

November 5, 2024
8:00 am

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

NOVEMBER 5, 2024

<u>PAGE</u>	<u>ITEM</u>	
22	4F	* ADD-ON – Special Presentation – Proclamation declaring November 2024 as Prematurity Awareness Month. (District 5)
21	3FF1	* DELETED – pulled for further review. (OEO)

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

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

NOVEMBER 5, 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 6 - 21)**
- 4. SPECIAL PRESENTATIONS (Page 22)**
- 5. REGULAR AGENDA (Page 23)**
- 6. BOARD APPOINTMENTS (Page 24)**
- 7. STAFF COMMENTS (Page 25)**
- 8. BCC COMMENTS (Page 26)**
- 9. MATTERS BY THE PUBLIC – 2:00 P.M. (Page 27)**
- 10. ADJOURNMENT (Page 28)**

* * * * *

NOVEMBER 5, 2024

TABLE OF CONTENTS

CONSENT AGENDA

B. CLERK & COMPTROLLER

Page 6

- 3B-1 Warrant list
- 3B-2 Contracts and claims settlements list
- 3B-3 Change orders, work task orders, minor contracts, final payments, etc.

C. ENGINEERING & PUBLIC WORKS

Page 7

- 3C-1 Authorization for public facilities agreement with Illumina Delray LP for improvement of Half Mile Road.

Page 8

- 3C-2 Contract with R&D Paving, LLC for the construction of Half Mile Road project.

D. COUNTY ATTORNEY

Page 7

- 3D-1 Settlement Agreement with Ms. Amanda Vomero.

F. AIRPORTS

Page 8

- 3F-1 Appointment of one individual to the Citizens' Committee on Airport Noise.

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

Page 9

- 3G-1 Adopted Budget for Fiscal Year 2025 for the City of Belle Glade's Community Redevelopment Agency.
- 3G-2 Budget for Fiscal Year ending September 30, 2025 from the Lake Clarke Shores Community Redevelopment Agency.

H. FACILITIES DEVELOPMENT & OPERATIONS

Page 10

- 3H-1 Work Order No. 24-006 with Zabatt Engine Services, Inc. for the Morikami Museum-Generator and Transfer Switch Replacement project.

Page 11

- 3H-2 Consultant Services Authorization No. 10 with Omnicrom Consulting Group, Inc. for the West County Communications Tower Site Replacement project.

NOVEMBER 5, 2024

TABLE OF CONTENTS

CONSENT AGENDA

K. WATER UTILITIES

Page 12

3K-1 Reimbursement Agreement with Boca Raton Associates X, LLLP for the 24-inch reclaimed watermain within the Johns West PUD.

Page 13

3K-2 Work Order No. 9 with Johnson-Davis Incorporated for the pipeline emergency services repair project.

Page 14

3K-3 Application of an administrative credit and refund to the account of Jennie Carter.

S. FIRE RESCUE

Page 15

3S-1 First Amendment with Elite Medical Specialists, LLC to provide medical director services to Palm Beach County Fire Rescue.

U. INFORMATION SYSTEMS SERVICES

Page 15

3U-1 Renewal Option No. 2 with the Government of the United States Virgin Islands for Software License and Professional Services Agreement.

CC. SHERIFF

Page 16

3CC-1 Agreement for State Financial Assistance for the FY 2024-2025 Statewide Criminal Analysis Laboratory System project.

DD. OFFICE OF RESILIENCE

Page 17

3DD-1 Ratify the signature of the Resilience Director on a grant application to determine the shoreline protection needs of coastal communities and to create a protection plan.

Page 18

3DD-2 Resilient grant application submitted to FDEP to raise the elevation of Ocean Inlet Park.

NOVEMBER 5, 2024

TABLE OF CONTENTS

CONSENT AGENDA

EE. OFFICE OF COMMUNITY REVITALIZATION

Page 19

3EE-1 Executed lighting agreements with FPL for the installation of LED lighting.

FF. OFFICE OF EQUAL OPPORTUNITY

Page 20

~~3FF-1 Amendment No. 1 with Weiss Serota Helfman Cole & Bierman, PL for legal services in connection with fair housing discrimination litigation for the County.~~

3FF-2 Reappointment of one (1) youth representative to the Advisory Commission on Women.

SPECIAL PRESENTATIONS - 9:30 A.M.

Page 22

- 4A Veterans Appreciation Month
- 4B Children and Teens Grief Awareness Month
- 4C Alzheimer's Awareness Month
- 4D 10th Anniversary of Barky Pines Animal Rescue & Sanctuary
- 4E World Aids Day

REGULAR AGENDA

A. ENGINEERING & PUBLIC WORKS

Page 23

5A-1 Consultant Service Authorization No. 2 with Simmons and White, Inc. for the Okeechobee Blvd. Adaptive Traffic Control System.

NOVEMBER 5, 2024

TABLE OF CONTENTS

BOARD APPOINTMENTS (Page 24)

BCC COMMENTS (Page 25)

STAFF COMMENTS (Page 26)

MATTERS BY THE PUBLIC – 2:00 P.M. (Page 27)

ADJOURNMENT (Page 28)

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:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller’s Office. Countywide
3. **Staff recommends motion to receive and file:** change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations Department; Water Utilities Department; Environmental Resources Management Department; and the Department of Airports during September 2024. Countywide

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to:

- A) **approve** a public facilities agreement (Agreement) with Illumina Delray LP (Illumina) for the improvement of Half Mile Road from Brook Isles Avenue to Atlantic Avenue;
- B) **approve** a Budget Amendment in the amount of \$756,760 to recognize reimbursement funding from Illumina and appropriate it to the improvement; and
- C) **delegate** authority to the County Engineer to terminate the Agreement upon construction completion and acceptance of the improvement.

SUMMARY: Palm Beach County (County) is designing the realignment of Half Mile Road from Brook Isles Avenue to Atlantic Avenue to align Half Mile Road with Smith Sundry Road at Atlantic Avenue (County Project) as included in the Five (5) Year Road Program, and in conjunction with the Florida Department of Transportation's widening project along Atlantic Avenue. Illumina is required, per development order engineering conditions, Resolution R2022-0782, to fund the cost of design and construction of a left turn lane north approach on the relocated Half Mile Road at the southern Development entrance. Illumina desires the County to construct all improvements related to the water, reclaimed water, and sanitary sewer infrastructure for the Development located within the design and construction of County Project. Pursuant to the Agreement, Illumina shall pay directly to the County within 60 days of the Effective Date of this Agreement, all attributable design, construction, and inspection costs. Approval of this Agreement will allow Illumina to reimburse the County \$756,760 for inclusion of their certain required improvements in the County Project. The budget amendment is necessary to recognize the funding from Illumina for those costs. Delegation of authority to the County Engineer will authorize termination of the Agreement upon construction completion and acceptance of the County Project. This is a companion item to 3C2 of today's meeting. District 5 (YBH)

3. CONSENT AGENDA APPROVAL

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

2. **Staff recommends motion to approve:** a contract with R & D Paving, LLC (RDP) in the amount of \$2,509,606.45 with a contract time of 180 calendar days for the construction of Half Mile Road, Brook Isles Avenue to Atlantic Avenue (Project). **SUMMARY:** Approval of this contract will authorize the construction services necessary to construct a two (2) lane roadway that includes the installation of sidewalks and drainage. This Project was presented to the Goal Setting Committee on February 15, 2023 and the Committee established an Affirmative Procurement Initiative (API) of 20% minimum mandatory Small Business Enterprise (SBE) participation of which 3% must be Minority Business Enterprise (MBE) participation for African American (AA) and/or Hispanic American (HA) owned firms. The proposed SBE participation for this Project is 62%, and 3% MBE participation. Bids for the contract were received by the Engineering and Public Works Department (EPW) on April 2, 2024. RDP was the lowest responsive bidder of three (3) bidders. The contract time for the Project is 180 calendar days. RDP has an office located in Palm Beach County and is a certified SBE company. **This Project is included in the Five-Year Road Program.** This is a companion item to 3C1 of today's meeting. District 5 (YBH)

D. COUNTY ATTORNEY

1. **Staff recommends motion to approve:** a Settlement Agreement, inclusive of attorney's fees and costs, in the total amount of \$95,000 plus the credit of 34.46 vacation hours, 30.54 comp time hours and 175 sick leave hours, in the employment litigation styled *Amanda Vomero v. Palm Beach County (Palm Beach County Fire Rescue)*, Case No. 50-2017-CA-013585-XXXX-MB. **SUMMARY:** Ms. Vomero filed a lawsuit against Palm Beach County, claiming that she was retaliated against for complaining about alleged harassment/hostile work environment based on her gender. Ms. Vomero alleges that she suffered damages as a result of the retaliation and is seeking to recover damages for emotional pain and mental anguish, compensatory damages, as well as attorney's fees. After engaging in voluminous discovery, the parties have agreed to a resolution of the lawsuit subject to Board of County Commissioners (BCC) review and approval. Countywide (NCP)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. Staff recommends motion to approve: the At-Large appointment to the Citizens' Committee on Airport Noise (CCAN) for a term beginning November 5, 2024 and expiring September 30, 2027:

<u>Appointment</u>	<u>Seat</u>	<u>Nominated by</u>
Henry Pawski	9	Economic Council of Palm Beach County, Inc.

SUMMARY: CCAN serves as an advisory board to the Department of Airports, and the BCC regarding topics that include potential noise mitigation methods and may suggest programs, concepts and resolution of complaints to the Department of Airports. Per Resolution No. R2013-1304, the CCAN consists of 11 members. Seven (7) members are District appointments (Seats 1 through 7) and four (4) members are At-Large appointments (Seats 8 through 11). The term for Seat No. 9 has expired. The Economic Council of Palm Beach County, Inc., has recommended Henry Pawski for the vacancy, which has been supported by members of the Board of County Commissioners (BCC). No other recommendations have been received. The diversity of the current CCAN is as follows: Caucasians 7 (64%). The gender ratio (female:male) is 4-3. Henry Pawski is a Caucasian male. Staff is addressing the need to increase diversity within its Committee and will continue to encourage this in an effort to expand the Committee's diversity. (Airports) Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **Staff recommends motion to receive and file:** The Adopted Budget for Fiscal Year 2025 for the City of Belle Glade's Community Redevelopment Agency (BG CRA). **SUMMARY:** The BG CRA has submitted its Adopted Budget for Fiscal Year 2025 as per section number 163.387(6)(b), Florida Statutes. Countywide (DB)

2. **Staff recommends motion to receive and file:** The Budget for the Fiscal Year ending September 30, 2025 from the Lake Clarke Shores Community Redevelopment Agency (LCS CRA). **SUMMARY:** The LCS CRA has submitted its Budget for the Fiscal Year ending September 30, 2025 as per section number 163.387(6)(b), Florida Statutes. Countywide (DB)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: Work Order No. 24-006 (Work Order) to the annual electrical contract (R2022-0694) with Zabatt Engine Services, Inc. dba Zabatt Power Systems, Inc. (Contractor) in the amount of \$249,334 for the Morikami Museum-Generator and Transfer Switch Replacement project for a period of 300 calendar days from notice to proceed. **SUMMARY:** The project consists of the supply and installation of one (1) generator and electrical transfer switch. The existing generator has outlived its useful life and is in need of replacement. The Work Order authorizes the construction services necessary to furnish all labor, equipment, devices, tools, materials, transportation, professional services, supervision, drawings, permitting and all miscellaneous requirements necessary to install a new diesel powered 250 Kilowatt (KW) generator, transfer switch and associated electrical work for the Morikami Museum Facility. The new generator and electrical transfer switch will be more efficient and provide years of dependable service. This project was competitively advertised and new contractors were invited to bid on the project by submitting prequalification documents prior to the submission of the bid response. The Contractor will have 300 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 electrical contract and the requirements of the Equal Business Opportunity (EBO) Ordinance. The annual electrical contract was presented to the Goal Setting Committee on June 5, 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 a Small Business Enterprise (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. The SBE participation on this Work Order is 2.75%. To date, the Contractor's overall SBE participation is 1.99%. To date, the overall SBE participation on the annual electrical contract is 35%. Funding for this project is from the Public Building Improvement Fund. (Capital Improvements Division) District 5 (MWJ)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 10 to the continuing consulting services/design professional services contract for public safety radio system planning and design services (R2019-1897) with Omnicom Consulting Group, Inc. (Consultant) in the amount of \$129,440 for the West County Communications Tower Site Replacement project. **SUMMARY:** On December 17, 2019, the Board of County Commissioners (BCC) approved the continuing consulting services/design professional services contract for public safety radio system planning and design services (R2019-1897) with Consultant to provide engineering and management services to upgrade, maintain, operate and make modifications to the public safety radio system throughout the County on an as needed basis. This item will authorize the professional services necessary for the West County Communications Tower Site Replacement project. Under CSA No. 10, the Consultant will provide professional services which include all design phase services (i.e. design services, construction documents preparation, permitting and construction administration services) necessary for the construction of a 400 foot self-supporting tower, equipment shelter, communications compound and emergency power systems for the West County Communications Tower Site Replacement project. The existing communication tower structure is leased, no longer meets County standards for the public safety radio system, and provides no certainty of critical communication operational continuity into the future. This design will deliver a County-owned communication tower at the West County Administrative Complex in unincorporated Belle Glade, in accordance with the BCC and State approved Master Plan for the property, to serve the western communities. This continuing contract was solicited pursuant to the requirements of the Equal Business Opportunity (EBO) Ordinance. This continuing contract was presented to the Goal Setting Committee (GSC) on May 1, 2019 and the Committee established an Affirmative Procurement Initiative (API) of a Small Business Enterprise (SBE) Evaluation Preference that awarded 15 points for SBE prime respondents during selection. No mandatory SBE subcontracting goal was applied by the GSC to this continuing contract due to the specialized nature of the services to be performed. Funding for this project is from the RR&I for 800 Mhz Sys. (Capital Improvements Division) District 6 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. Staff recommends motion to:

A) approve a Reimbursement Agreement (Agreement) between Palm Beach County (County) and Boca Raton Associates X, LLLP (Property Owner) in the amount of \$2,276,385; and

B) delegate authority to the County Administrator, or her designee which in this case shall be the Director of Palm Beach County Water Utilities Department (PBCWUD), to approve increased project costs up to a cumulative project cost of \$450,000, that do not substantially change the scope of work, terms or conditions of the Agreement.

SUMMARY: PBCWUD is requiring the Property Owner to extend the 24-inch reclaimed watermain within the Johns West PUD in conjunction with their construction of the property. Knowing that PBCWUD is additionally seeking to establish greater connectivity and efficiency within the County's reclaimed water system, the Property Owner proposed to design and construct approximately 7,200 linear feet of 24-inch reclaimed watermain from Lyons Road to State Road 7 within the spine road located within the property, conditioned upon full reimbursement by PBCWUD. All improvements will be constructed in accordance with PBCWUD's Uniform Policies and Procedures Manual, subject to review by PBCWUD staff. Following the completion of the construction, the Property Owner will transfer the ownership of the improvements to PBCWUD via a Bill of Sale, provide comprehensive utility record drawings and grant utility easements over all County owned facilities on the property. The Agreement provides for the payment of \$2,276,385 for the design and construction within the property that will be undertaken by the Property Owner. Should the project cost exceed the agreed upon amount, the Agreement provides that the County will be responsible for approving any additional necessary costs above and beyond 10% of the original estimated project cost. The Property Owner will construct the reclaimed watermain on undeveloped land in conjunction with their project, which will result in a cost savings of approximately \$700,000 compared to the cost for PBCWUD to install these improvements under current contracts. The Property Owner is able to minimize the cost due to the timing and size of the project. The improvements are beneficial to the County and the public and will result in a large savings to the County. (PBCWUD Project No. 22-569, 22-581 and 24-544) District 5 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

2. Staff recommends motion to approve: Work Order (WO) No. 9 to the 2022 Pipeline Continuing Construction Contract (Continuing Contract) with Johnson–Davis Incorporated (Contractor) for the Pipeline Emergency Services Repair (Project) for a not to exceed amount of \$498,099.75. **SUMMARY:** On May 16, 2023, the Board of County Commissioners (BCC) approved the Palm Beach County Water Utilities Department (PBCWUD) Continuing Contract (R2023-0675) with Contractor. WO No. 9 provides for the furnishing of all the material necessary for future emergency pipeline repairs on pressurized pipes within the PBCWUD service area. The Project includes the supply of large diameter Ductile Iron Pipes (DIP) and appurtenances ranging in size from 16-inch to 36-inch. This Contract was presented to the Goal Setting Committee (Committee) on September 8, 2022 and the Committee established an Affirmative Procurement Initiative (API) of 20% Small Business Enterprise (SBE) subcontracting participation of which 5% shall be among certified African American (AA) and/or Hispanic American (HA) owned firms. Contractor committed to 20.83% SBE participation, which includes 5.51% Minority Business Enterprise (MBE) participation, 5.38% MBE (HA) and 0.13% MBE (AA). The proposed SBE participation for this WO No. 9 is 13.66%, which includes 0% MBE, 0% MBE (HA) and 0% MBE (AA). To date, the overall participation achieved on this project is 14.74%. Contractor is a Palm Beach County based company. The Project is included in the PBCWUD FY 2025 budget. (PBCWUD Project No. 24-034) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

3. **Staff recommends motion to approve:** the application of an administrative credit and refund in the amount of \$2,127.49 to the account of Jennie Carter (Customer) located at 904 Fairview Street (Property) due to unusual and extenuating circumstances. **SUMMARY:** In accordance with Section 2.1.6 of the Palm Beach County Water Utilities (PBCWUD) Uniform Policies and Procedures Manual (UPAP), upon activation of a service account, PBCWUD charges monthly base facility fees to recover the ongoing expenses necessary to maintain service availability to a property. These base facility fees are charged regardless of whether any consumption occurs. The prior service account at the Property was opened in 1995. In 2006, a tragic event occurred at the Property, resulting in the deaths of the Customer's children and ex-husband, and a fire which destroyed the dwelling located at the Property. As part of ongoing divorce proceedings, Customer assumed ownership of the Property in 2008, and the dwelling located at the Property was demolished in 2009. Bills for the Property were forwarded to another address per a United States Postal Service address change notification. Base facility fees continued to accrue on the Property until 2023. In 2023, based on a PBCWUD account audit, and based on an update of Property ownership by the Palm Beach County Property Appraiser, the transfer in Property ownership to Customer was discovered, and, per Section 2.2.2 of the UPAP, a new account was opened in Customer's name and the accrued base facility fees were applied to the Customer's account. Customer thereafter requested that PBCWUD waive the late charges and accrued base facility fees on the Property. PBCWUD waived late fees due to questions as to notice of accrued charges to Customer, but did not waive accrued base facility fees based on Section 2.1.6 of the UPAP. Customer appealed this decision to PBCWUD's Administrative Hearing Board, which, based on its limited authority to modify PBCWUD fees and charges, denied the appeal, but offered a payment plan to the Customer, who has since paid the amount in full. In accordance with Section 2.2.22 of the UPAP, administrative credits may be applied to PBCWUD accounts due to unusual and extenuating circumstances. Based on the events leading to the change in ownership of the Property and possible notice issues to the Customer, there are unusual and extenuating circumstances, and an administrative credit may be applied in accordance with UPAP. District 3 (MWJ)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

1. Staff recommends motion to approve: a First Amendment to Contract for Medical Director Services with Elite Medical Specialists, LLC (R2021-1843) (Contract) to extend the term for one (1) 12-month period beginning January 1, 2025 through December 31, 2025 and to increase the amount of the contract to \$255,000 for the renewal period, with a not to exceed total contract amount of \$992,400. **SUMMARY:** The Contract, which provides the terms and conditions under which Elite Medical Specialists, LLC provides medical director services to Palm Beach County Fire Rescue (PBCFR) is set to expire on December 31, 2024. The original contract was approved by the Board of County Commissioners (BCC) on December 7, 2021, R#2021-1843; for a term of three (3) years with two (2) 12-month renewal options. The parties desire for PBCFR to continue receiving the services provided by Elite Medical Specialists LLC, which include the requirements for additional physicians to serve as Associate Medical Directors in order to provide increased training classes to the Paramedics and EMT's, an increased level of time spent in the field for supervision/observation of skill levels, and availability of 24-hour emergency consultation. This First Amendment extends the term, increases the Contract amount and updates standard County provisions. Countywide (SB)

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to receive and file: a fully executed Exercise of Renewal Option No. 2 with the Government of the United States Virgin Islands (GVI) for Software License and Professional Services Agreement (Agreement) in the amount of \$164,000 for the period of October 1, 2024 to September 30, 2025. **SUMMARY:** GVI has an Agreement with Palm Beach County to host and maintain their Business License Web Application (Application). On February 1, 2022, the Board of County Commissioners (BCC) approved a new Agreement for two (2) years effective October 1, 2021, with the option to extend for two (2) successive one-year terms. On August 20, 2024 (R2024-0981), the first exercise of renewal option was received with the BCC. Due to the contract formation principles under GVI's law, this agreement was first executed by the County and now fully executed by GVI. In approving R2022-0072, the BCC authorized the County Administrator or designee to exercise the two (2) successive one-year renewal options and execute change orders associated with these services. Countywide (DB)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

1. Staff recommends motion to accept: on behalf of the Palm Beach County Sheriff's Office (PBSO) an Agreement for State Financial Assistance for the FY 2024 - 2025 Statewide Criminal Analysis Laboratory System Project between the Florida Department of Law Enforcement (FDLE) and the PBSO for the period of October 1, 2024 through September 30, 2025. **SUMMARY:** The FDLE provides state financial assistance to five (5) locally-funded laboratories in the State of Florida, including Palm Beach County. 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 FY 2025 Sheriff's Grant Fund. The budget will be amended 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 YR004. Countywide (RS)

3. CONSENT AGENDA APPROVAL

DD. OFFICE OF RESILIENCE

1. Staff recommends motion to:

- A) **ratify** the signature of the Resilience Director on a Resilient Florida Program planning grant application submitted to the Florida Department of Environmental Protection (FDEP) on August 30, 2024, requesting \$700,000 to determine the shoreline protection needs of coastal communities and create a shoreline protection plan for Palm Beach County, estimated to begin on July 1, 2025, and end after three (3) years; 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 FDEP Resilient Florida Program grant that do not substantially change the scope of work, terms or conditions of the application.

SUMMARY: The Office of Resilience (OOR) submitted a planning grant application to the FDEP Resilient Florida Program on August 30, 2024, for funding to: (1) determine the shoreline protection needs of the coastal communities (PBC); and (2) to create a shoreline protection plan to unite sea level rise and flood adaptation goals and implementation efforts across the County's coastal communities. The grant funding will be used to hire a consultant to take inventory of existing and potential shoreline protection improvements, create shoreline protection green infrastructure design guidelines, develop a shoreline protection policy and implementation plan, lead outreach with efforts to incorporate stakeholder feedback throughout the project, and identify implementation funding opportunities. The proposed project will streamline the planning process and create a unified approach to shoreline protection implementation in PBC. If awarded OOR will coordinate with the Department of Environmental Resources Management and Water Resources Manager on this project. **No match is required for this grant.** Districts 1,4,5, & 7 (RM)

3. CONSENT AGENDA APPROVAL

DD. OFFICE OF RESILIENCE (cont'd.)

2. Staff recommends motion to receive and file: a Resilient Florida Program grant application submitted to the Florida Department of Environmental Protection (FDEP) on August 30, 2024, requesting \$7,500,000 to raise the elevation of Ocean Inlet Park, which would begin upon grant contract execution and end after five (5) years. **SUMMARY:** On August 20, 2024, the Board of County Commissioners (BCC) adopted a Resolution to approve the grant application for the Ocean Inlet Park project and delegate authority to the County Administrator or designee to sign and submit the application with FDEP for the Resilience Florida Infrastructure Grants, and to execute any agreements associated with the disbursement of Resilience Florida funds for the Ocean Inlet Park project. Before application submittal, the County Administrator delegated signing authority to the Office of Resilience (OOR) Director. OOR submitted the grant application for the Ocean Inlet Park project on August 30, 2024. In accordance with PPM CW-O-051, all delegated contracts/ agreements/ grants must be submitted by the initiating Department as a receive and file agenda item. This grant application was a collaborative effort between OOR and the Parks and Recreation Department (PRD). OOR provided administrative support and flood modeling needed to apply for funding for this PRD project. If awarded, this grant will provide implementation funding to PRD that is needed to raise the elevation of Ocean Inlet Park by two (2) feet in conjunction with the upcoming seawall replacement. This includes demolishing existing structures, elevating land, and rebuilding utilities and facilities. **This grant has a match requirement of at least 50%, totaling \$7,500,000.** District 4 (RM)

NOVEMBER 5, 2024

3. CONSENT AGENDA APPROVAL

EE. OFFICE OF COMMUNITY REVITALIZATION

1. Staff recommends motion to receive and file: two (2) fully executed lighting agreements with Florida Power & Light (FPL) for two (2) Countywide Community Revitalization Team (CCRT) areas (Haverhill East and Elmwood Estates-Roan Lane Area) within unincorporated Palm Beach County. **SUMMARY:** In accordance with Countywide PPM CW-0-051, all delegated contracts, agreements, and grants must be submitted by the initiating Department as a receive and file agenda item. The agreements were executed by the OCR Division Director on September 16, 2024, per Resolution R2024-1016. FP&L agreements are based on the type of street lighting fixture and/or pole being installed or removed. Lighting Agreements are utilized for the installation and/or removal of LED street lights and poles submitted to FP&L after December 31, 2021. Districts 1 & 2 (RS)

3. CONSENT AGENDA APPROVAL

FF. OFFICE OF EQUAL OPPORTUNITY

1. ~~Staff recommends motion to approve:~~ Amendment No. 1 to contract for Professional Legal Services by and between Palm Beach County and Weiss Serota Helfman Cole & Bierman, PL (WSH) (WSHCB) ~~for the representation of complainants in litigation of legal services in connection with fair housing discrimination complaints in Palm Beach County. This amendment to the contract is for a period of 12 months, beginning litigation for the County in an amount not to exceed \$241,506, including costs. This contract extends the service period from November 16, 2024, for the contract price of \$241,506, including costs and expenses not to exceed 3% of the contract price (\$7,245.18). to November 15, 2025. SUMMARY: On November 16, 2021, the Board of County Commissioners (BCC) approved the County and WSH entered into a three (3) year contract (R2021-1753) with WSHCB in an amount not to exceed \$450,000 for three (3) years at \$450,000 for attorney’s fees including reasonable costs and expenses. This contract also provided for two (2) additional one (1) year options for Professional Legal Services with WSH provides legal representation for individuals who have filed complaints of housing discrimination. Countywide (DO)~~

2. Staff recommends motion to approve: reappointment of one (1) youth representative (15-18 years of age), Sophia Nemes to serve as the ex-officio youth member to the Advisory Commission on Women (ACW) commencing November 5, 2024 through May 31, 2025.

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

SUMMARY: The ACW serves as an advisory body to focus on matters pertaining specifically to women. Per Resolution R2018-0188, the Board of County Commissioners established the ACW and per Resolution R2023-0098 extended its service. The BCC may also appoint a youth representative (15-18 years of age) to serve as an ex-officio member. Sophia Nemes submitted a complete application and has expressed her interest in re-appointment. The ACW is comprised of 15 members, two (2) appointed by each County Commissioner and one (1) at-large appointed by majority vote of the BCC. The BCC may also appoint a youth representative (15-18 years of age) to serve as an ex-officio member. The board meets at least quarterly. Eight (8) seats are currently filled. The current diversity count is Caucasian: 3 (38%), African-American: 2 (25%), Hispanic: 2 (25%) and Unknown: 1 (12%). The gender ratio (female: male) is 8:0. The ACW recommends the reappointment. Staff has addressed the need to increase diversity within its Council and will continue to encourage this in an effort to expand the Board’s diversity. Countywide (JW)

NOVEMBER 5, 2024

4. SPECIAL PRESENTATIONS – 9:30 A.M.

- A)** Proclamation declaring November 2024 as Veterans Appreciation Month. (District 5)
- B)** Proclamation declaring November 2024 as Children and Teens Grief Awareness Month. (District 2)
- C)** Proclamation declaring November 2024 as Alzheimer’s Awareness Month. (District 5)
- D)** Proclamation celebrating the 10th Anniversary of Barky Pines Animal Rescue & Sanctuary. (District 4)
- E)** Proclamation recognizing December 1, 2024 as World Aids Day. (District 3)

* * * * *

5. REGULAR AGENDA

A. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve: Consultant Service Authorization No. 2 (CSA) to the Traffic Signal Design Professional Continuing Services Contract (R2023-0724) dated June 6, 2023 (Contract) with Simmons and White, Inc. (SWI) in the amount of \$296,243.09 for the Okeechobee Boulevard Adaptive Traffic Control System (ATCS) (Project). **SUMMARY:** The State of Florida appropriated funding for Palm Beach County (County) to design and implement an ATCS on Okeechobee Boulevard, from the I-95 overpass to Flagler Drive. Approval of this CSA will provide the professional services necessary to identify a compatible ATCS that will work with the existing traffic signal system, develop the request for proposal documents for a design build contract to implement the Project (Project RFP), and perform a study to evaluate the implemented ATCS. A solicitation to implement the ATCS will be advertised in 2025. The Contract was presented to the Goal Setting Committee on January 5, 2022 and the Committee established Affirmative Procurement Initiatives (API) of a 20% minimum mandatory Small Business Enterprise (SBE) participation and an SBE evaluation preference. SWI committed to 28% SBE participation and received 5 Evaluation Preference Points. The proposed SBE participation for this CSA is 9.13%. To date, the overall SBE participation achieved on this Contract is 11.63%. SWI has an office located in the County and is a certified SBE company. Districts 2 & 7 (YBH)

* * * * *

NOVEMBER 5, 2024

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

NOVEMBER 5, 2024

7. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

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

B. COUNTY ATTORNEY

NOVEMBER 5, 2024

8. COMMISSIONER COMMENTS

District 1 – COMMISSIONER MARIA G. MARINO

Requesting off-site approval for Proclamation declaring November 15, 2024 as National Philanthropy Day.

District 2 – COMMISSIONER GREGG K. WEISS

District 3 – COMMISSIONER MICHAEL A. BARNETT

District 4 – COMMISSIONER MARCI WOODWARD

Request off-site approval for Proclamation declaring November 14th as Ocean Bank Day in Palm Beach County.

District 5 - COMMISSIONER MARIA SACHS

Request off-site approval for Proclamation declaring November 30, 2024 as Small Business Saturday.

District 6 - COMMISSIONER SARA BAXTER

District 7 – COMMISSIONER

NOVEMBER 5, 2024

9. MATTERS BY THE PUBLIC – 2:00 P.M.

* * * * *

NOVEMBER 5, 2024

10. ADJOURNMENT

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