

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

APRIL 9, 2024

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

**COMMISSION
CHAMBERS**

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

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

- 3. CONSENT AGENDA (Pages 7 - 41)**

- 4. PUBLIC HEARINGS - 9:30 A.M. (Page 42) - None**

- 5. REGULAR AGENDA (Pages 43 - 46)**

- 6. BOARD APPOINTMENTS (Page 47)**

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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>
March 12, 2024	Regular

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

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** Work Order 2021050-89 in the amount of \$443,000 to mill and resurface Pratt Whitney Road from Indiantown Road for two miles south utilizing Palm Beach County’s (County) annual asphalt milling and resurfacing contract R2021-0985 (Contract) with M&M Asphalt Maintenance, Inc. d/b/a All County Paving (M&M). **SUMMARY:** Per County PPM CW-F-050, this work order exceeds the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners (BCC). Approval of this work order will allow the contractual services necessary to mill and resurface approximately 2 miles of Pratt Whitney Road’s two lanes. This Contract is one of three contracts with an available cumulative total of \$50 million for the annual asphalt milling and resurfacing program. To date, the Engineering and Public Works Department has resurfaced approximately 400 lane miles within the last 2.5 years under the cumulative \$50 million asphalt resurfacing Contract. Prior to this meeting date, approximately \$8 million of the \$50 million M&M Contract that was approved on August 17, 2021, by the BCC, has been spent or encumbered. 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. On September 8, 2023, the Office of Equal Business Opportunity reduced the mandatory SBE participation from 15% to 11%, based on the findings of the requested waiver and good faith efforts provided by M&M. M&M agreed to 10% SBE participation for this work order. Their cumulative SBE participation, including this work order is 10%. District 1 (YBH)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. **Staff recommends motion to approve:** a Settlement Agreement, inclusive of attorney's fees and costs, in the total amount of \$85,000 in the personal injury action styled YANNIER PALOMINO ORIA v. PALM BEACH COUNTY, Case No.: 2020CA008527MBAB. **SUMMARY:** This is a personal injury lawsuit arising from a motor vehicle accident that occurred on September 13, 2018 on 45th Street at or near Metrocentre Boulevard, West Palm Beach (Intersection). While stopped at a red light at the Intersection, Plaintiff Yannier Palomino Oria's vehicle was struck from behind by a County owned vehicle driven by an Engineering and Public Works Department employee. This accident resulted in personal injuries to Mr. Palomino, medical bills in excess of \$69,000, and recommendation for neck and back surgery. Palm Beach County has entered into an agreement to settle the lawsuit with Mr. Palomino in the total amount of \$85,000, inclusive of attorney's fees and costs, pending approval by the Palm Beach County Board of County Commissioners. Countywide (TAB)

2. **Staff recommends motion to approve:** a Settlement Agreement, inclusive of attorney's fees and costs, in the total amount of \$120,000 in the personal injury action styled AMY SCHWARTZ v. PALM BEACH COUNTY, Case No.: 2022CA008161XXXXMB (AI). **SUMMARY:** This is a personal injury lawsuit arising from a motor vehicle accident that occurred on September 4, 2019 on N. Jog Road and Okeechobee Boulevard, West Palm Beach. While stopped at a red light on Jog Road on the north-side of Okeechobee Boulevard, Plaintiff Amy Schwartz, the driver of a 2015 Town and Country minivan was struck from behind by County owned 2018 Ford F-250 driven by an Animal Care and Control employee. This accident resulted in personal injuries to Ms. Schwartz and medical bills in excess of \$367,200.14. Palm Beach County has entered into an agreement to settle the lawsuit with Ms. Schwartz in the total amount of \$120,000, inclusive of attorney's fees and costs, pending approval by the Palm Beach County Board of County Commissioners. Countywide (NWB)

3. **Staff recommends motion to approve:** a Settlement Agreement, inclusive of attorney's fees and costs, in the total amount of \$135,000 in the personal injury action styled PATRICIA CHAIT V. PALM BEACH COUNTY, Case No. 502022CA006736XXXXMBAG. **SUMMARY:** This is a personal injury lawsuit arising from a Palm Tran bus accident with a bicyclist that occurred on December 7, 2021 on East Blue Heron Blvd. and Lake Drive in West Palm Beach. The then-63-year-old Plaintiff, Patricia Chait, was travelling on her electric bicycle in the bike lane, when the Palm Tran Bus veered into the bike lane and hit Ms. Chait. This accident resulted in personal injuries to Ms. Chait and medical bills of approximately \$182,799.40. Palm Beach County has entered into an agreement to settle the lawsuit with Ms. Chait in the total amount of \$135,000, inclusive of attorney's fees and costs pending approval by the Palm Beach County Board of County Commissioners. Countywide (KGB)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. Staff recommends motion to approve: a First Amendment (Amendment) to Declaration of Unity of Control and Cross Easements/Architectural Restrictive Covenants (Unity of Control), providing for the release of approximately 407 square feet (0.009 ac.) of land at the northeast corner of Belvedere Road and Military Trail (Right-of-Way Parcel) from the Unity of Control to allow the Right-of-Way Parcel to be dedicated to Palm Beach County (County) as public road right-of-way by the landowner, Murphy Oil USA, Inc. **SUMMARY:** The Unity of Control was created in 1999 (R99-2242) by the owners within a Multiple Use Planned Development (MUPD), consisting of approximately 24.786 acres of land at the northeast corner of Belvedere Road and Military Trail. The Unity of Control included the County as the owner of approximately 12.112 acres of land within the MUPD. The Unity of Control was required as a Condition of Approval of the zoning application approved originally by Resolution 1993-509 and provides for mutual and reciprocal easements for ingress and egress, parking, drainage and utilities, and architectural consistency, for the proper development of the MUPD. The Unity of Control is recorded at Book 11511, Page 1567, of the public records and encumbers all of the properties within the MUPD. The County conveyed approximately 8.525 acres of land to Wal-Mart Stores East, LP, in 2003 (R2003-0313) and remains the current owner of approximately 3.5 acres of land within the MUPD (Parcel Control Numbers 00-42-43-25-29-001-0000 and 00-42-43-25-31-001-0020), which is located entirely within the Palm Beach International Airport runway protection zone. Murphy Oil USA, Inc. (Murphy) is the owner of approximately 1.45 acres within the MUPD at the corner of Belvedere Road and Military Trail and desires to redevelop its property. In order to redevelop the property, the County's Engineering and Public Works Department is requiring Murphy to dedicate the Right of Way Parcel to the County. The Amendment releases the Right of Way Parcel from the Unity of Control to satisfy a requirement of the title insurance company for the issuance of title insurance for the Right of Way Parcel. The County's remaining property is not affected by the Amendment or the release of the Right of Way Parcel from the Unity of Control. Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **Staff recommends motion to approve:** a negotiated settlement offer in the amount of \$20,050 for the full satisfaction of a code enforcement lien entered against Nicole Ventress Barr on July 10, 2019. **SUMMARY:** On November 9, 2018, a Code Enforcement Special Magistrate (CESM) issued an order giving Nicole Ventress Barr until February 5, 2019 to bring her property located at 12391 Bimini Ave, Palm Beach Gardens into full code compliance. Violations imposed against the property included overgrown vegetation, expired permits, shutters on the windows, and no numerical address designation posted on the premises. Compliance with the CESM's Order was not timely achieved, and a fine of \$50 per day was imposed. The CESM executed an order imposing a code lien against Ms. Barr on July 10, 2019. The Code Enforcement Division (Code Enforcement) issued an affidavit of compliance for the property on February 2, 2024. Settlement discussions began on February 2, 2024, when the total accrued fines amounted to \$91,149.65. Mr. Dominic DeCesare, the legal representative for Ms. Barr's estate, has agreed to pay Palm Beach County \$20,052 (22%) for full settlement of the outstanding code enforcement lien. District 1 (SF)

2. **Staff recommends motion to approve:** a negotiated settlement offer in the amount of \$6,882 for the full satisfaction of a code enforcement lien entered against Henriclese Dalfinus and Elisia Dalfinus-Charleron on September 4, 2013. **SUMMARY:** On December 5, 2012, a Code Enforcement Special Magistrate (CESM) issued an order giving Henriclese Dalfinus and Elisia Dalfinus-Charleron until February 3, 2013 to bring their property located at 3919 Kirk Road, Lake Worth into full code compliance. Violations imposed against the property included disrepair of the roof, foundation walls, and fencing. Compliance with the CESM's order was not achieved in a timely manner, and a fine of \$100 per day was imposed. The CESM then entered a claim of lien against Henriclese Dalfinus and Elisia Dalfinus-Charleron on September 4, 2013. The Code Enforcement Division issued an affidavit of compliance for the property on March 4, 2015. Settlement discussions began on February 13, 2024 when the total accrued fine amounted to \$45,874.30. Mrs. Dalfinus-Charleron has agreed to pay Palm Beach County \$6,882 (15%) for full settlement of the outstanding code enforcement lien. District 3 (SF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:** First Amendment to Amended and Restated Agreement (R2020-0433) (“Agreement”), with the West Palm Beach VA Medical Center (“Hospital”) to extend the term of the Agreement for interoperable communications through the countywide emergency medical services (EMS) and common talk groups of the County’s Public Safety Radio System (“System”) from May 3, 2024 to May 2, 2029. **SUMMARY:** The Agreement, which provides the terms and conditions under which the Hospital can program into its radios and utilize the countywide EMS and common talk groups for certain types of interagency communications, expires on May 2, 2024. The Agreement provided for two (2) renewal options, each for a period of five (5) years. Hospital has approved the amendment to extend the term of the Agreement to May 2, 2029, and the renewal now requires Board approval. The terms of the Agreement are standard and have been offered to all municipalities, local branches of state and federal agencies, and ambulance service providers with 800 MHz trunked radio capabilities. There are no charges associated with this Agreement. The Hospital is required to pay all costs associated with the Hospital’s subscriber units and to comply with the established operating procedures for the County’s System. This Agreement may be terminated by either party, with or without cause, upon ten (10) days prior written notice to the other party. This First Amendment extends the term of the Agreement, updates the standard operational provisions, and adds the county’s standard E-verify provision. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

2. Staff recommends motion to approve: First Amendment to Amended and Restated Agreement (R2019-1306) (“Agreement”), with Boca Raton Regional Hospital Inc. (“Hospital”) to extend the term of the Agreement for interoperable communications through the countywide emergency medical services (EMS) and common talk groups of the County’s Public Safety Radio System (“System”) from May 18, 2024, to May 17, 2029. **SUMMARY:** The Agreement, which provides the terms and conditions under which the Hospital can program into its radios and utilize the countywide EMS and common talk groups for certain types of interagency communications, expires on May 17, 2024. The Agreement provided for two (2) renewal options, each for a period of five (5) years. Hospital has approved the amendment to extend the term of the Agreement to May 17, 2029, and the renewal now requires Board approval. The terms of the Agreement are standard and have been offered to all municipalities, local branches of state and federal agencies, and ambulance service providers with 800 MHz trunked radio capabilities. There are no charges associated with this Agreement. The Hospital is required to pay all costs associated with the Hospital’s subscriber units and to comply with the established operating procedures for the County’s System. This Agreement may be terminated by either party, with or without cause, upon ten (10) days prior written notice to the other party. This First Amendment extends the term of the Agreement and adds the county’s standard E-verify provision. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

3. **Staff recommends motion to approve:** Work Order No. 24-003 to the annual roofing contract (2024-0061) with T & G Corporation dba Bowhead Roofing (Contractor) in the amount of \$708,016.48 for the Mid-County Senior Center-Roof Replacement project for a period of 120 calendar days from notice to proceed. **SUMMARY:** The existing roof at the Mid-County Senior Center, located at 3680 Lake Worth Road in unincorporated Lake Worth, is approximately 17 years old and is at the end of its service life. The new roofing system will provide for years of weather tight protection. This project was competitively advertised and new contractors were invited to bid on the project by submitting prequalification documents prior to the submission of the bid response. The Contractor will have 120 calendar days from notice to proceed to substantially complete the project. Liquidated damages for failure to achieve certification of substantial completion within the contract time or approved time extension thereof are \$120 per day. This Work Order was solicited pursuant to the annual roofing contract and the requirements of the Equal Business Opportunity (EBO) Ordinance. The roofing annual contract was presented to the Goal Setting Committee on July 15, 2020 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 if its bid is within 10% of the lowest non-small business bid for projects \$100,000 or greater. Since this project is greater than \$100,000, the SBE price preference API was applied. There is no SBE participation on this Work Order. Cumulative SBE participation on the annual roofing contract is 26.37%. **Funding for this project is from the Infrastructure Sales Tax Fund.** (Capital Improvements Division) District 3 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

4. **Staff recommends motion to approve:** Amendment No. 1 to the Construction Manager (CM) at Risk Services contract (R2023-0295) with The Weitz Company, LLC (CM), establishing a Guaranteed Maximum Price (GMP) in the amount of \$2,510,990.72 for the Main County Courthouse (MCCH) Buildout and Renovations-New Mailroom project for a period of 368 calendar days from notice to proceed. **SUMMARY:** On March 14, 2023, the Board of County Commissioners (Board) approved the CM at Risk Services contract (R2023-0295) with the CM for the MCCH Buildout and Renovations project. The MCCH Buildout and Renovations-New Mailroom project includes, but is not limited to, the construction of a centralized mailroom which will serve all court partners. The new mailroom will be located in the basement of the MCCH in order to provide a secure location which is environmentally isolated from the remainder of the building. Amendment No. 1 establishes a GMP in the amount of \$2,510,990.72 for the construction management services necessary for the construction of the MCCH Buildout and Renovations-New Mailroom. Work includes, but is not limited to, selective demolition of the existing non-structural masonry walls, acoustical ceiling tile system, cutting and removal of concrete foundations in select areas, construction of new spaces for the Clerk of the Circuit Court and Comptroller, and the 15th Judicial Circuit Court Administration including adding additional walls and doors, concrete slab infill, mechanical, electrical, plumbing, fire protection, built in casework and specialized mailroom equipment. The CM will have 368 calendar days from notice to proceed to substantially complete the construction phase of the project. Liquidated damages for failure to achieve certification of substantial completion within the contract time or approved time extension thereof are \$439 per day. The CM was selected through a competitive solicitation in accordance to the Equal Business Opportunity (EBO) Ordinance. On April 5, 2023, the Goal Setting Committee (GSC) established for the GMP, an Affirmative Procurement Initiative (API) of 20% mandatory Small Business Enterprise (SBE) participation of which 5% must be African American and/or Hispanic American businesses. The SBE participation on the construction trade contracts for this GMP is 22.18% of which 12.79% is African American and/or Hispanic American businesses. In accordance with Attachment 3 of Policy and Procedures Memorandum (PPM) CW-O-043, the GSC applies the APIs applicable to the construction phase of the contract (i.e. the subcontracts) before subcontractor bidding so that the SBE participation for the GMP is based on the subcontracting trades associated with the GMP and does not include the CM's fees. The CM is not a certified Small/Minority/Women-Owned Business Enterprise (S/M/WBE), but has 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. The Contractor has an office located in Palm Beach County. **Funding for this project is from the Infrastructure Sales Tax and Public Building Improvement Funds.** (Capital Improvements Division) District 7 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

5. Staff recommends motion to approve: Amendment No. 3 to the continuing Construction Manager (CM) at Risk Services contract (R2020-1689) with D. Stephenson Construction, Inc. (CM), establishing a Guaranteed Maximum Price (GMP) in the amount of \$1,766,979 for the Water Utilities Department (WUD) Wastewater Repump Station A project for a period of 369 calendar days from notice to proceed. **SUMMARY:** On November 17, 2020, the Board of County Commissioners (Board) approved the continuing CM at Risk Services contract (R2020-1689) with the CM for construction management services for various capital projects. Amendment No. 3 establishes a GMP in the amount of \$1,766,979 for construction management services necessary for the WUD Wastewater Repump Station A project. The WUD Wastewater Repump Station A project includes, but is not limited to, the reroofing and new aluminum mansard roof for the WUD Wastewater Repump Station A facility. The CM will have 369 calendar days from notice to proceed to substantially complete the construction phase of the project. Liquidated damages for failure to achieve certification of substantial completion within the contract time or approved time extension thereof are \$180 per day. This continuing CM at Risk Services contract was solicited pursuant to the requirements of the Equal Business Opportunity Ordinance (EBO). This continuing CM at Risk Services contract was presented to the Goal Setting Committee (GSC) on December 4, 2019 and the Committee established Affirmative Procurement Initiatives (APIs) of a small business enterprise (SBE) evaluation preference up to 10 points for the SBE Participation Plan and a mandatory 20% SBE subcontracting goal on the contract. The SBE participation on the construction trade contracts for this GMP is 27.47%. In accordance with Attachment 3 of Policy and Procedure Memorandum (PPM) CW-O-043, the GSC applies the APIs applicable to the construction phase of the contract (i.e. the subcontracts) before subcontractor bidding so that the SBE participation for the GMP is based on the subcontracting trades associated with the GMP and does not include the CM's fees. The SBE participation on the contract to date is 17.33%. The CM is a local business. Funding for this project is from the WUD Operation & Maintenance Fund. (Capital Improvements Division) District 3 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

6. **Staff recommends motion to approve:** Change Order No. 8 to Amendment No. 1 (R2022-0593) to the Construction Manager (CM) at Risk Services contract (R2020-0435) with D. Stephenson Construction, Inc. for the Canyon Branch Library project in the amount of \$49,037.29, increasing the project duration by 110 calendar days. **SUMMARY:** On June 14, 2022, the Board of County Commissioners (Board) approved Amendment No. 1 (R2022-0593) to the CM at Risk Services contract (R2020-0435) with D. Stephenson Construction, Inc., in the amount of \$24,285,338 establishing a Guaranteed Maximum Price (GMP) for construction management services for the construction of the Canyon Branch Library. Change Order No. 8 to Amendment No. 1 (Change Order No. 8) authorizes the additional labor and materials necessary for additional general construction and owner requested mechanical/electrical revisions for the Canyon Branch Library project. Change Order No. 8 also increases the project duration by 110 calendar days associated with the long lead time of materials procurement, delivery and installation of the new chiller unit and Florida Power & Light (FPL) easement requirements. Change Order No. 8 uses project contingency funds in the amount of \$121,299.22 associated with scope gap for additional life safety requirements mandated by Palm Beach County Fire Rescue after the issuance of the building permit, as allowed by the contract provisions. The CM was solicited pursuant to the requirements of the Equal Business Opportunity (EBO) ordinance. On August 5, 2021, the Goal Setting Committee established an Affirmative Procurement Initiative (API) of 20% Small Business Enterprise (SBE) subcontracting goal of which 8% must be African American or Hispanic American firms. The SBE participation for this change order is 8.18% of which 5.74% is African American or Hispanic American firms. To date, the overall SBE participation on this contract is 26.39% of which 16.27% is African American or Hispanic American firms. Funding for this project is from the Library Expansion Program Fund. (Capital Improvements Division) District 5 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

7. Staff recommends motion to approve: Change Order No. 8 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 \$1,349,237.86. **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. 8 to Amendment No. 3 (Change Order No. 8) authorizes the labor and materials necessary for additional work and modifications to the low voltage, electrical, plumbing and mechanical systems, as well as additional testing and general contracting work for the PBSO Headquarters Renovations-Exterior and Interior project that were unforeseen and unknown at the scope development phase and that were requested by PBSO during the construction phase. The project is currently in the close out phase, with a temporary certificate of occupancy (TCO) in place allowing for staff fit-out and move in. 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 21.25%. There is no MBE participation (African American and/or Hispanic American). To date, the overall SBE participation on this project is 39.27% SBE subcontracting participation of which 6.77% 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

8. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 3 to the consulting services/design professional services contract (R2023-0584) with Song & Associates, Inc. (Consultant) in the amount of \$2,552,082.18 for the Vista Center Expansion project. **SUMMARY:** On May 2, 2023, the Board of County Commissioners (Board) approved the consulting services/design professional services contract (R2023-0584) with the Consultant to provide consulting services/design professional services for the Vista Center Expansion project. This item will authorize professional services for CSA No. 3 for the Vista Center Expansion project. As a result of the Building Division's increased workforce and its need for an emergency control center, the Planning, Zoning and Building Department desires an expansion of the existing Building Division facility in order to properly support its operations. Under CSA No. 3, the Consultant will provide professional services (i.e., design, site planning, interior space planning, project documentation, permitting, bidding and construction administration services) necessary for the new two-story approximately 60,000 square feet expansion of the Vista Center's office, new three-story parking garage structure and the redesign of the existing parking and driveway areas north of the existing Vista Center building (approximately 3.6 acres) to accommodate the needs of the County's Building Division. Professional services include, but are not limited to, professional engineering and architectural consultation, customary services such as civil, structural, mechanical, electrical, plumbing, fire protection, architectural, surveying, geotechnical, planning, landscaping, security, traffic, permitting and regulatory services as well as any specialty sub consultant services necessary to complete the required scope of work. The project was presented to the Goal Setting Committee on April 20, 2022. The Committee established Affirmative Procurement Initiatives (APIs) of a minimum mandatory participation goal of 20% Small Business Enterprise (SBE) participation and a Minority Business Enterprise (MBE) evaluation preference for African American firms. The Consultant committed to a 26% SBE participation goal, of which 11% is MBE participation from an African American business for this contract. However, due to the recent acquisition of one of the Consultant's SBE team members and the graduation of another SBE team member, Consultant is not projected to meet its original SBE commitment. As such, the SBE goal for Consultant has been temporarily reduced to 20%. The SBE participation for this CSA is 20.68%, of which 13.74% is MBE participation from an African American business. To date, the overall SBE participation on this contract is 19.90%, of which 13.14% is MBE participation from an African American business. The Consultant is a local firm and a graduate from the EBO program. Funding for this project is from the Building Capital Fund. (Capital Improvements Division) District 7 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

9. **Staff recommends motion to approve:** an Emergency Contract with Pro Audio Video, Inc. (PAVI) to provide multimedia systems package services for the new Supervisor of Elections (SOE) Production Facility in the amount of \$880,088.15 from April 9, 2024 to June 14, 2024. **SUMMARY:** On November 19, 2019, the Board of County Commissioners (Board) approved the contract with Kast Construction Company LLC (Kast) for construction management services for the SOE Production Facility project. On December 7, 2021, the Board approved Amendment No. 1 (R2021-1793) for the construction of approximately 156,000 square feet of office and warehouse space which will house the SOE administrative offices and production facility operations; a multi-story parking garage of approximately 146,000 square feet and additional surface parking for both public and staff use; including all the associated site infrastructure improvements required to support both buildings. At the time of project commencement in March 2022, the base project included the infrastructure required to support multimedia systems and, using the County's standard level of service as the basis, Staff included in the project budget an allocation for funding the associated multimedia systems equipment. Concurrently with construction of the facility, the scope of multimedia systems equipment to be acquired was to be further refined with SOE staff and delivered by Kast. Refinement of the scope led to SOE operations requiring a significantly increased level of service when compared to standard County operations. In January 2024, following several months of coordination with SOE staff and the design team (Song and Associates, Inc., SAI), Kast provided County staff a construction change proposal (CCP) totaling approximately \$1.2M to deliver the required multimedia package systems services. Additional coordination occurred to further refine the scope of work and a revised CCP was provided totaling approximately \$2.4M. Upon review, County staff, its consultants and SOE staff found themselves unable to recommend approval of the CCP; the proposed cost being a main opposing reason. Following receipt of the revised CCP, SAI assisted County staff in researching other potential avenues to deliver the required services. PAVI was identified as a feasible alternative, at a significantly reduced cost and capable of delivering the required services within the stringent schedule mandated by SOE operations.

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

9. **SUMMARY (cont'd.)** In order for the new SOE facility to support election activities, the multimedia systems package must be installed, operational as per the requirements specified by SOE staff, and all work must be completed by June 14, 2024. Sections 2-52 and 2-54(f)(4) of the County's Purchasing Code allow for an emergency purchase when the delay incident to complying with all governing rules, regulations, or procedures would be detrimental to the interests, health, safety, or welfare of the County. Election activities are inherently critical in nature and of upmost public interest. Due to the time constraints associated with meeting SOE operational requirements, and the inability to secure the services at a reasonable and fair price through the construction management at risk services contract, staff is recommending approval of this Emergency Contract. This project is funded by the 51.05M NAV Pub Imp Rev Bonds, 21A, CP, SOE Bldg Fund and the Public Building Improvement Fund. (Capital Improvements Division) District 7 (MWJ)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida (the "Issuer") authorizing the execution of an amendment to the financing agreement originally entered into in connection with the issuance of the issuer's Industrial Development Revenue Bond (the Raymond F. Kravis Center for the Performing Arts, Inc. project), Series 2018 the proceeds of which were used for the purpose of providing funds to make a loan to the Raymond F. Kravis Center for the Performing Arts, Inc. (the "Borrower") to provide funds to finance the cost of all or a portion of the acquisition, construction and equipping of certain facilities of the borrower; authorizing certain officials of the issuer to take certain action in connection with the amendment; and providing an effective date. **SUMMARY:** The Bond was issued on December 11, 2018 to finance the acquisition, construction, renovation and equipping of tourism facilities located at 701 Okeechobee Boulevard, West Palm Beach, FL 33401. The Borrower has requested that the County enter into the Third Amendment related to the Bond. The Third Amendment, at the request of the Bondholder and the Borrower, removes a provision that could cause a change in the interest rate upon a change in the maximum marginal federal tax rate. **Neither the taxing power nor the faith and credit of the County nor any County funds, shall be pledged to pay the principal, premium, if any, or interest on the Bond.** District 2 (DB)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida; approving the reissuance of Housing Finance Authority of Palm Beach County, Florida, Multifamily Mortgage Revenue Note, Series 2022 (Island Cove), by the Housing Finance Authority of Palm Beach County, Florida (the "Authority") in the principal amount of \$18,200,000 (the "Bonds"). **SUMMARY:** The Bonds were issued by the Authority to finance a portion of the costs of acquiring, constructing and equipping a multifamily rental housing facility containing approximately 60 units known as Island Cove (the "Project"). The Project is located at 900 SW 12th Avenue, Delray Beach, FL 33444. The Authority will require that the units be rented to qualified persons and families whose average household incomes do not exceed 60% of area median income and all of the units are to be rented to qualified persons or families whose maximum household incomes do not exceed 80% of area median income for a fifty (50) year affordability period. The Borrower is Island Cove, LLC, a Florida limited liability company, or an affiliate thereof (the "Borrower"). The Bonds are payable solely from revenues derived from the Borrower and/or other collateral provided by or on behalf of the Borrower. Bryant Miller Olive, P.A. is Bond Counsel to the Authority with respect to the Bonds. The original issuance of the Bonds was approved by the County Commission in Resolution No. R2022-0524 of the Board of County Commissioners of Palm Beach County, Florida adopted May 17, 2022. The Authority adopted Resolution No. R2024-02 on March 8, 2024, which approves an amendment to the Funding Loan Agreement pursuant to which the Bonds were issued, that allows an additional amount of principal of the Bonds to remain outstanding upon the conversion of the Bonds from the construction phase to the permanent phase. This increase in the principal amount of Bonds to remain outstanding (currently estimated to be \$500,000) results in a technical refunding of the Bonds as the result of the reissuance of the Bonds at conversion with a greater principal amount. Since the additional principal amount will cause the weighted average maturity date of the Bonds post-conversion to be later than the current weighted average maturity date, the reissued Bonds must receive approval from the Board of County Commissioners following a public hearing in accordance with section 147(f) of the Internal Revenue Code of 1986 (the "Code") prior to the date of such conversion. The Authority conducted a duly noticed public hearing on March 8, 2024 in accordance with section 147(f) of the Code. In the event of any audit, examination or investigation by the Internal Revenue Service with respect to the tax-exempt status of the Bonds or any other related tax matters, the Borrower shall be responsible for retaining qualified counsel to respond to such audit. **Neither the taxing power nor the faith and credit of the County nor any County funds are pledged to pay the principal, redemption premium, if any, or interest on the Bonds.** District 7 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT

3. Staff recommends motion to approve:

- A) a Budget Transfer of \$100,000 in the Housing and Economic Development Fund to set up transfer and allocate additional funds for Melissa's Place FKA Royal Palm Lakes Apartments project to be funded from Federal Community Development Block Grant (CDBG) funds; and
- B) a Budget Amendment of \$100,000 in the Public Building Fund to recognize the transfer from the CDBG Fund and to appropriate funds for Melissa's Place FKA Royal Palm Lakes Apartments project.

SUMMARY: On July 13, 2021, the Board of County Commissioners (BCC) adopted Resolution Number R2021-0948 that approved the Fiscal Year 2021-2022 Action Plan. The Action Plan is Palm Beach County's application to HUD for funding under the CDBG, HOME and ESG Programs. Included in the Action Plan was an allocation of Federal Community Development Block Grant (CDBG) funds for Melissa's Place FKA Royal Palm Lakes Apartments for \$305,000. An additional \$100,000 is necessary for demucking in the areas where the gazebo and sidewalk are to be built. The Memoranda of Understanding (MOU) between the Department of Facilities Development and Operations (FDO) and the Department of Housing and Economic Development (HED) requires that interdepartmental budget transfers be established to reimburse FDO for eligible project costs. The budget transfer and amendment are necessary to appropriate the required budget. **These are CDBG funds which require no local match.** District 6 (HJF)

3. CONSENT AGENDA APPROVAL

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

4. Staff recommends motion to:

- A) **approve** the application of the Provident Group – LU Properties II LLC (the “Borrower”) for the issuance of the County’s Industrial Development Revenue Bond (the “Provident Group – LU Properties II LLC – Lynn University Housing Project”), Series 2024, in a principal amount not to exceed \$90,000,000 (the “Bonds”); and
- B) **adopt** a Resolution of the Board of County Commissioners of Palm Beach County, Florida, authorizing the issuance of one or more series of its Revenue Bonds (Provident Group – LU Properties II LLC – Lynn University Housing Project), Series 2024 (the "Bonds"), in an aggregate principal amount not to exceed \$90,000,000.

SUMMARY: On March 12, 2024, the Board conducted a Tax Equity & Fiscal Responsibility Act (TEFRA) Public Hearing and adopted a Resolution (the “TEFRA Resolution”) concerning the issuance of the Series 2024 Revenue Bonds for Provident Group – LU Properties II LLC in an amount not to exceed \$125,000,000. Provident Group – LU Properties II LLC (the "Borrower"), has requested that the County issue its Revenue Bonds (Provident Group – LU Properties II LLC – Lynn University Housing Project), Series 2024 (the "Bonds"), under the Florida Industrial Development Act, 159.25 et. seq., Florida Statutes in an aggregate principal amount not to exceed \$90,000,000 in one or more series which series may include either taxable or tax-exempt bonds and may include either senior lien or subordinate lien bonds as separate series thereof. The Bonds will provide proceeds for the purpose of financing or reimbursing all or a portion of the costs of (i) the acquisition of an existing three-story student housing facility known as the Mary and Harold Perper Residence Hall with approximately 170 beds; (ii) the design, development and construction of a three-story student housing facilities with approximately 287 beds and related facilities and amenities (collectively, the "Project"), located within Palm Beach County, Florida, and to be owned by the Borrower and managed by The Michaels Organization, LLC, to house students matriculating at Lynn University, and (iii) capitalizing interest, funding one or more reserve accounts, and payment of costs of issuance of the Series 2024 Bonds. The project has a 5-year estimated economic impact of \$99.3 Million and will create 792 direct and indirect jobs. Lynn University currently enrolls more than 3,500 students and employs 763 positions. All facilities to be financed by the Bonds will be owned and operated by the Borrower. Approval by an elected body is required by the Internal Revenue Code; however, adoption of this Resolution does not in any way obligate the County.

3. CONSENT AGENDA APPROVAL

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

4. **SUMMARY (cont'd.):** One or more documents approved by the County in the resolution authorizing the issuance of the Bonds will include language creating a contractual obligation of the Borrower substantially as follows: the County assumes no responsibility for monitoring compliance by the Borrower of applicable federal income tax, securities laws or other regulatory requirements. The Borrower understands and agrees that it is responsible for monitoring its compliance with all applicable federal income tax, federal securities law and other regulatory requirements, retaining adequate records of such compliance, and retaining qualified counsel to respond to or assist the County in responding to any audit, examination or inquiry of the Internal Revenue Service, the Securities and Exchange Commission or other organization. The Borrower assumes responsibility for monitoring compliance with applicable provisions of federal tax laws and U.S. Treasury Regulations relative to the Bonds, and will retain adequate records of such compliance until at least three (3) years after the Bonds are retired. In the event of any audit, examination or investigation by the Internal Revenue Service with respect to the tax-exempt status of the Bonds or any other related tax matters, the Borrower shall be responsible for retaining qualified counsel to respond to such audit. **Neither the taxing power nor the faith and credit of the County, nor any County funds shall be pledged to pay the principal, redemption premium, if any, or interest on the Bonds.** District 4 (DB)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. **Staff recommends motion to approve:** a Subordination of County Utility Interests to the State of Florida Department of Transportation (FDOT). The Subordination of Utility Easements includes a portion of the following easement recorded in the Official Records of Palm Beach County: ORB 14086 Page 320. **SUMMARY:** The FDOT has an interest in a portion of the utility easement recorded in the Official Records of Palm Beach County as noted above that has been determined necessary for highway purposes. The utility easement is located along the eastern boundary of the property located at 5301 S. State Road 7. The proposed use of these lands for highway purposes will require subordination of the interest claimed in such lands by the County to FDOT. The facilities located within the utility easement and covered by the Subordination are a 16-inch water main and an 8-inch sanitary sewer force main. FDOT has committed to pay to have the County's facilities relocated in the future if necessary. The Palm Beach County Water Utilities Department (PBCWUD) has determined that the subordination of utility interests will not affect any existing and/or current public utility facilities and therefore recommends the subordination. (PBCWUD Project No. 21-580) District 6 (MWJ)

2. **Staff recommends motion to approve:** Full Release of Utility Easement for that easement recorded in the Official Records of Palm Beach County, ORB 4325 Page 1667. **SUMMARY:** Palm Beach County Water Utilities Department (PBCWUD) is seeking the release of the County's interest in the utility easement recorded in the Official Records of Palm Beach County as noted above and located at 9905 Clint Moore Road. The Property Owner requested release of the identified easement that is no longer associated with any public potable water and wastewater facilities. As a result of site development for Meravita of Boca Raton, the existing identified utility easement is no longer required. PBCWUD has determined that the release of the easement will not affect existing or new public potable water, reclaimed water and wastewater facilities and therefore recommends approval of the release. (PBCWUD Project No. 23-549) District 5 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

3. Staff recommends motion to:

- A) **authorize** the Palm Beach County Water Utilities Department (PBCWUD) to pursue funding from the State of Florida Department of Management Services (FDMS) through Florida Digital Service (FDS) for the Local Government Cybersecurity Grant Program for a grant amount estimated up to \$1,500,000;
- B) **delegate** authority to the County Administrator, or her designee which in this case shall be the Director of PBCWUD, to sign all grant application forms and supporting documents and complete all registration requirements; and
- C) **delegate** authority to the County Administrator, or her designee which in this case shall be the Director of PBCWUD, to execute the forthcoming agreement and all future time extensions, task assignments, certifications, and other forms associated with the forthcoming agreement and any necessary minor amendments that do not substantially change the scope of work, terms, or conditions of the forthcoming agreement.

SUMMARY: The FDS has \$40 million available for fiscal year 2024-2025 cybersecurity technical assistance and capabilities to Florida's local governments to improve their cybersecurity posture and resiliency. The awarded capabilities of PBCWUD include Endpoint-Based Asset Discovery (Agent); Network-Based Asset Discovery (Agentless); Content Delivery Network; Endpoint Detection & Response (EDR); Security Operations Platform; and Email Security Solution. FDS will expend funds for the provision of services, licenses, or commodities awarded to the PBCWUD to be utilized for cybersecurity technical assistance purposes. PBCWUD is being granted assistance in the form of services, licenses, or commodities to enhance its cybersecurity framework, to identify and mitigate risks, and to protect its infrastructure from threats. **No local match is required for this grant.** Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. **Staff recommends motion to receive and file:** an executed Sponsorship Agreement with Nostalgic America, Inc., for a cash sponsorship in the amount of \$6,000 for a series of nine Legends on the Lawn events at Canyon Amphitheater, for the period January 1, 2024 through December 31, 2024. **SUMMARY:** This Sponsorship Agreement has been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution 2008-0442, amended by Resolution 2017-0102. Sponsorship events help offer a balanced schedule of events which promote the quality of life in the communities we serve. The Department is now submitting this agreement in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a Receive and File agenda item. District 5 (AH)

2. **Staff recommends motion to receive and file:** the following two (2) executed Entertainment Contractor Agreements:
 - A) Mary Washington-Brooks in an amount not to exceed \$500 for the Legends on the Lawn: Mary Washington Brooks concert at Canyon Amphitheater on February 17, 2024; and

 - B) Peter Sarfati in an amount not to exceed \$2,000 for the Carlin Park After Dark: Solid Brass Concert at Seabreeze Amphitheater on February 14, 2024.

SUMMARY: The Parks and Recreation Department produces cultural activities to promote the quality of life in the communities it serves. A sponsorship received for the Legends on the Lawn events from Nostalgic America offset the expense of the concert at Canyon Amphitheater. These Entertainment Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution 2008-1109, amended by Resolutions 2010-0644, 2014-0168 and 2017-1367. The Department is now submitting 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. Districts 1 and 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (cont'd.)

3. Staff recommends motion to receive and file: an executed Sound and Light Production Services Contractor Agreement with Sanderford Sound, Inc., in an amount not to exceed \$2,285 for the Legends on the Lawn: Solid Brass concert at Seabreeze Amphitheater on February 14, 2024. **SUMMARY:** This Sound and Light Production Service Contractor Agreement has been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution 2009-0592, amended by Resolutions 2010-0645, 2014-0167, 2017-1368 and 2018-0179. The Department is now submitting this Agreement in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a receive and file agenda item. District 1 (AH)

4. Staff recommends motion to approve:

A) an amendment to the Infrastructure Surtax (IST) Project Plan approved by the Board of County Commissioners (BCC) on April 4, 2017, later revised on January 4, 2022; and

B) a Budget Transfer of \$60,000 within the IST Fund from IST Departmental Reserves to Glades Pioneer Park Light Replacement Project.

SUMMARY: On April 4, 2017, the BCC adopted a project plan to implement the IST funded projects and included an allocation of \$68,600 towards the replacement of the lights at Glades Pioneer Park. The purpose of this transfer is to cover the \$60,000 budget shortfall for the construction costs. Funds are available in the Parks Department IST Reserves. The Infrastructure Sales Tax Independent Citizen Oversight Committee reviewed this request at their February 14, 2024 meeting, and approved it unanimously. **This project is funded through the infrastructure sales tax.** District 6 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (cont'd.)

5. Staff recommends motion to:

A) receive and file a fully executed Land and Water Conservation Fund (LWCF) Grant Agreement in the amount of \$1,500,000 for the Villages of Windsor Park Development Phase One Project for the period December 14, 2023 through September 30, 2026; and

B) approve a Budget Amendment of \$1,500,000 within the Park Improvement Fund to establish budget for the approved grant.

SUMMARY: On March 14, 2023 the Board of County Commissioners (BCC) authorized submission of a Florida Recreation Development Assistance Program grant application, R2023-0330, to fund a portion of the construction costs associated with the Villages of Windsor Park Development Phase One project. The BCC also authorized the County Administrator or designee to execute the Grant Agreement (Project Number: LW763) and other grant forms related to this project if the grant was approved. The grant was approved, the Grant Agreement has been fully executed in accordance with BCC authorization and is being submitted to the BCC to receive and file and to establish budget. The \$1,500,000 LWCF grant requires a \$1,500,000 (50%) match, which will be funded from Zone 2 Park Impact Fees. The grant Agreement requires the County to execute and record a Notice of Limitation of Use dedicating the land in perpetuity as an outdoor recreation site. The grant term is from December 14, 2023 through September 30, 2026 with a possible time extension. The grant closeout paperwork is due June 30, 2026. District 6 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (cont'd.)

6. Staff recommends motion to:

- A) **ratify** the signature of the Mayor on a Florida Department of Economic Opportunity (DEO) Grant Agreement in the amount of \$750,000 for the Peanut Island Historic Restoration project for the period commencing retroactively on July 1, 2023 through June 30, 2025;
- B) **authorize** the County Administrator or designee to execute task assignments, certifications, standard forms, or amendments to the Grant Agreement that do not substantially change the scope of work or terms and conditions of the Grant Agreement;
- C) **authorize** the Director of the Parks and Recreation Department to serve as the Project Designee and Project Liaison; and
- D) **approve** Budget Amendment of \$750,000 within the Park Improvement Fund to establish budget for the approved grant.

SUMMARY: In 2023, the County submitted a Florida Senate - Local Funding Initiative Request for the Peanut Island Historic Restoration project. The \$750,000 funding request was sponsored by Senator Bobby Powell, (Senate Bill 2500) and received final approval on June 15, 2023. The Grant Agreement (HL241) requires demolition and replacement of the existing Coast Guard dock as well as acquiring restoration design services associated with the renovation of the John F. Kennedy fallout bunker, former U.S. Coast Guard Station House and former U.S. Coast Guard Boat House. DEO's timeframe to execute the Grant Agreement did not allow for prior approval by the Board of County Commissioners (BCC). In order to meet DEO's deadline, Mayor Maria Sachs signed the Grant Agreement on behalf of the BCC as authorized by Palm Beach County Administrative Code, Section 309.00. The code requires the Grant Agreement be presented to the BCC for approval at their next available meeting after signature by the Mayor. The \$750,000 DEO grant requires a \$750,000 (50%) match, which will be funded from the \$50M GO 2005 Waterfront Access Bond. The grant period is from July 1, 2023 through June 30, 2025. Districts 1& 7 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (cont'd.)

7. Staff recommends motion to:

- A) **ratify** the signature of the Vice Mayor on a Land and Water Conservation Fund (LWCF) grant application submitted to the State of Florida Department of Environmental Protection (FDEP) signed on January 30, 2024, requesting \$1,500,000 to fund 50% of the construction costs for the Canyon District Park Phase Two Project;
- B) **authorize** the County Administrator or designee to execute the Grant Agreement and all future time extensions, task assignments, certifications, standard forms, or amendments to the Agreement that do not substantially change the terms and conditions of the Agreement if the grant is approved; and
- C) **authorize** the Director of the Parks and Recreation Department to serve as Liaison Agent with FDEP and the County Administrator's designee for this project.

SUMMARY: This grant application requests \$1,500,000 in LWCF funding for the Canyon District Park Phase Two Project. Phase Two grant project elements include four new lighted baseball/softball fields, a concession/restroom building, batting cages, destination playground, two lighted sand volleyball courts, a canoe/kayak launch, picnic facilities, restroom and associated infrastructure. **The grant request is for \$1,500,000 and requires a \$1,500,000 (50%) match that will be funded from the Canyon District Park Development Infrastructure Sales Tax (IST) project.** The State's time frame for this application did not allow for prior approval by the Board of County Commissioners (BCC). In order to meet the grant application deadline, Vice Mayor Maria G. Marino signed the application on behalf of the BCC as authorized by the Palm Beach County Administrative Code, Section 309.00. This Code requires that the grant be presented to the BCC for ratification at the next available Board meeting after signature by the Vice Mayor. If funding is awarded, the County should receive a grant contract in the fall of 2024 and will have three years to complete the project. The grant requires the project adhere to the Build America/Buy America (BABA) Act. The grant also requires a Notice of Limitation of Use to be recorded in public records limiting the project site to outdoor recreation in perpetuity at the completion of the project. District 6 (AH)

3. CONSENT AGENDA APPROVAL

P. COOPERATIVE EXTENSION SERVICE

1. Staff recommends motion to approve: Grant agreement with the Western Palm Beach County Farm Bureau, Inc. in an amount not to exceed \$30,000 from Agricultural Economic Development Program funds to assist in conducting the 2024 Palm Beach County Sweet Corn Fiesta. **SUMMARY:** The 2024 Palm Beach County Sweet Corn Fiesta will be held on April 28, 2024. This Agreement allows for reimbursement of expenses incurred after December 1, 2023. This event will increase public awareness of local agriculture on a regional and statewide basis. It provides an opportunity for a local agricultural organization, the Western Palm Beach County Farm Bureau, to stage an event that will make our residents more aware of the economic significance of our largest vegetable row crop in our County's billion-dollar agricultural industry while bringing in people from surrounding counties. This is the 24th year for the event. The Palm Beach County Agricultural Enhancement Council has reviewed the request and met with representatives of the Western Palm Beach County Farm Bureau. Countywide (AH)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to approve:

Appointment of four (4) new members to the Criminal Justice Commission (CJC) for the period April 9, 2024 to December 31, 2026.

<u>Appoint Nominee</u>	<u>Seat No.</u>	<u>Term to Expire</u>	<u>Nominated By:</u>
Oswald Newbold	32	12/ 31/2026	CJC
Karen Hansen	33	12/31/2026	CJC
Shania Grant	34	12/31/2026	CJC
Vanessa Klein	35	12/31/2026	CJC

SUMMARY: The mission of the CJC is to study all aspects of the criminal justice and crime prevention systems within the federal, state, county, municipal, and private agencies within the County. The CJC is comprised of 35 members: 18 public sector members representing local, state, and federal criminal justice and governmental agencies; and 17 private sector members representing the Economic Council, Clergy, the Black and Hispanic Chambers of Commerce, youth (17-22 years), returning citizen, crime survivor, and a community member. The four (4) new members being considered for appointment are at-large members who are nominated by the CJC and appointed by the Board of County Commissioners. Oswald Newbold is the Re-Entry Coordinator for the Re-Entry Center and nominated to represent the seat designated for returning citizen. Karen Hansen is nominated to represent the seat designated for a crime survivor. Shania Grant is a student at Florida Atlantic University and nominated to fill the student seat. Vanessa Klein is the Director of Re-Entry Services for the Lord’s Place and nominated for the community member at-large seat. The CJC currently has 29 seats filled and a diversity count of Caucasian: 16 (55%), African-American: 11 (38%), and Hispanic: 2 (7%). The gender ratio (female: male) is 12:17. The nominees include one Black female, one Black male, and two White females. Staff is addressing the need to increase diversity within our Board and will continue to encourage this to expand this Board’s diversity. Countywide (HH)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

1. **Staff recommends motion to receive and file:** an Amendment Memo to the U.S. Department of Homeland Security Federal Emergency Management Agency (“FEMA”), FY2022 Staffing for Adequate Fire and Emergency Response (“SAFER”) Grant Program Agreement No. EMW-2022-FF-00029 modifying the performance period from March 13, 2024 through March 12, 2027 to January 29, 2024 through January 28, 2027. **SUMMARY:** On November 7, 2023 (R2023-1623), the Board accepted a FEMA SAFER grant award with a performance period of March 13, 2024 through March 12, 2027, and previously on May 2, 2023 (R2023-0610) had delegated authority to the County Administrator, or designee, to accept, approve, execute and submit certain grant documents including time frame changes. The Palm Beach County Fire Rescue (“PBCFR”) designee requested an amendment to the Period of Performance to coincide with the start date of a Recruit Academy class. After FEMA reviewed and approved the amendment, PBCFR received the attached Amendment Memo and related grant documents modifying the performance period and indicating that the County’s signature is not required. This Amendment Memo is now being submitted to the Board to receive and file. Countywide (SB)
2. **Staff recommends motion to approve:** a Budget Transfer of \$40,000 within the Fire Rescue Improvement Fund (Fund 3700) to account for unforeseen increase in costs for electrical and HVAC upgrades in the Training area at Fire Rescue’s Herman W. Brice Headquarters. **SUMMARY:** The additional funds will account for unforeseen increase in costs associated with the electrical and HVAC upgrades, including labor and material for the installation of ceiling fans, volt lock shore line receptacles, relocate a hand sink, an air handler, louver, and an electrical transformer within the training section. Countywide (SB)
3. **Staff recommends motion to receive and file:** a Lease Agreement for the Use of School Facilities with the School Board of Palm Beach County, for Fire Rescue Promotional testing (Wellington High), on February 23 and 24, 2024. **SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The attached lease agreement has been fully executed on behalf of the Board of County Commissioners (Board) by the Fire Rescue Administrator, in accordance with a delegation of authority from the Board (R2017-1072) through the County Administrator. This executed document is now being submitted to the Board to receive and file. Countywide (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (cont'd.)

4. Staff recommends motion to:

A) **approve** four (4) re-appointments to the Regional Hazardous Materials Oversight Committee beginning April 9, 2024 through April 8, 2027; and

<u>Appointment Nominee</u>	<u>Seat No.</u>	<u>Nominated By</u>
Michael J. Geier	1	Palm Beach County Division of Emergency Management
Drovica Gosein	2	Department of Health, Palm Beach County
Shon Kirk Broedell	4	Fire Chiefs Association of Palm Beach County
Robert Madden	5	Solid Waste Authority of Palm Beach County

B) **approve** one (1) appointment to the Regional Hazardous Materials Oversight Committee beginning April 9, 2024 through April 8, 2027:

<u>Appointment Nominee</u>	<u>Seat No.</u>	<u>Nominated By</u>
Gregory Philip Freebold	3	Palm Beach County League of Cities

SUMMARY: The Regional Hazardous Materials Oversight Committee was created by ordinance in 1998 to establish standards and review the effectiveness and adequacy of the regional hazardous materials emergency response teams. Appointments to this five (5) member committee are for three (3) year terms, and members may serve no more than three (3) consecutive three (3) year terms. The committee is comprised of members from specific areas of representation. Michael J. Geier, Drovica Gosein, Gregory Philip Freebold, Shon Kirk Broedell and Robert Madden have been nominated by their respective areas of representation. The five (5) nominated candidates consist of a diversity count of Hispanic-American: 1 (20%) and Caucasian: 4 (80%), and a gender ratio of (male:female) 4:1. Staff will continue to address the need to increase diversity on our boards. Countywide (SB)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to:

A) **approve** the revision to signature block of Exhibit E (Participation Agreement) of the contract with CivicPlus, LLC; and

B) **authorize** delegated authority to the County Administrator or designee to execute participation agreements allowing other entities use of the public notices website at no cost to the County that do not substantially change the scope of work, terms or conditions of the agreement.

SUMMARY: On September 12, 2023 the Board of County Commissioners approved a contract with CivicPlus, LLC, for the posting of public notices on a publicly accessible website. The agreement also allowed for other governmental agencies to use the service if they chose. In order for others to utilize the website a participation agreement is required. The form included originally requires a minor edit in the signature block to correctly identify the responsible department. Delegated authority is also being requested for efficiency and provision of timely access for other entities to utilize the public notices website. Countywide (DB)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. Staff recommends motion to:

A) **approve** the Fiscal Year 2024 Certifications and Assurances (C&As) to the Federal Transit Administration (FTA); and

B) **authorize** the County Administrator or designee to electronically execute and file the required C&As on behalf of the Board of County Commissioners (BCC) and to bind the BCC's compliance with the C&As that do not substantially change the scope of work, terms or conditions of the C&As.

SUMMARY: On February 29, 2024, the FTA released the FY2024 list of C&As. The annual C&As list covers requirements such as Lobbying, Alcohol and Controlled Substances Testing, Seniors and Individuals with Disabilities Programs, Non-Discrimination, Disadvantaged Business Enterprises (DBEs), Hiring Preferences, Public Transportation Agency Safety Plans and most recently, The Emergency Relief Program. The FTA requires grantees to submit C&As within ninety (90) days of publication to signify the County's commitment to comply with requirements applicable to any FTA award the County pursues during FY2024. The FTA also requires an affirmation from the applicant's attorney that the applicant has authority to make and comply with the C&As. This document does not allocate any funding and there is no cost to the County. Countywide (MM)

2. Staff recommends motion to approve: an amendment to the agreement between the Palm Beach County Board of County Commissioners (BCC) and the South Florida Regional Transportation Authority (SFRTA) that provides space, equipment, and personnel at its Tri-Rail ticket office, located at the Downtown West Palm Beach Intermodal Facility, for the sale of Palm Tran bus passes. **SUMMARY:** This amendment will increase the split of the cost of the Tri-Rail ticket agent that sell Palm Tran Bus passes at the West Palm Beach Intermodal terminal from 50/50 to 75/25 resulting in an increase of \$18,231. The county will reimburse SFRTA for 75% of the employee's compensation which will not exceed \$72,922. This change in work share percentage is based on an increase of actual work performed by the ticket agent for Palm Tran. The ticket agent sells approximately \$1,000 of Palm Tran bus passes daily at the Intermodal terminal. The ticket booth is open Monday to Friday from 8:00am to 4:30pm. Countywide (MM)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

1. **Staff recommends motion to approve:** a Budget Transfer of \$551,000 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 2024 donation requirement is \$279,292. The PBSO's support of these programs exemplifies its strong commitment to the prevention and reduction of crime throughout the communities it serves and its desire to put money back into these communities to support organizations that provide such services. The year-to-date transfer for all donations to outside organizations after approval of this item is \$1,227,500. 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 \$4,360,037. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$3,809,037. 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)

APRIL 9, 2024

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

1. SUMMARY:

ORGANIZATION	AMOUNT
Alpha Educational Foundation – DDL, Inc.	\$50,000
Big Dog Ranch Rescue, Inc. - Veterans Program	\$250,000
Boca West Community Charitable Foundation, Inc.	\$36,000
Elizabeth H. Faulk Foundation, Inc.	\$25,000
Florence Fuller Child Development Centers, Inc.	\$25,000
Gulf Stream Council, Boy Scouts of America, Inc.	\$25,000
Hanley Foundation, Inc.	\$30,000
Junior Achievement of the Palm Beaches & Treasure Coast, Inc.	\$10,000
Operation 300, Inc.	\$50,000
Palm Beach County PAL, Inc - Tutoring Program	\$25,000
Student ACES, Inc.	\$10,000
YMCA of South Palm Beach County, Inc.	\$15,000
Total Amount	\$551,000

3. CONSENT AGENDA APPROVAL

DD. OFFICE OF RESILIENCE

1. Staff recommends motion to:

A) approve a Subrecipient Commitment Form with Florida Atlantic University (FAU) for a National Oceanic and Atmospheric Administration (NOAA) Climate Ready Workforce grant application, which would begin upon grant execution and end after four (4) years, and includes a \$175,000 sub-award to Palm Beach County that would primarily be used to fund a 3-year graduate student intern position, which would be requested upon the grant being awarded and eliminated when grant funding is discontinued; and

B) delegate to the County Administrator, or designee, the signatory authority on additional forms, certifications, contracts/agreements and amendments thereto, and any other necessary documents related to the NOAA Climate Ready Workforce Competition grant that do not substantially change the scope of work, terms or conditions of the sub-award agreement.

SUMMARY: The FAU Pine Jog Environmental Education Center is applying for \$10,000,000 through a NOAA Climate Ready Workforce Competition to create a climate resilience curriculum to be delivered to workforce training participants in Palm Beach and Broward Counties. Southeast Florida is one of the most vulnerable in the US to the impacts of climate change, and this project will focus on training the local workforce in adaptation and mitigation strategies to continue building community resilience. The curriculum developed will be delivered to workforce training participants through both in-person and asynchronous and synchronous online learning support materials. The project steering committee will include county chief resilience officers, Career Source contacts, school district adult education directors, trade apprenticeship coordinators, key public sector and government representatives, and business representatives. If awarded, Palm Beach County's Office of Resilience would receive a \$175,000.00 sub-award to support climate resilience workforce training for Palm Beach County employees. **No match is required.** Countywide (RM)

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APRIL 9, 2024

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

None

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5. REGULAR AGENDA

A. COUNTY ATTORNEY

1. Staff recommends motion to adopt: a resolution of the Board of County Commissioners of Palm Beach County, Florida, calling for a referendum to be held on November 5, 2024 for the purpose of submitting to the duly qualified electors of Palm Beach County, Florida, a question regarding the School Board of Palm Beach County, Florida's authority to levy a discretionary sales surtax of 0.5 percent beginning January 1, 2026, and ending December 31, 2035; providing ballot language; providing for absentee voting and early voting; providing for referendum results; providing for severability; and providing for an effective date. **SUMMARY:** On February 7, 2024, the School Board of Palm Beach County ("School Board") unanimously adopted a resolution directing the Board of County Commissioners ("BCC") to call an election for the purpose of submitting to the electors of the County, a referendum on whether the School Board should levy a discretionary sales tax of one-half percent per dollar as authorized in section 212.055(6), Florida Statutes, SCHOOL CAPITAL OUTLAY SURTAX. The ballots to be used in the referendum election shall contain the following statement: PALM BEACH COUNTY SCHOOLS SECURITY, TECHNOLOGY, FACILITIES AND INFRASTRUCTURE ONE-HALF CENT SALES SURTAX. To support educational opportunities for students by upgrading and enhancing safety and security of schools; classroom technology and equipment, school buildings and facilities, and school buses, for Palm Beach County traditional public and charter public schools; shall the School Board levy a one-half cent sales surtax beginning January 1, 2026 and, by law, automatically ending December 31, 2035, with oversight of all funds by an independent committee of citizens and experts?

_____ FOR THE ONE-HALF CENT TAX
_____ AGAINST THE ONE-HALF CENT TAX

The BCC's adoption of this resolution is in its ministerial capacity under Section 212.055(6)(b) Florida Statutes, which states that the ballot statement "shall be placed on the ballot by the governing body of the county" and is statutorily required for the referendum to be held. Countywide (DB)

5. REGULAR AGENDA

B. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve on preliminary reading and permission to advertise for public hearing on May 14, 2024 at 9:30 a.m.: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, to be entitled “The Palm Beach County Procurement/Purchasing Code”, repealing and replacing sections 2-51 through 2-58 of the Palm Beach County Code, which codified Ordinance No. 2005-062, Ordinance No. 2008-069, Ordinance No. 2010-010, Ordinance No. 2015-004 and Ordinance No. 2018-022, establishing a centralized purchasing system; providing for general provisions; providing for application/exemptions; providing for ethical standards in procurement; providing for definitions; providing for designation, duties and authority of the Director of Procurement and the Procurement Department; providing for delegation of authority to subordinate staff and authority of departments of Engineering and Public Works, Airports, Water Utilities, Facilities Development and Operations, and Environmental Resources Management; providing for a mandatory bid and proposal amount; establishing requirements for competitive source selection; providing for alternate source selection; providing authority of Procurement Director and the Contract Review Committee for changes after contract award; providing for waiver of requirements for competitive selections for consulting services; providing for procurement card (pcard) services; providing for protested awards; providing for suspension and debarment; providing for vendor preferences; prohibiting conflicts of interest; providing for construction services; providing for CCNA services; providing for automation of the procurement process; providing for unsolicited proposals; providing for indexing; providing for repeal of laws in conflict; providing for severability; providing for captions; providing for savings clause; providing for inclusion in the Code of Laws and Ordinances; providing for an effective date. **SUMMARY:** The current Purchasing Code (Code) was enacted in 2015 by means of Ordinance No. 2015-004, which in turn repealed and replaced Ordinance No. 2005-062 (as amended by Ordinances Nos. 2008-009 and 2010-010). The current Code was revised in 2018 (Ordinance No. 2018-022) to incorporate the necessary references to the then recently adopted Equal Business Opportunity program (Ordinance No. 2018-021). Although it was adopted in 2015, many of the provisions of the current Code originate in its 2005 version and warrant revisions to reflect current industry practices and market conditions. Approximately five years ago, County staff started working on proposed revisions to the Code. The proposed revisions were presented to the Board of County Commissioners (Board) during a Workshop meeting held on February 27, 2024. Following discussion by the Board of the proposed revisions, staff was directed to 1) consider a modified approach to the proposed protest bond provisions, 2) return with recommendations on means to accelerate processing of agenda items to be considered by the Board, and 3) proceed to preliminary reading of the proposed ordinance. This item seeks to fulfill Board direction. (FDO Admin/Purchasing) Countywide (MWJ/AH)

5. REGULAR AGENDA

C. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to:

A) **approve** a State Housing Initiatives Partnership (SHIP) Program award of \$1,620,000 to Gulfstream Goodwill Industries, Inc.;

B) **direct** staff to negotiate the loan agreement; and

C) **authorize** the County Administrator, or designee, to execute the loan agreement, amendments thereto, and all other documents necessary for project implementation that do not substantially change the scope of work, terms, or conditions of the award.

SUMMARY: On December 4, 2023, the Department of Housing and Economic Development (HED) issued a Notice of Funding Availability (NOFA) HED.2023.5 making up to \$4,000,000 in SHIP funding available for the acquisition of multifamily rental housing by not-for-profit organizations. Applications were accepted on a first-come, first-eligible and first funded basis. Staff reviewed applications to ensure the projects met criteria for eligibility, responsiveness, and viability. Staff recommends funding in the amount of \$1,620,000 to Gulfstream Goodwill Industries, Inc. to purchase 921 North M Street, Lake Worth Beach, FL 33460, a multifamily property totaling nine (9) units, including five (5) one-bedroom units, and four (4) two-bedroom units. The total project cost is \$1,875,000. For an affordability period of no less than 30 years, seven (7) housing units will be restricted for affordable rental to tenants with incomes no greater than 80% of Area Median Income (AMI) and two (2) units for tenants with incomes no greater than 140% AMI. The SHIP funding will provide a subsidy of \$180,000 per housing unit in the form of an interest-free repayable loan with a term of no less than 30 years. The loan agreement and related documents pursuant to these SHIP funds will be between the County and Gulfstream Goodwill Industries, Inc. (and its respective successors and/or assigns). To facilitate project implementation, staff requests authorization for the County Administrator, or designee, to execute the loan agreement and related documents. **These are State SHIP Program grant funds which do not require a local match.** District 2 (HJF)

5. REGULAR AGENDA

C. HOUSING AND ECONOMIC DEVELOPMENT

2. Staff recommends motion to:

- A) **approve** a State Housing Initiatives Partnership (SHIP) Program award of \$1,890,000 to Housing Partnership, Inc. dba Community Partners of South Florida;
- B) **direct** staff to negotiate the loan agreement; and
- C) **authorize** the County Administrator, or designee, to execute the loan agreement, amendments thereto, and all other documents necessary for project implementation that do not substantially change the scope of work, terms, or conditions of the award.

SUMMARY: On December 4, 2023, the Department of Housing and Economic Development (HED) issued a Notice of Funding Availability (NOFA) HED.2023.5 making up to \$4,000,000 in SHIP funding available for the acquisition of multifamily rental housing by not-for-profit organizations. Applications were accepted on a first-come, first-eligible and first funded basis. Staff reviewed applications to ensure the projects met criteria for eligibility, responsiveness, and viability. Staff recommends funding in the amount of \$1,890,000 to Housing Partnership, Inc. to purchase 1741 and 1747 4th Avenue North, Lake Worth Beach, FL 33460, two abutting multifamily properties totaling ten (10) apartments, including eight (8) one-bedroom units, and two (2) two-bedroom units. The total project cost is \$2,100,000. For an affordability period of no less than 30 years, all housing units will be restricted for affordable rental to tenants with incomes no greater than 80% of Area Median Income (AMI), including two (2) units for tenants with incomes no greater than 60% AMI. The SHIP funding will provide a subsidy of \$189,000 per housing unit in the form of an interest-free repayable loan with a term of no less than 30 years. The loan agreement and related documents pursuant to these SHIP funds will be between the County and Housing Partnership, Inc. (and its respective successors and/or assigns). To facilitate project implementation, staff requests authorization for the County Administrator, or designee, to execute the loan agreement and related documents. **These are State SHIP Program grant funds which do not require a local match.** District 3 (HJF)

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6. BOARD APPOINTMENTS

A. PLANNING, ZONING & BUILDING

- 1. Staff recommends motion to approve: Appointment of one (1) member to the Zoning Commission (ZC) for the term of April 9, 2024 to February 2, 2027, to fill the vacancy at-large seat, Seat #8.

Nominees

Jess Sowards

or

Susan Kennedy

or

Rolando Barrero

Nominated By

Commissioner Bernard

Commissioner Baxter

Vice Mayor Marino

Mayor Sachs

SUMMARY: The primary function of the Zoning Commission (ZC) is to take action on and make recommendations to the Board of County Commissioners (BCC) regarding proposed zoning applications and proposed revisions to the Unified Land Development Code (ULDC). The Zoning Division sent a memorandum to the BCC on February 5, 2024 requesting nominations. The ZC is comprised of nine (9) members, with each County Commissioner appointing one (1) member each and two (2) members appointed at-large by a majority vote of the BCC. The term of office is three (3) years and as of March 2, 2013 (R-2013-0193), no person shall be appointed or reappointed for more than three (3) consecutive terms. Pursuant to ULDC Article 2.G.L.3, "consideration shall be given to applicants who have experience or education in planning, law, architecture, landscape architecture, natural resource management, real estate, engineering, and related fields." Mr. Jess Sowards has completed one (1) term in ZC Seat #9, is available for re-appointment, and regarding attendance has attended all but one (1) out of the past twelve (12) ZC meetings. Mr. Jess Sowards has disclosed that he has an ownership position in Currie Sowards Aguila Architects, that contracts with the County for architectural services. The ZC provides no regulation, oversight, management or policy-setting recommendations regarding the subject contract. Disclosure of these contractual relationships at a duly notice public meeting is being provided in accordance with the provisions of Sec. 2-443, of the Palm Beach County Code of Ethics. The ZC consists of nine members, with eight (8) seats currently filled with a diversity count of: seven (7) Caucasian (88%) and one (1) African-American (12%). Mr. Jess Sowards is a Caucasian male, Mr. Rolando Barrero is a Hispanic-American male, and Ms. Susan Kennedy is a Caucasian female. Staff is addressing the need to increase diversity within our Board and will continue to encourage this to expand this Board's diversity. Countywide (SS)

B. COMMISSION DISTRICT APPOINTMENTS

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APRIL 9, 2024

7. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

APRIL 9, 2024

8. COMMISSIONER COMMENTS

District 1 – COMMISSIONER MARIA G. MARINO

District 2 – COMMISSIONER GREGG K. WEISS

District 3 – COMMISSIONER MICHAEL A. BARNETT

District 4 – COMMISSIONER MARCI WOODWARD

District 5 - COMMISSIONER MARIA SACHS

District 6 - COMMISSIONER SARA BAXTER

District 7 – COMMISSIONER MACK BERNARD

APRIL 9, 2024

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."