there was no opposition. Currently, the CJC is the largest advisory board to the Board of County Commission (BCC) and among the longest standing boards. Countywide (HH)



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

C. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to adopt: A Resolution of the Board of County Commissioners (BCC) of Palm Beach County, Florida, making certain findings and designating the three parcels located at 9845 and 9905 Clint Moore Road, within unincorporated Palm Beach County, Florida, further identified by Parcel Control Numbers 00-42-43-27-05-070-1130, 1160 and 1170, (the “Subject Site”), as a Brownfield Area pursuant to Section 376.80(2)(c), Florida Statutes, which shall be hereafter known as the Verde Commons Green Reuse Area, for the purpose of rehabilitation, creation of recreation area, and promoting economic development; providing for an effective date; and, for other purposes. **SUMMARY:** On August 22, 2023, the BCC approved two (2) motions to allow for a Brownfield Area designation of the Subject Site: 1) A waiver of the statutory requirement that one of two public hearings be held after 5:00 p.m.; and, 2) The advertising of public hearings on Tuesday, October 17, 2023 at 9:30 a.m., and Tuesday, November 21, 2023 at 9:30 a.m. On October 17, 2023, the BCC approved a motion to approve on First Reading and to advertise for Adoption Hearing on November 21, 2023. On July 17, 2023, Toll Brothers, Inc. (“Toll Bros.”) as contract purchaser, and the owners, Westside Farms, Inc. and 7 T’s Enterprises, Inc., submitted an application to the Department of Housing and Economic Development to designate the Subject Site as a Brownfield Area. This designation requires two public hearings, one of which must be held after 5:00 p.m. per Section 125.66, Florida Statutes (cross-referenced in Section 376.80, Florida Statutes), unless the Board of County Commissioners, by a majority plus one vote, elects to conduct that hearing at another time of day. The Subject Site supports a 163,093 square foot produce packing plant and cold storage facility, agricultural equipment and commercial vehicle storage, row crops, and related uses, which Toll Bros. indicates is impacted by arsenic and dieldrin in the soil and groundwater. The rezoning of the 37.4 acre site was approved by the Board of County Commissioners at the November 28, 2022 BCC Zoning Hearing (Resolution R2022-1414), with a concurrent future land use amendment (Ord. 2022-031), which would allow for the development of up to 75 residential dwelling units. Toll Bros. is seeking a “Brownfield Area” designation under Florida’s Brownfields Redevelopment Act, prior to redevelopment of the Subject Site with 70 single family dwelling units and a 0.66-acre recreation area. **No County funds for implementation are required.** District 5 (DB)

\* \* \* \* \*

5. REGULAR AGENDA

A. AIRPORTS

1. Staff recommends motion to:

**A) authorize** the termination of Term Contract 17-032/LC effective December 31, 2023, for Janitorial Services with Triangle Services of Florida, Inc. d/b/a Triangle Services at the Palm Beach International Airport (PBI) by the Purchasing Department; and

**B) approve** Term Contract for Janitorial Services at PBI with Flagship Airport Services, Inc. (Flagship) (Contract No. 23-057/MD), commencing on January 1, 2024, and expiring on December 31, 2025, for an amount not to exceed \$9,500,000 for the initial two-year term with three one-year options to renew.

**SUMMARY:** A request for proposals (RFP) was issued for janitorial services at PBI. Flagship was recommended for the award of the new contract. This item authorizes the termination of the existing contract for janitorial services with Triangle Services effective December 31, 2023, which was extended on a short-term basis pending finalization of a new contract with Flagship. This item also provides for the approval of the new contract with Flagship effective January 1, 2024. The new contract with Flagship provides for janitorial services at PBI, including, but not limited to, the commercial passenger terminal, public parking garages, general aviation Customs facility and various administrative offices and support spaces. The new contract has an initial term of two-years with three one-year options to renew at the sole discretion of the County. The total not-to-exceed amount for the initial two-year term is \$9,500,000. Expenses, including employee salaries and benefits and supplies, are paid on a reimbursement basis in accordance with an annual budget approved by the Department of Airports. Flagship is located in Southlake, TX. On February 17, 2022, the Goal Setting Committee established a Small Business Enterprise (SBE) Subcontracting Goal of 20%, as well as a Minority/Women Business Enterprise (M/WBE) Subcontracting Goal of 15% for the RFP. Flagship committed to 21% S/MBE participation. 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 provided in Section 287.017, Florida Statutes, on a consent agenda. This item exceeds the threshold amount and must be approved on the regular agenda. Countywide (AH)

NOVEMBER 21, 2023

5. REGULAR AGENDA

B. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve:

- A) Contract with Global Spectrum, L.P. (“Global”) for the operation and management of the Palm Beach County Convention Center (“Convention Center”) from December 1, 2023 through September 30, 2028 (an initial term of 4 years and 10 months) (the “Agreement”) at an annual Base Management Fee of \$225,000 (subject to annual adjustments based on the percentage change in the Consumer Price Index not exceeding 3%) to be paid in monthly installments plus the potential to earn an additional annual Incentive Fee equivalent not to exceed 40% of the annual Base Management Fee; and
- B) Termination Agreement terminating the current Convention Center Operating Agreement with Global (R2012-1047) as amended (R2017-0932, R2022-0407, R2023-1400) effective on November 30, 2023.

5. REGULAR AGENDA

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

1. **SUMMARY:** The Agreement provides for Global to operate and manage the Convention Center for an initial term of 4 years 10 months with the option for one 5-year renewal (total term of 9 years and 10 months if the option were exercised). Global will be paid an annual Base Management Fee of \$225,000 which will be subject to annual adjustments (beginning on October 1, 2024) based on the percentage change in the Consumer Price Index (CPI) not to exceed 3%. Global will have the potential to earn an annual Incentive Fee of up to 40% of the annual Base Management Fee (i.e., equivalent to \$90,000 during the first year). Global will also make a capital contribution of \$500,000 to be amortized over the total term of the Agreement (i.e., 9 years 10 months). If the Agreement is terminated earlier or the option to renew not exercised, the County will be required to pay Global all unamortized amounts. Facilities Development and Operations (FDO) and the Tourist Development Council (TDC) advertised the solicitation for a new Convention Center operator on April 2, 2023. Although the RFP was broadly advertised and Staff conducted direct outreach with six national firms offering these types of services, only one proposal (from Global) was received in response to the competitive solicitation. The selection committee met on June 16, 2023, and recommended award to Global subject to negotiation of the financial component of Global's proposal. The Agreement reflects the negotiated financial proposal which is significantly reduced when compared to Global's original proposal. During its November 9, 2023 meeting, the TDC Board recommended the Board of County Commissioners' (Board) approval of the Agreement. The solicitation for this contract was advertised in accordance with the Equal Business Opportunity Ordinance and was presented to the Goal Setting Committee (Committee) on February 15, 2023. The Committee established Affirmative Procurement Initiatives (API) of a Small Business Enterprise (SBE) evaluation preference of up to 15 points based on the level of SBE participation for the selection of the operation and management services, and a minimum mandatory contract goal of 20% SBE participation to apply to the annual projected cost of goods and services purchased for the Convention Center operation. Global committed to 25% SBE participation. **(TDC/FDO) Countywide (MWJ)**

5. REGULAR AGENDA

~~C. HOUSING AND ECONOMIC DEVELOPMENT~~

- ~~1. **Staff recommends motion to adopt:** A Resolution of the Board of County Commissioners (BCC) of Palm Beach County, Florida, making certain findings and designating the three parcels located at 9845 and 9905 Clint Moore Road, within unincorporated Palm Beach County, Florida, further identified by Parcel Control Numbers 00-42-43-27-05-070-1130, 1160 and 1170, (the "Subject Site"), as a Brownfield Area pursuant to Section 376.80(2)(c), Florida Statutes, which shall be hereafter known as the Verde Commons Green Reuse Area, for the purpose of rehabilitation, creation of recreation area, and promoting economic development; providing for an effective date; and, for other purposes. **SUMMARY:** On August 22, 2023, the BCC approved two (2) motions to allow for a Brownfield Area designation of the Subject Site: 1) A waiver of the statutory requirement that one of two public hearings be held after 5:00 p.m.; and, 2) The advertising of public hearings on Tuesday, October 17, 2023 at 9:30 a.m., and Tuesday, November 21, 2023 at 9:30 a.m. On October 17, 2023, the BCC approved a motion to approve on First Reading and to advertise for Adoption Hearing on November 21, 2023. On July 17, 2023, Toll Brothers, Inc. ("Toll Bros.") as contract purchaser, and the owners, Westside Farms, Inc. and 7 T's Enterprises, Inc., submitted an application to the Department of Housing and Economic Development to designate the Subject Site as a Brownfield Area. This designation requires two public hearings, one of which must be held after 5:00 p.m. per Section 125.66, Florida Statutes (cross-referenced in Section 376.80, Florida Statutes), unless the Board of County Commissioners, by a majority plus one vote, elects to conduct that hearing at another time of day. The Subject Site supports a 163,093 square foot produce packing plant and cold storage facility, agricultural equipment and commercial vehicle storage, row crops, and related uses, which Toll Bros. indicates is impacted by arsenic and dieldrin in the soil and groundwater. The rezoning of the 37.4 acre site was approved by the Board of County Commissioners at the November 28, 2022 BCC Zoning Hearing (Resolution R2022-1414), with a concurrent future land use amendment (Ord. 2022-031), which would allow for the development of up to 75 residential dwelling units. Toll Bros. is seeking a "Brownfield Area" designation under Florida's Brownfields Redevelopment Act, prior to redevelopment of the Subject Site with 70 single family dwelling units and a 0.66-acre recreation area. **No County funds for implementation are required.** District 5 (DB)~~

5. REGULAR AGENDA

D. PLANNING, ZONING, AND BUILDING

1. **Staff seeking direction:** regarding the proposed annexations by City of Palm Beach Gardens and Village of North Palm Beach, and more specifically, whether Palm Beach County, as the owner of property within the proposed Palm Beach Gardens annexation area, is in opposition or support of such annexations. **SUMMARY:** Palm Beach County received annexation feasibility studies from Palm Beach Gardens and North Palm Beach on October 17, 2023, and October 26, 2023, respectively. North Palm Beach updated its feasibility study and forwarded it to the County on November 2, 2023. Both cities' annexation proposals will require a referendum amongst the annexation areas' registered voters. All but one of North Palm Beach's proposed annexation areas overlap with some of the annexation areas proposed by Palm Beach Gardens. Additionally, North Palm Beach's proposed Area 1 (Portage Landing, and Hidden Key) may not meet the statutory requirement that the proposed annexation be contiguous with the annexing municipality's boundaries. District 1 (DL)
  
2. **Staff recommends motion to approve:** An Interlocal Agreement with the Town of Lake Clarke Shores (Town) providing for the annexation of an enclave, known as the Edgewater Park Enclave, generally located on the east side of S. Florida Mango Rd, south of Palm Terr., west of W. Lake Drive. **SUMMARY:** The Florida Legislature designated a portion of Edgewater Park as an enclave per Chapter 2022-232, Laws of Florida. Consequently, the Town is proposing to annex the subject enclave through an enclave Interlocal Agreement under Section 171.046, Florida Statutes. The Town approved the proposed Interlocal Agreement on October 10, 2023, to annex the 32.76 acre legislatively declared enclave, identified in Exhibit A of the Interlocal Agreement. The proposed annexation was processed through the County's reviewing departments, including Fire Rescue; Engineering; Planning, Zoning & Building; Environmental Resources Management; Parks and Recreation; Water Utilities; County Attorney; Property and Real Estate Management; Sheriff's Office; and the Office of Financial Management and Budget. The Town provided written notice to all owners of real property located within the enclave. The proposed annexation is consistent with the Intergovernmental Coordination Element of the County's Comprehensive Plan. District 3 (DL)

5. REGULAR AGENDA

E. FIRE RESCUE

1. [Staff recommends motion to approve](#) on preliminary reading and permission to advertise for public hearing on December 19, 2023 at 9:30 a.m.: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, repealing and replacing Section 12-57 of Chapter 12, Article IV, of the Palm Beach County Code (codifying Ordinance 2020-027); providing for incorporation of recitals and findings; providing that the updated Florida Fire Prevention Code shall be deemed adopted; providing for Local Amendments to the updated Florida Fire Prevention Code; providing for applicability; providing for repeal of laws in conflict; providing for a savings clause; providing for severability; providing for inclusion in the Code; and providing for an effective date. **SUMMARY:** Pursuant to Chapter 633, Florida Statutes, the State Fire Marshal has or will adopt an updated Florida Fire Prevention Code every three years, which establishes the statewide minimum fire safety code, with an anticipated effective date of December 31, 2023. This updated Florida Fire Prevention Code is based on updated Florida editions of the National Fire Protection Association's Fire Code (NFPA 1) and Life Safety Code (NFPA 101). The proposed Palm Beach County Local Amendments to the updated Florida Fire Prevention Code are recommended by the County's Fire Marshal and Fire Code Advisory Board. Both the proposed and existing Local Amendments established the scope and authority of the Bureau of Safety Services; requirements for life safety features and fire protection features within buildings; collection of fees for plan review and inspection services; and a Fire Code Board of Appeals and Adjustments. Countywide (RM)

5. REGULAR AGENDA

F. OFFICE OF COMMUNITY REVITALIZATION

1. Staff recommends motion to:

**A) approve** a Contract with Spirit of Giving Network, Inc. in an amount not-to-exceed \$115,000 for professional services to assist with the planning of, and purchase of school supplies and other items needed for the 2024 Back to School PBC! event (Event) for the period beginning January 1, 2024 through September 30, 2024; and

**B) authorize** advance payments to Spirit of Giving Network, Inc. of up to \$57,500 towards the purchase of school supplies and other items.

**SUMMARY:** The proposed contract allocates a not-to-exceed amount of \$115,000 to Spirit of Giving Network, Inc. (the Agency) to facilitate the implementation of the Event, a program of profound significance. The Event's primary goal is to provide essential support to Palm Beach County students in need, spanning from Pre-K through 12th grade, who come from low or no-income families and are enrolled in the public or charter school system. The tentative scheduled date for the Event is Saturday, August 3, 2024, strategically timed before the commencement of the 2024/2025 school year. As per the contract terms, up to \$57,500 of the County's contribution may be advanced to the Agency to facilitate the procurement of school supplies and other necessary items for the Event. Countywide (RS)

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NOVEMBER 21, 2023

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

\* \* \* \* \*

**NOVEMBER 21, 2023**

**7. STAFF COMMENTS**

**A. ADMINISTRATION COMMENTS**

**B. COUNTY ATTORNEY**

**NOVEMBER 21, 2023**

**8. COMMISSIONER COMMENTS**

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

Requesting approval for a previous off-site Proclamation commemorating the 121<sup>st</sup> Anniversary of the Mount Carmel Missionary Baptist Church.

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

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

Requesting approval for a previous off-site Proclamation declaring November 17, 2023 World Prematurity Day.

**District 4 – COMMISSIONER MARCI WOODWARD**

**District 5 - COMMISSIONER MARIA SACHS**

**District 6 - COMMISSIONER SARA BAXTER**

**District 7 – COMMISSIONER MACK BERNARD**

**NOVEMBER 21, 2023**

**9. ADJOURNMENT**

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