

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

APRIL 8, 2025

<u>PAGE</u>	<u>ITEM</u>	
6	5A-5	*REVISED / TABLE OF CONTENTS / Preliminary reading and permission to advertise for public hearing Ordinance repealing <u>amending</u> an in-person quorum standard.
42	5A3	*REVISED SUMMARY / SUMMARY: The County Administrator notified the Board of County Commissioners (BCC) of her upcoming retirement effective May 31, 2025. On March 4 <u>18</u> , 2025, the BCC approved a timeline and procedures for the Recruitment and Retention of a County Administrator. On March 27, 2025, the BCC amended the timeline and procedures. Staff respectfully requests the BCC's approval of the Resolution to establish the CATF to serve in the capacity as outlined in the Resolution. If approved, the CATF will assemble for training and operate under Florida's Sunshine Law, Palm Beach County Code of Ethics, and the County's Advisory Board Guidelines outlined in Resolution No. 2013-0193. Pursuant to the BCC's timeline and procedures, staff has completed the first step by posting the advertisement for a County Administrator and as the number of qualified candidates currently exceeds five (5), the requirement to establish the CATF to reduce the number of candidates has been activated. <u>Countywide</u> (DO)
43	5A4	*REVISED SUMMARY / SUMMARY: The County Administrator notified the Board of County Commissioners (BCC) of her upcoming retirement effective May 31, 2025. On March 4 <u>18</u> , 2025, the BCC approved a timeline and procedures for the Recruitment and Retention of a County Administrator. On March 27, 2025, the BCC amended the timeline and procedures. As part of the amended timeline and procedures, Staff respectfully requested the BCC's approval of a Resolution establishing the CATF in companion item 5A3. Pending the BCC approval of the Resolution, the CATF will move forward with the required training and operate under Florida's Sunshine Law, Palm Beach County Code of Ethics, and the County's Advisory Board Guidelines outlined in Resolution No. 2013-0193. <u>Countywide</u> (DO)
45	5B1	*DELETED – pulled for further staff review. (AIRPORTS)
50	5C2	*DELETED – pulled for further staff review. (HED)

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**

APRIL 8, 2025

**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 8 - 36)

- 4. PUBLIC HEARINGS - 9:30 A.M.** (Pages 37 - 41)

- 5. REGULAR AGENDA** (Pages 42 - 56)

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- 3B-2 Contracts and claims settlements list

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- 3C-2 Resolutions declaring the acquisition of properties as temporary construction easements, necessary for the construction of roadway improvements.
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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:** 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 adopt:** a Resolution declaring the acquisition of property designated as Parcel 102 as fee simple right-of-way and property designated as Parcel 302 as a temporary construction easement, necessary for the construction of intersection improvements at Okeechobee Boulevard and Haverhill Road (Project). **SUMMARY:** Adoption of the Resolution will initiate eminent domain proceedings pursuant to Chapters 73, 74, 127, and Section 337.27, Florida Statutes, as amended, against two (2) parcels having a total appraised value of \$51,022. The parcels are necessary to construct an exclusive northbound right turn lane on Haverhill Road, extend the existing dual northbound left turn lanes on Haverhill Road, remove the southbound left turn lane to Pineaire Lane, and provide a southbound u-turn at Pine Cone Lane. The property owners have not accepted the offers to purchase made by Palm Beach County (County) and attempts to negotiate the purchases have been unsuccessful. Eminent domain proceedings are necessary to acquire the parcels at this time in order to expedite construction of the Project. **This Project is included in the Five-Year Road Program. District 2 (DO)**

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to adopt: eight (8) Resolutions declaring the acquisition of properties designated as Parcels 113, 114, 115, 116, 117, 118, 119 and 120 as fee simple right-of-way and properties designated as Parcels 315, 316, 317, 318, 319 and 320 as temporary construction easements, necessary for the construction of roadway improvements on Old Dixie Highway from Yamato Road to south of Linton Boulevard (Project). **SUMMARY:** Adoption of these Resolutions will initiate eminent domain proceedings pursuant to Chapters 73, 74, 127, and Section 337.27, Florida Statutes, as amended, against 14 parcels having a total appraised value of \$285,000. The parcels are necessary to construct a center turn lane, curb and gutter, sidewalks, additional drainage, bridge replacement, drainage retention ponds, and traffic signals for the Project. The property owners have not accepted the offers to purchase made by Palm Beach County (County) and attempts to negotiate the purchases have been unsuccessful. Eminent domain proceedings are necessary to acquire the parcels at this time in order to expedite construction of the Project. **This Project is included in the Five-Year Road Program. District 4 (DO)**

3. Staff recommends motion to approve: Work Order 2024050-32 in the amount of \$1,245,000 to mill and resurface the northbound lanes of Seminole Pratt Whitney Road from Southern Boulevard to Sycamore Drive utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2024-0746 (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 \$300,000 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 four (4) miles of the northbound two (2) lanes of Seminole Pratt Whitney Road. This Contract is one (1) of three (3) contracts with an available cumulative total of \$70,000,000 for the annual asphalt milling and resurfacing program. Prior to this meeting date, approximately \$12,000,000 of the \$70,000,000 M&M Contract that was approved on July 2, 2024, has been spent or encumbered. This Contract was presented to the Goal Setting Committee on December 16, 2023 and the Committee established an Affirmative Procurement Initiative (API) of a 10% minimum mandatory Small Business Enterprise (SBE) participation. The proposed SBE participation for this work order is 12.10%. To date, the overall SBE participation achieved on this Contract is 7.70%. The budget for the improvements includes striping and marking costs of \$120,000 bringing the total fiscal impact to \$1,365,000. District 6 (YBH)

3. CONSENT AGENDA APPROVAL

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

4. Staff recommends motion to approve: Work Order 2024050-7 in the amount of \$2,971,000 to mill and resurface Congress Avenue from Clint Moore Road to Lake Ida Road utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2024-0746 (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 \$300,000 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 4.7 miles of Congress Avenue's six (6) lanes. This Contract is one (1) of three (3) contracts with an available cumulative total of \$70,000,000 for the annual asphalt milling and resurfacing program. Prior to this meeting date, approximately \$12,000,000 of the \$70,000,000 M&M Contract that was approved on July 2, 2024, has been spent or encumbered. This Contract was presented to the Goal Setting Committee on December 16, 2023 and the Committee established an Affirmative Procurement Initiative (API) of a 10% minimum mandatory Small Business Enterprise (SBE) participation. The proposed SBE participation for this work order is 14.60%. To date, the overall SBE participation achieved on this Contract is 7.70%. **This project is funded by the infrastructure sales tax.** The budget for the improvements includes striping and marking costs of \$250,000 bringing the total fiscal impact to \$3,221,000. Districts 4 & 7 (YBH)

3. CONSENT AGENDA APPROVAL

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

5. Staff recommends motion to approve: Work Order 2023055-9 in the amount of \$1,695,355 for storm drainage repairs within the Whispering Trails Subdivision, utilizing Palm Beach County's (County) Drainage Improvements/Repairs and Minor Construction Continuing Services Contract (Contract) with Johnson-Davis Incorporated (JDI). **SUMMARY:** Per County PPM CW-F-050, this work order exceeds the \$300,000 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 construct storm drainage repairs, which consist of the installation of cured-in-place pipe lining to repair the integrity of the existing storm drainage pipe system, and the replacement of irreparable storm drainage pipes within the Whispering Trails Subdivision. This Contract is one (1) of two (2) contracts with an available cumulative total of \$12,000,000 for the drainage improvements/repairs program. Prior to this meeting date, approximately \$300,000 of the \$12,000,000 JDI Contract that was approved on March 05, 2024 by the BCC has been spent or encumbered. This Contract was presented to the Goal Setting Committee on August 16, 2023 and the Committee established an Affirmative Procurement Initiative (API) of a 15% minimum mandatory Small Business Enterprise (SBE) participation. The proposed SBE participation for this work order is 38%. To date, the overall SBE participation achieved on the Contract is 35%. **This project is funded by County ARPA Response Replacement funds, categorized under infrastructure stormwater improvements.** District 1 (YBH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. Staff recommends motion to approve: Amendment No. 5 (Amendment) to the Contract for Consulting/Professional Services (Agreement) with Ricondo & Associates, Inc. (Ricondo) in the amount of \$813,898 for the provision of professional consulting services for the Department of Airports (Department). **SUMMARY:** The Agreement with Ricondo was approved on August 23, 2022 (R2022-0888) in the amount of \$2,021,165 for the provision of professional consulting services for the Department. Amendment No. 1 through Amendment No. 4 increased the contract amount by \$2,580,702.03 and provided for various services, including, but not limited to, the Palm Beach County Park Airport (LNA) Safety Assessment, LNA Master Plan Update, Palm Beach International Airport (PBI) Cyber Security Implementation Support, 2024 Bond Feasibility Report, and PBI Consolidated Rental Car Facility (CONRAC) Advanced Planning, and exercised the first one (1) year renewal option. A detailed contract history is included in Attachment 1. This Amendment will increase the contract amount by \$813,898, resulting in a total contract amount of \$5,415,765.03. This Amendment includes the following Consultant Services Authorizations (CSAs): Task I Services – PBI Concourse B Construction – Gate Optimization Analysis, PBI 2025 Cyber Security Program Support Services, North Palm Beach County General Aviation Airport (F45) Conceptual Fixed Base Operator (FBO) Site Plan, Triennial Review Appraisals, and LNA Aviation Activity Forecast, and Task III Miscellaneous Services. Task III Miscellaneous Services are services that are not defined at the time of approval of an amendment to the Agreement and are approved pursuant to delegated authority in accordance with PPM CW-F-050 by way of a separate task authorization. Ricondo is based in Chicago, Illinois; however, the majority of the work will be managed through its Miami, Florida office. The Agreement was presented to the Goal Setting Committee (Committee) on September 1, 2021, and the Committee established an Affirmative Procurement Initiative (API) of a mandatory 10% Small Business Enterprise (SBE) subcontracting goal. Ricondo committed to 11% Small/Minority/Women Business Enterprise (S/M/W/BE) participation. The proposed S/M/WBE participation for this Amendment is 0%. To date, the overall participation achieved on this Agreement, including this Amendment, is 10%, which includes 3% WBE and 2% MBE (African American) participation. Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to approve: a Second Amendment to the Contract for audit services with RSM US LLP (RSM), exercising a final two (2)-year renewal for \$1,832,448 for services to be completed by July 31, 2027. If extended, the total contract for the seven (7) years will be \$6,146,528. **SUMMARY:** On June 2, 2020, the Board of County Commissioners (BCC) approved a contract with RSM for three (3) years with two (2), two (2)-year renewal options for a potential seven (7) year contract. On April 5, 2022, the BCC exercised the first of the two (2), two (2)-year renewal options, instructing staff to bring the item back to the BCC for consideration of the final renewal option. Staff is recommending exercising the final two (2)-year renewal option being that RSM was chosen by the selection committee in large part due to their having a significant number of large clients similar in size to Palm Beach County, and appreciable experience in serving those clients. The contract includes a 25% Small Business Enterprise (SBE) participation of which 10% is with eligible Minority/Women/Business Enterprise (M/WBE) firms. Since the initial contract began in 2020, RSM has met the SBE and M/WBE participation goals. The M/WBE firms are Ward & Company, P.A. and Mark Escoffery, P.A.. RSM has been the County's external auditor for the past 19 years. Countywide (DB)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to receive and file: the Roger Dean Chevrolet Stadium (RDCS) Renovation Project (Project) development period report no. 8 (Development Report No. 8), for the period from October 21, 2024 through January 13, 2025, to the Department of Economic Opportunity (DEO). **SUMMARY:** On August 22, 2023, the Board of County Commissioners (BCC) authorized the Mayor (R2023-1105) to execute future Development Reports and annual reports as required under the Spring Training Facility Funding Agreement (R2023-0367) (State Funding Agreement). On March 14, 2023, the BCC approved the State Funding Agreement with the DEO for the RDCS Renovation Project. The State Funding Agreement provides \$50,000,000 of State Funding under Section 288.11631, Florida Statutes, over a 25 year period for the RDCS Renovation Project. Under the terms of the State Funding Agreement, the County must furnish annual reports and, during the development period, must submit periodic Development Reports every 90 days to the DEO. The Development Reports detail the status of the RDCS Renovation Project and the funds expended to date on the same. For the annual reports and the Development Reports, the Mayor must certify that all information and documentation contained in the reports are true and correct. In accordance with R2023-1105, the Mayor executed the attached Development Report No. 8 on behalf of the BCC, which was submitted to the DEO. This executed document is now being submitted to the BCC as a receive and file agenda item. (FDO ADMIN) District 1/Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to approve:

- A) First Amendment to the Agreement with Palm Beach State College (PBSC) (R2020-0430) to extend the term of the Agreement for interoperable radio communications through the countywide common talk groups of the County's Public Safety Radio System (County's System) from May 5, 2025 through May 4, 2030; and
- B) First Amendment to the Agreement with the City of West Palm Beach (CWPB) (R2020-0512) to extend the term of the Agreement for interoperable radio communications through the countywide common talk groups of the County's System from May 5, 2025 through May 4, 2030.

SUMMARY: These Agreements (R2020-0430 and R2020-0512), which provide the terms and conditions under which each participant can program its radios and utilize the countywide common talk groups for certain inter-agency communications, are set to expire on May 4, 2025. Each Agreement provides for two (2) renewal options, each for a period of five (5) years. Each participant has approved an amendment to extend the term of its respective Agreement to May 4, 2030, and the renewal now requires approval by the Board of County Commissioners (BCC). The terms of these Agreements are standard and have been offered to all municipalities and local branches of State/Federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with these Agreements. Each participant is required to pay all costs associated to its subscriber units and to comply with established operating procedures for the County's System. Each Agreement may be terminated by either party, with or without cause, upon ten (10) days' notice. The First Amendment to the Agreement with PBSC extends the term of the Agreement, updates the Notices section, and adds the E-Verify provision. The First Amendment to the Agreement with CWPB extends the term of the Agreement and adds the 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 (cont'd.)

3. **Staff recommends motion to approve:** An Interlocal Agreement (Agreement) with the Miami-Dade County (Participant) allowing for interoperable communications through the countywide common talk groups of the County's Public Safety Radio System (County's System) retroactively (due to the Participant's delay in executing the Agreement) from April 1, 2024 through March 31, 2029. **SUMMARY:** This Agreement provides the terms and conditions under which the Participant can program into its radios and utilize the countywide common talk groups for certain types of inter-agency communications. The County's System will not be utilized by the Participant for routine operational communications. The terms of the Agreement are standard and have been offered to all municipalities and local branches of State and Federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with this Agreement. The Participant is required to pay all costs associated with the Participant's subscriber units and to comply with the established operating procedures for the County's System. The agreement provides for an initial term of five (5) years with two (2) renewal options, each for a period of five (5) years. This Agreement may be terminated by either party, with or without cause, upon ten (10) days' prior written notice to the other party. (ESS) Countywide (MWJ)

4. **Staff recommends motion to approve:** First Amendment to the Agreement (R2020-0432) with Rural/Metro Fire Dept., Inc. (Participant) 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 800 MHz Radio System (County's System) from May 5, 2025 through May 4, 2030. **SUMMARY:** The Agreement, which provides the terms and conditions under which the Participant can program its radios and utilize the countywide EMS and common talk groups for certain types of inter-agency communications, expires on May 4, 2025. The Agreement provides for two (2) renewal options, each for a period of five (5) years. The Participant has approved the amendment to extend the term of its Agreement to May 4, 2030, and the renewal now requires approval by the Board of County Commissioners (BCC). The terms of the Agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies and ambulance service providers with 800 MHz trunked radio capabilities. There are no charges associated with this Agreement, but the Participant is required to pay all costs associated with the Participant's subscriber units and to comply with the established operating procedures for the County's System. The Agreement may be terminated by either party, with or without cause, upon ten (10) days prior written notice to the other party. The Agreement provides for an initial term of five (5) years or until the expiration or termination of Participant's Certificate of Public Convenience and Necessity, whichever comes first. This First Amendment extends the term of the Agreement and adds the 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 (cont'd.)

5. Staff recommends motion to approve: Lease Agreement (Lease) with the Village of Palm Springs (Palm Springs) for the continued use of Fire Rescue Station No. 39 (FS 39) located at 228 Cypress Lane in Palm Springs for a term of six (6) years retroactively commencing on October 1, 2023 and extending until October 1, 2029 at an annual rent of \$67,000, increasing \$1,000 annually, plus an additional one-time payment of \$15,000, to Palm Springs to account for the rent increase between October 1, 2019 and October 1, 2023. **SUMMARY:** The Village has received fire-rescue services from the County as a part of the Fire Rescue Municipal Services Taxing Unit (MSTU) since October 1, 2009. The County and Palm Springs entered into an Interlocal Agreement for Fire Protection and Emergency Medical Services (ILA) (R2009-1552) which was approved by the Board of County Commissioners (BCC) on September 15, 2009. The ILA provided for, among other matters, the lease of FS 39 to the County at an annual rent of \$50,000. While the term of the ILA expired on October 1, 2019, it contains a provision allowing for the continuation of the lease of FS 39 as long as Palm Springs continues to receive fire-rescue services from the County, unless and until the parties agree otherwise in writing or negotiate a new agreement regarding the County's use of the fire station. In 2019, Palm Springs requested to renegotiate the terms of the lease provisions, specifically requesting an increase in rent. Continued negotiations between the County and Palm Springs caused delays in finalizing the lease. The term of the Lease will retroactively commence on October 1, 2023 and extend through October 1, 2029 to coincide with the term of the MSTU. The Lease provides for a lump sum payment of \$15,000 to account for increased rent from October 1, 2019 through October 1, 2023, which was not contemplated in the ILA. The amount of the rent for the first year of the lease, commencing October 1, 2023, shall be \$67,000. For each subsequent year, the annual rent shall increase by \$1,000 per year. Palm Springs is responsible for all exterior and structural maintenance. County is responsible for all interior and air conditioning maintenance. Palm Springs approved the Lease Agreement on January 9, 2025. The Fire Rescue Department supports the Lease and will continue to have administrative responsibility for the Lease. (Property & Real Estate Management) District 3 (HJF)

3. CONSENT AGENDA APPROVAL

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

6. Staff recommends motion to approve: annual contracts with the following contractors for general minor construction services on an as-needed basis through January 13, 2030:

<u>Contractors</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
1. Andrea Construction, Inc.	Local	SBE
2. Anzco, Inc.	Local	SBE
3. D.W. Recreation Services, Inc.	Local	S/WBE
4. E&F Florida Enterprises Inc. dba Creative Contracting Group	Local	Non-SBE
5. Joe Schmidt Construction, Inc.	Local	SBE
6. Mavolic, L.L.C.	Local	S/MBE
7. Mueller Construction and Management Company dba Mueller Construction Company	Local	SBE
8. New-Tech Construction, Corporation	Non-Local	Non-SBE
9. One Call Florida, Inc	Local	Non-SBE
10. Ralph Della-Pietra Inc.	Local	SBE
11. Randolph Construction Group, Inc.	Local	S/MBE
12. Southern Road & Bridge, LLC	Non-Local	Non-SBE

SUMMARY: On January 14, 2025, the Board of County Commissioners (BCC) approved the annual minor construction services contracts (R2025-0081 through R2025-0083). The work consists of minor construction services associated with repairs, improvements and renovations to County owned properties on an as-needed basis. The contractors now join the list of three (3) prequalified contractors for a total of 15 prequalified contractors with a contract expiration date of January 13, 2030. The specific requirements of the work will be determined by individual work orders issued against this annual minor construction services contract. These contracts are five (5) year indefinite-quantity contracts with a maximum cumulative value of \$15,000,000 across all prequalified contractors. Work will be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors may qualify at any time and be added to this annual minor construction services contract before the term ends. Projects less than \$150,000 are bid among the pool of prequalified contractors. Projects \$150,000 or greater are advertised on the vendor self-service (VSS) website and are bid among the pool of pre-qualified contractors while projects \$200,000 or greater are additionally advertised in the newspaper.

3. CONSENT AGENDA APPROVAL

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

6. **SUMMARY (cont'd.):** The bidding pool is further expanded, for projects \$150,000 or greater, to include additional bidders responding to the specific project advertisement that submit a qualification application at least ten (10) calendar days before the bid due date. The annual minor construction services contract was presented to the Goal Setting Committee on October 2, 2024 and the Committee established Affirmative Procurement Initiatives of a Small Business Enterprise (SBE) price preference where an SBE contractor will be given a price preference if its bid is within 10% of the lowest non-small business bid on single trade projects or a minimum mandatory 25% SBE subcontracting goal for multi-trade projects. Actual Small/Minority/Women Owned Business Enterprise participation will be tracked cumulatively for all work orders issued. To date, there is no SBE participation on the annual minor construction services contract. (Capital Improvements Division) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

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

7. Staff recommends motion to approve:

A) annual contracts with the following contractors for electrical services on an as-needed basis through November 18, 2029; and

<u>Contractors</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
1. All Florida Contracting Services, LLC.	Non-Local	Non-SBE
2. Davco Electrical Contractors Corp.	Local	Non-SBE
3. EAU Gallie Electric, Inc.	Non-Local	Non-SBE
4. Grid-One Electrical Construction, Inc.	Local	SBE
5. Hinterland Group Inc.	Local	Non-SBE
6. M. Gay Constructors, Inc.	Non-Local	Non-SBE
7. Miller Electric Company	Non-Local	Non-SBE
8. New-Tech Construction, Corporation	Non-Local	Non-SBE
9. Pyke Electric Inc.	Local	S/MBE
10. Triton Electric Company	Local	SBE
11. Zabatt Engine Services, Inc. dba Zabatt Power Systems Inc.	Non-Local	Non-SBE

B) Work Order No. 25-004 (Work Order) to the annual electrical services contract with Miller Electric Company (Contractor) in the amount of \$186,490 for the West County Courthouse-heating, ventilation & air conditioning (HVAC) to Generator Connection project for a period of 250 calendar days from notice to proceed.

SUMMARY: On November 19, 2024, the Board of County Commissioners (BCC) approved the annual electrical services contract (R2024-1567 through R2024-1568). The work consists of electrical repairs, improvements and renovations to County-owned properties on an as-needed basis. The contractors now join the list of three (3) prequalified contractors for a total of 14 prequalified contractors with a contract expiration date of November 18, 2029. The specific requirements of the work will be determined by individual work orders issued against this annual electrical services contract. These contracts are five (5) year indefinite-quantity contracts with a maximum cumulative value of \$11,000,000 across all prequalified contractors. Work will be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors may qualify at any time and be added to this annual electrical services contract before the term ends. Projects less than \$150,000 are bid among the pool of prequalified contractors. Projects \$150,000 or greater are advertised on the vendor self-service (VSS) website and are bid among the pool of pre-qualified contractors while projects \$200,000 or greater are additionally advertised in the newspaper.

3. CONSENT AGENDA APPROVAL

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

7. **SUMMARY (cont'd.):** The bidding pool is further expanded, for projects \$150,000 or greater, to include additional bidders responding to the specific project advertisement that submit a qualification application at least ten (10) calendar days before the bid due date. Actual Small/Minority/Women Owned Business Enterprise participation will be tracked cumulatively for all work orders issued. The West County Courthouse-HVAC to Generator Connection project consists of connecting the exiting HVAC units to the emergency generator. 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 add seven (7) roof top HVAC units to the emergency generator power. Having the HVAC units connected to the emergency generator will ensure that continued HVAC service is provided to the facility in the time of power outage. 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 250 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 services contract and the requirements of the Equal Business Opportunity Ordinance. The annual electrical services contract was presented to the Goal Setting Committee on May 15, 2024 and the Committee established Affirmative Procurement Initiatives (APIs) of a 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. However, on July 1, 2024, certain statutory changes took effect which require that the sheltered market for projects less than \$100,000 API be removed. Therefore, the annual electrical services contract will have an API of an SBE Price Preference where an SBE contractor will be given a price preference if its bid is within 10% of the lowest non-small business bid for each project. There is no SBE participation on this Work Order. To date, the Contractor has no SBE participation. To date, the overall SBE participation on the annual electrical services contract is 62.30%. Funding for this project is from the Public Building Improvement Fund. (Capital Improvements) Countywide/ District 6 (MWJ)

3. CONSENT AGENDA APPROVAL

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

8. **Staff recommends motion to approve:** Work Order No. 25-004 (Work Order) to the annual heating, ventilation & air conditioning (HVAC) services contract (R2025-0084) with Advanced Roofing, Inc. dba Advanced Air Systems (Contractor) in the amount of \$568,780 for the Eagle Academy Chiller Replacement project for a period of 260 calendar days from notice to proceed. **SUMMARY:** The project consists of the removal and replacement of the existing chiller and water pumps at the Eagle Academy facility. 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 remove one (1) chiller and replace with a new 165-ton air cooled chiller including associated accessories as well as remove two (2) water pumps and replace with new water pumps including associated accessories. The new chiller and water pumps will benefit all users of the facility by having a reliable cooling system. 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 260 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 \$180 per day. This Work Order was solicited pursuant to the annual HVAC services contract and the requirements of the Equal Business Opportunity (EBO) Ordinance. The annual HVAC services contract was presented to the Goal Setting Committee on October 2, 2024 and the Committee established an Affirmative Procurement Initiative of a Small Business Enterprise (SBE) price preference whereby an SBE contractor will be given a price preference if its bid is within 10% of the lowest non-small business bid. The SBE participation on this Work Order is 1.17%. To date, the Contractor's overall SBE participation is 1.10%. To date, the overall SBE participation on the annual HVAC services contract is 43.64%. **Funding for this project is from the ARPA Response Replacement funds that do not require a local match.** (Capital Improvements Division) District 6 (MWJ)

3. CONSENT AGENDA APPROVAL

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

9. Staff recommends motion to approve: Amendment No. 3 to the continuing Construction Manager (CM) at Risk Services contract (R2023-0139) with Lebolo Construction Management, Inc. (Lebolo), establishing a Guaranteed Maximum Price (GMP) in the amount of \$1,496,353 for the Palm Tran Main Facility Parking Lot Improvements project for a period of 238 calendar days from notice to proceed. **SUMMARY:** On February 7, 2023, the Board of County Commissioners (BCC) approved the continuing CM at Risk Services contract (R2023-0139) with Lebolo for various federal or state funded projects. Task Order No. 1 authorized the preconstruction services and defined the federal requirements for the Palm Tran Main Facility Parking Lot Improvements project. Amendment No. 3 establishes a GMP in the amount of \$1,496,353 for the construction management services necessary for the Palm Tran Main Facility Parking Lot Improvements project. The Palm Tran Main Facility Parking Lot requires refurbishment, which includes, but is not limited to, milling the existing employee and visitor parking areas, repaving the milled sections, regrading the swale and curb to enhance drainage, clearing drainage pipes, restriping the parking lot, installing new signage, placing tree root barriers where necessary, and replacing the induction loop for the security gate alarm. The CM will have 238 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 continuing CM at Risk Services contract was selected through a competitive solicitation in accordance with the federal requirements. This continuing CM at Risk Services contract is exempt from the County's Equal Business Opportunity Ordinance pursuant to section 2-80.22 thereof. The work was competitively solicited by Lebolo utilizing the federal requirements provided by Palm Tran. Under the federal requirements, this project has an established Disadvantage Business Enterprise (DBE) goal of 10%. The CM anticipates a DBE utilization of 57.60% in this construction phase. Funding for this project is from the Palm Tran Grants Fund. (Capital Improvements Division) District 7 (MWJ)

3. CONSENT AGENDA APPROVAL

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

10. Staff recommends motion to approve:

- A) an Amendment to the Infrastructure Sales Tax (IST) Project Plan approved by the Board of County Commissioners (BCC) on April 4, 2017 to increase the budget for the Palm Beach Sheriff's Office (PBSO) Detention Facilities Phase 3-5 project from \$47,802,000 to \$70,825,759;
- B) a Budget Transfer of \$23,023,759 within the IST Fund from IST reserves to increase the budget for the PBSO Detention Facilities Phase 3-5 project; and
- C) Amendment No. 11 to the Construction Manager (CM) at Risk Services contract (R2016-0430) with Hedrick Brothers Construction Co., Inc. (Hedrick Brothers) establishing a Guaranteed Maximum Price (GMP) in the amount of \$39,789,934 for the Main Detention Center (MDC), West Tower-Phase IV project for a period of 1,462 calendar days from notice to proceed.

SUMMARY: On April 5, 2016, the BCC approved the CM at Risk Services contract (R2016-0430) with Hedrick Brothers for the Detention Facilities project. The Detention Facilities project includes renewal/replacement (R/R) of major building systems at the County's detention facilities including the MDC, the Western Detention Center and the Central Detention Center. The project includes the R/R of the following major building systems at these detention facilities: mechanical including heating ventilation and air conditioning (HVAC); fire protection; plumbing and boilers; electrical; low voltage including electronic security systems and fire alarm, security doors and hardware; roofing; weatherproofing and other similar improvements. Amendment No.11 establishes a GMP in the amount of \$39,789,934 for the construction management services necessary for the MDC West Tower-Phase IV project. Renovation work includes R/R of air conditioning components and air handlers, electrical repairs, pipe lining of sanitary and rainwater piping (actual lengths to be determined based on video scoping), roof replacement, detention controls, low voltage systems, fire protection system upgrades, doors/frames/hardware repairs and change-outs, cell door upgrades, concrete and masonry work, stucco repairs, drywall, painting, and resinous flooring repairs and improvements. Work is mainly focused in the West Tower; however, select minor work in the South Tower may be added.

3. CONSENT AGENDA APPROVAL

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

10. **SUMMARY (cont'd.):** The CM will have 1,462 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 \$2,880 per day. This contract was awarded under the prior Small Business Enterprise (SBE) ordinance in place at the time, however GMPs initiated after January 1, 2019, are subject to the requirements of the Equal Business. Hedrick Brothers is not an SBE, but has partnered with two (2) Small Minority Business Enterprises (Cooper Construction Management and Consulting, Inc. and Randolph Construction Group, Inc.) for services no less than 15% of the CM services for this contract. On March 20, 2024, the Goal Setting Committee established an Affirmative Procurement Initiative of 20% SBE participation, of which 6% must be African American (AA) and/or Hispanic American (HA) for the project. The CM has committed to 94.11% SBE participation, of which 11.96% is AA and/or HA on this Amendment. The cumulative SBE participation on the contract is 48.87%, of which 2.55% is AA and/or HA. **Funding for this project is from the IST Fund.** (Capital Improvements Division) District 3 (MWJ)

3. CONSENT AGENDA APPROVAL

I. HOUSING & ECONOMIC DEVELOPMENT

1. **Staff recommends motion to receive and file:** Notice of Termination of the CDBG Capital Improvement Agreement (Agreement) (R2024-1571) with Mental Health America of the Palm Beaches, Inc., (MHAPB) for the Community Block Grant (CDBG) Program. **SUMMARY:** On October 1, 2024, Palm Beach County (County) entered into an Agreement (R2024-1571; November 19, 2024) with MHAPB to provide \$80,000 in CDBG funds for roof and HVAC improvements at the Fern Street Clubhouse. The County was made aware on February 19, 2025 that due to the anticipated short duration at the Fern Street location, MHAPB shall no longer undertake the activities for replacement of the roof and HVAC system under the Agreement. To date, the County has not disbursed any of the \$80,000 allocated under FY2020-2021 and FY2021-2022 to MHAPB and no repayment or reversion of assets obligation is required by MHAPB. MHAPB was provided a Notice of Termination in a letter dated February 19, 2025, whereby the County terminated the Agreement with no further action required by MHAPB or the County. The CDBG funds shall be reprogrammed for other eligible uses, and recommended Agreements will be placed on a future Board of County Commissioners' agenda. District 2 (HJF)

2. **Staff recommends motion to execute:** a Certification By State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan for the Pahokee Housing Authority (PHA) in connection with its Five-Year/Annual Plan for Fiscal Years 2025-2029 (Annual Plan). **SUMMARY:** The PHA has prepared its Annual Plan for submission to the Department of Housing and Urban Development (HUD). HUD requires Palm Beach County (County) to confirm that the plans and programs outlined in the Annual Plan are consistent with the goals and objectives set forth in the County's Consolidated Plan. Consistency with the Consolidated Plan is documented through a Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan. PHA must submit to HUD by April 15, 2025. The Department of Housing and Economic Development (DHED) has reviewed the PHA Annual Plan and determined that the goals, objectives, and activities outlined therein are consistent with the County's Consolidated Plan for Fiscal Years 2020-2024 (Consolidated Plan). Some specific goals outlined in the PHA's Plans which are consistent with the goals set forth in the County's Consolidated Plan are: expanding the supply of assisted housing; improving the quality of assisted housing; increasing assisted housing choices; providing an improved living environment; promoting self-sufficiency of assisted households; and ensuring equal opportunity and affirmatively furthering fair housing. District 6 (HJF)

3. CONSENT AGENDA APPROVAL

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

3. Staff recommends motion to approve: a Budget Amendment of \$332,965 to the Affordable Housing Trust Fund to recognize funding increases to the State Housing Initiative Partnership (SHIP) Program grant award. **SUMMARY:** Palm Beach County (County) received a SHIP allocation of \$10,302,276 for Fiscal Year (FY) 2022-2023 from Florida Housing Finance Corporation (FHFC). On January 26, 2023, FHFC awarded the County additional funds in the amount of \$92,060 in Hurricane Housing Recovery Program (HHRP) funds to be used for Disaster Relief to those counties affected directly by Hurricanes Ian and Nicole. The HHRP funds will be used to assist applicants approved through the emergency repair program that were impacted by one (1) of the hurricanes. These funds are to be expended by June 30, 2025. The County also received a SHIP allocation of \$12,463,331 for FY 2023-2024 from FHFC. On February 20, 2025, the County received additional funds in the amount of \$240,905 from FHFC. The FHFC has a holdback of funds each year for potential disasters. If a disaster isn't declared, funds are not allocated. Unallocated funds are then disbursed to the counties and cities, based upon population formulas. There is no requirement for these funds to be used for disaster applicants, and can be used for any eligible SHIP strategy. These funds will be used to assist applicants approved for Purchase Assistance. **These are State SHIP funds which require no local match.** Countywide (HF)

3. CONSENT AGENDA APPROVAL

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

4. Staff recommends motion to approve:

- A) a Budget Transfer of \$452,000 in the Cares Act Relief Fund to undertake the rehabilitation of a building located at 1000 45th Street, West Palm Beach; and
- B) a Budget Amendment of \$452,000 in the Capital Outlay Fund to recognize the transfer from the Housing and Economic Sustainability Fund and to appropriate the funds to the Project.

SUMMARY: On January 23, 2024 (Agenda Item #6C-1), the Palm Beach County (County) Board of County Commissioners (BCC) approved a Community Development Block Grant Coronavirus (CDBG-CV) award of \$452,000 to the Facilities Development & Operations Department to undertake rehabilitation of a building located at 1000 45th Street, West Palm Beach for the Community Services Department. The rehabilitation will result in a medical respite facility (Facility) that will provide eight (8) to 12 beds for people experiencing homelessness or HIV/AIDS who are too ill or frail to recover independently from a physical illness or injury, but not ill enough to be in a hospital. The Facility will also include a clinic, nurses' station, private exam rooms, treatment rooms and a pharmacy which will allow for the provision of medical services to the Facility's residents and homeless. The Health Care District will provide nursing and site staff including a pharmacist to oversee services. **These are Federal CDBG-CV grant funds which require no local match.** Countywide (HJF)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. **Staff recommends motion to approve:** Work Order (WO) No. 13 to the 2022 Pipeline Continuing Construction Contract (Continuing Contract) with Johnson–Davis Incorporated (Contractor) for the Pipeline Priority Aerial Canal Crossing Improvement Phase 3 (Project) for a not to exceed amount of \$4,311,778.13. **SUMMARY:** On May 16, 2023, the Palm Beach County Board of County Commissioners (BCC) approved the Palm Beach County Water Utilities Department (PBCWUD) Continuing Contract (R2023-0675) with Contractor. WO No.13 provides for the rehabilitation of 13 aerial canal crossing locations. The project includes installation and replacement of water and force mains, associated appurtenances, and site restoration throughout the PBCWUD service area. 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. The Contractor committed to 20.83% SBE participation, which includes 5.51% MBE participation, 5.38% MBE (HA) and 0.13% MBE (AA). The proposed SBE participation for this WO No. 13 is 8.53%, which includes 0% MBE, 0% MBE (HA) and 0% MBE (AA). To date, the overall participation achieved on this Continuing Contract is 13.47%. The Contractor is a Palm Beach County-based company. The Project is included in the PBCWUD FY 2025 budget. (PBCWUD Project No. 21-035) Countywide (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 6938 Page 469. **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 approximately 520 feet north of Okeechobee Blvd. The easement was assigned to the County as part of the County’s purchase of Century Utilities, Inc., by that Assignment of Easements dated October 24, 1991, and recorded in the Official Records of Palm Beach County Book 7001, Page 1755. 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 Southampton PUD, 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. 24-517) District 2 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

3. Staff recommends motion to receive and file: One (1) executed Standard Potable Water and Wastewater Development Agreement, and one (1) Standard Reclaimed Water Service Agreement Lake Discharge for the months of November and December 2024.

A) Standard Potable Water and Wastewater Development Agreement with Galileax Three LLC, SDA #01-01284-000 (District 3), Recorded in OR BK 35470 PG 1478.

B) Standard Reclaimed Water Service Agreement Lake Discharge System with Valencia Sound Homeowners Association, Inc., RWSA #03-90012-001 (District 5), Recorded in OR BK 35448 PG 826.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants/ procurement items must be submitted by the initiating Department as a receive and file agenda item and are attached unless the documents have been recorded in the Public Records of Palm Beach County. The documents have been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Palm Beach County Water Utilities Department (PBCWUD) in accordance with Resolutions R93-1619, R96-0228, and R2003-0539 and are now being submitted to the BCC to receive and file. Districts 3 & 5 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

4. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 2 to the Consulting/Professional Services Pressure Pipeline Engineering Services (Contract) with Keshavarz & Associates, Inc. (Consultant) for Engineering Services during Construction for Belle Glade Water Main Improvements, SE Zone 4 Water System Replacement Project (Project) for a not to exceed amount of \$648,072.04. **SUMMARY:** On April 20, 2021, the Board of County Commissioners (BCC) approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2021-0504) with Consultant. CSA No. 2 provides for professional engineering services during construction for the replacement and relocation of approximately 14,500 linear feet of water mains within the south east area of the City of Belle Glade designated as Zone 4. Project also includes the relocation of approximately 47 water services from the rear of the property to the front of the property. Services include, but are not limited to, construction management services, field observations, project administration and review of deliverables. This Contract was presented to the Goal Setting Committee (Committee) on July 1, 2020, and the Committee established an Affirmative Procurement Initiative (API) of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting goal and a Minority Business Enterprise (MBE) evaluation preference for African American (AA) owned firms. Consultant committed to 95% SBE participation, which includes 95% MBE participation, 20% MBE (AA). The SBE proposed participation for this CSA No. 2 is 100%, which includes 0% MBE (AA). To date, the overall participation achieved on this Contract is 99% SBE participation. The Consultant is a Palm Beach County based company. The Projects is included in the PBCWUD FY 2025 budget. (PBCWUD Project No. 21-033) District 6 (MWJ)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to approve: A Recreation Facility Rental Agreement (Agreement) with the Young Men’s Christian Association of the Palm Beaches, Inc. (YMCA), for use of the swimming pool and certain other recreation facilities at the Club Managers Association of America Therapeutic Recreation Complex (TR Complex), in the amount of \$67,536 annually, for the period May 1, 2025 through April 30, 2026 with three (3) one (1) year renewal options. **SUMMARY:** On April 12, 2022, the Board of County Commissioners (BCC) approved an Agreement (R2022-0362) with the YMCA for the use of the swimming pool and recreation facilities at the TR Complex at John Prince Park. That Agreement is set to expire on April 30, 2025, with no remaining renewal options. To ensure the continuation of facility operations for this purpose, the YMCA and the Parks and Recreation Department (Parks) are extending this partnership, allowing the YMCA to maintain publicly accessible recreation services while its new location at Lake Lytal Park is under construction. In exchange for the use of the TR Complex, the YMCA is paying a monthly fee of \$5,628, totaling \$67,528 annually. District 3 (AH)

P. COOPERATIVE EXTENSION SERVICE

1. Staff recommends motion to approve: a Grant Agreement (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 2025 Palm Beach County (County) Sweet Corn Fiesta (Sweet Corn Fiesta). **SUMMARY:** The 2025 Sweet Corn Fiesta will be held on April 27, 2025. This Agreement allows for reimbursement of expenses incurred after December 1, 2024. This event will increase public awareness of the County’s agriculture, regionally and statewide. It provides an opportunity for a local agricultural organization, the Western Palm Beach County Farm Bureau (Farm Bureau), to stage an event that will make residents and visitors more aware of the economic significance of the largest vegetable row crop in the County’s billion-dollar agricultural industry. This is the 25th year for the event. The Palm Beach County Agricultural Enhancement Council has reviewed and approved the request after meeting with representatives of the Farm Bureau. Countywide (AH)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES

1. **Staff recommends motion to approve:** the First Amendment to the Agreement with Seacoast Utility Authority (Seacoast) to extend the term until March 9, 2030, and incorporate Exhibit C, for an annual revenue of \$1,800. **SUMMARY:** Seacoast has an existing Interlocal Agreement (IA) with Palm Beach County (R2020-0278) for network services, which expired on March 10, 2025. Staff recommends extending the Agreement's term until March 9, 2030, and incorporating Exhibit C as reflected in the Agreement. Exhibit C will outline the activities related to the County's use of Seacoast-owned conduit for network projects, define the roles and responsibilities of both parties, establish a procedure for issue resolution and escalation, and specify associated costs and payment terms. The Florida LambdaRail, LLC has approved the connection of Seacoast Utility Authority to the Florida LambdaRail network. District 1 (DB)

2. **Staff recommends motion to approve:** the First Amendment to the Interlocal Agreement (IA) (R2022-0497) with the Town of Palm Beach (Town) to increase network services bandwidth from 50MB to 10GB for a total annual revenue to the County of \$30,600. **SUMMARY:** The Town has an existing IA with Palm Beach County (R2022-0497) for network services. The Town requested this First Amendment to increase the bandwidth from 50Mb to 10Gb. This update will result in a \$28,800 annual increase a year from \$1,800 annually to \$30,600 annually. District 1 (DB)

X. PUBLIC SAFETY

1. **Staff recommends motion to receive and file:** the Memorandum of Agreement (MOA) with the Federal Emergency Management Agency (FEMA) Integrated Public Alert and Warning Systems (IPAWS) Program Management Office to allow the County's Public Safety Department Division of Emergency Management (DEM) to facilitate the exchange of emergency messages using the Interoperable Systems(s) for Emergency Networks (IPAWS OPEN) for a three (3) year period. **SUMMARY:** This MOA will allow the County, through its DEM, to facilitate the exchange of emergency messages utilizing the standardized web based application interface. This application receives and authenticates messages transmitted by alerting authorities and routes them to the public via radio, television, mobile telephone, National Oceanic and Atmospheric Administration weather radios, internet based systems, and other dissemination systems. IPAWS provides public safety officials local systems integration that use a Common Alerting Protocol with an effective way to alert and warn the public about serious emergencies. Since the equipment and software requirements are already in place, there is no additional cost associated with gaining access to the IPAWS system. On April 2, 2019 (R2019-0456), the County Administrator or designee was authorized to execute agreements between the County and FEMA IPAWS Program Management Office. Countywide (DB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (cont'd.)

2. **Staff recommends motion to receive and file:** an extension to Memorandum of Agreement (MOA) with the City of Miami R2024-1230 for the Urban Area Security Initiative (UASI) GY 2023 agreement #R0924 extending the grant period through June 1, 2025 in order to complete emergency management equipment purchases and planning projects totaling \$428,997. **SUMMARY:** The City of Miami offered an extension on the original MOA, which expired March 30, 2025, allowing additional time to spend the funds efficiently. The original MOA (CFDA # 97.067) provides a means of funding various domestic security activities within the County using Federal UASI funds through the City of Miami as the UASI's fiscal agent. The incomplete projects include an award for Community Preparedness Videos; Deployable Generator, Field Carts; IT upgrades; and Regional Citizens Corps/CERT training and planning. R2013-0622 gave the authority to the County Administrator, or designee, to execute these agreements. **No County matching funds are required.** Countywide (DB)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. Staff recommends motion to:

A) adopt a Resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, approving Public Transportation Grant Agreement (PTGA) G3710 with the State of Florida Department of Transportation (FDOT), in the amount of \$2,727,424 in Transit Corridor Development Program funding (CSFA 55.013), to provide funding to purchase up to three (3) commuter-style buses for the Port St. Lucie Express Regional Transit Pilot Program (PSL Express). This PTGA will become effective upon FDOT execution with an expiration date of April 28, 2028; and

B) approve an upward Budget Amendment of \$2,727,424 in Palm Tran's Operating Fund 1341 to recognize the grant award.

SUMMARY: The PSL Express route started service on September 23, 2024, traveling north-south via I-95, providing two (2) morning and two (2) evening peak-time trips between West Palm Beach and Port St. Lucie. The PSL Express is connecting riders to major employment destinations and activity centers in the County. The service utilizes coach-style buses to transport riders along the designated route. These vehicles are currently leased, and those costs are 100% covered by a grant funded by FDOT, which has committed to funding this project for several years after the completion of a successful pilot phase. The purchase of new buses dedicated to this service will ensure customer comfort and maintain reliable service. Palm Tran will continue to collaborate with FDOT and the St. Lucie County/Area Regional Transit for service continuation, as this is a key project identified in their Transit Development Plan (TDP). The PTGA **does not require a local match**. The grant requires broader indemnification by the County than that approved by PPM CW-F-049. The grant requires the County and its officers, agents, or employees to indemnify, defend, and hold harmless the State of Florida, FDOT, including FDOT's officers and employees, from liabilities, damages, losses, and costs, including, but not limited to, reasonable attorney's fees, to the extent caused by the negligence, recklessness, or intentional wrongful misconduct of the County and persons employed or utilized by the County in the performance of this Grant Agreement. The indemnification obligation must also be passed on to contractors and/or consultants and subcontractors and/or subconsultants. The Risk Management Department and County Attorney's Office have reviewed the indemnification requirements for this grant and advised staff accordingly. Given that liability is limited to the County's non-compliance or performance of this agreement and the statutory caps of Section 768.28, Florida Statutes, staff recommends BCC approval. Countywide (MM)

3. CONSENT AGENDA APPROVAL

CC. TOURIST DEVELOPMENT COUNCIL

1. Staff recommends motion to receive and file: two (2) fully executed Palm Beach County FY2025, Category “G” Grant Agreements managed by the Palm Beach County Sports Commission, Inc. (Sports Commission), on behalf of the Palm Beach County Tourist Development Council (TDC) with:

A) Eastern Exposure Hockey Group, LLC, for the promotion of the Florida Exposure Cup, held January 30 – February 2, 2025, for the term September 30, 2024 – May 2, 2025. This grantee was approved by the TDC on September 12, 2024, in the amount of \$15,000; and

B) Touche Tournament Management Team, Inc., for the promotion of the USA Fencing 2025 Youth Championship – Battle at The Beach, held February 1 – 2, 2025, for the term October 1, 2024 – May 2, 2025. This grantee was approved by the TDC on June 13, 2024, in the amount of \$15,000.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts, agreements, and grants must be submitted by the initiating Department as a receive and file agenda item. On June 7, 1994, the Board of County Commissioners (BCC) adopted Resolution R94-702, as amended, authorizing the County Administrator and/or the Executive Director of the TDC to enter into grant agreements with Category “G” (Sports) grantees after they have been approved by the TDC. Room nights generated for Eastern Exposure Hockey Group, LLC / Florida Exposure Cup were 596, and room nights generated for Touche Tournament Management Team, Inc. / USA Fencing 2025 Youth Championship – Battle at The Beach were 1,200. Countywide (YBH)

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

A. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to adopt: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA REPEALING THE LOCAL GOVERNMENT INFRASTRUCTURE SURTAX OF ONE PERCENT (1.0%) SECTIONS 17-491 THROUGH 17-494 OF THE PALM BEACH COUNTY CODE, WHICH CODIFIED ORDINANCE NO. 2016-032, WHICH REPEAL IS EFFECTIVE DECEMBER 31, 2025; PROVIDING FOR SURVIVAL OF RESTRICTIONS ON USE OF SURTAX PROCEEDS AS LONG AS ANY SURTAX PROCEEDS REMAIN UNSPENT; PROVIDING FOR THE CONTINUATION OF THE CITIZEN OVERSIGHT COMMITTEE(S) UNTIL ONLY DE MINIMIS SURTAX PROCEEDS REMAIN; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CAPTIONS; PROVIDING FOR SAVINGS CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. **SUMMARY:** On March 11, 2025, the Board of County Commissioners (BCC) approved on first reading the repeal of the infrastructure surtax that was created for one cent, maximum 10 years, creation of an oversight committee to review spending for compliance with approved projects, and the following allocations: 50% to the School District, 30% to the County, and 20% to the Municipalities. The ordinance also includes a sunset provision that the surtax will end if \$2.7 billion is collected prior to September 1st of any year. All funding must be expended as prescribed by Florida Statutes. This Ordinance will repeal the one-cent infrastructure surtax (surtax) as \$2.7 billion has been collected throughout the County. The surtax will end December 31, 2025. The local discretionary sales surtaxes apply to all transactions subject to the state tax imposed on sales, use, services, rentals, admissions, and other authorized transactions. The surtax applies to the first \$5,000 of any single taxable tangible personal property item. Items such as groceries, baby food, baby formula, and medicines are exempt from sales tax. Countywide (DB)

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

B. PALM TRAN

1. Staff recommends motion to approve:

- A) Palm Tran Connection Program guidelines to differentiate Paratransit Complementary Palm Tran Connection transportation services provided per the Americans with Disabilities Act of 1990 (ADA), versus Non-ADA transportation which may include Paratransit transportation, Mobility on Demand, or future alternative transportation options serving citizens beyond the Federal Transit Administration’s ADA complementary paratransit requirements;
- B) Palm Tran Connection Plus Program guidelines for eligible riders and trips outside of the ¾ mile ADA service area; and
- C) A fare increase of \$.50 for Palm Tran (Connection) and Palm Tran (Connection Plus), increasing the \$3.50 fare to \$4.00 for qualified users whose incomes are above 100% of the federal poverty guidelines.

SUMMARY: Per ADA and the U.S. Department of Transportation’s implementing regulations at Title 49, Code of Federal Regulations, Section 37.131(a), transit systems must provide ADA complementary paratransit transportation to persons with a physical or cognitive disability who cannot navigate the fixed route system without assistance. ADA complementary transportation must be provided within ¾ mile on either side of each fixed route, a ¾-mile radius at the end of each fixed route, within the transit system’s core service area, and small areas surrounded by fixed route corridors. Currently, ~~Palm Tran~~ Connection provides ADA complementary transportation countywide exceeding the regulations. These proposed changes would enable Palm Tran to improve the efficiency of ADA and non-ADA transportation. For non-ADA paratransit transportation, Connection Plus would facilitate the implementation of cost-effective alternative transportation modalities such as Mobility on Demand, transfers into fixed transportation versus door-to-door for customers capable of using fixed route, and the utilization of best practices in scheduling such as the multi-loading of vehicles, the removal of trip negotiation and travel time limitation restrictions, and trip prioritization. A Title VI fare equity analysis was completed to prevent disparate impact on the basis of race, color, national origin, or low-income populations. Based on this analysis, to prevent a disproportionate burden, qualified riders whose income falls at or below 100% of federal poverty guidelines will be exempt from the fare increase and will continue to pay \$3.50 per one-way trip. If approved by the Board of County Commissioners (BCC), the implementation of the Connection Plus program and the fare increase would begin in January 2026. Countywide (MM)

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

C. HOUSING & ECONOMIC DEVELOPMENT

1. Staff recommends motion to:

A) approve the application of Provident Group – PBAU Properties II LLC (Borrower) for the issuance of Palm Beach County (County) Industrial Development Revenue Bond (Provident Group – PBAU Properties II LLC – Palm Beach Atlantic University Project), Series 2025 in a principal amount not to exceed \$250,000,000 (Bonds);

B) conduct a Tax Equity & Fiscal Responsibility Act (TEFRA) Public Hearing pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended, concerning the proposed issuance of the Bonds; and

C) adopt A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AUTHORIZING AND APPROVING THE ISSUANCE OF REVENUE BONDS PROVIDENT GROUP – PBAU PROPERTIES II LLC – PALM BEACH ATLANTIC UNIVERSITY PROJECT, SERIES 2025 BONDS, IN ONE (1) OR MORE SERIES, IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$250,000,000 FOR THE PURPOSE OF MAKING A LOAN OF FUNDS TO PROVIDENT GROUP – PBAU PROPERTIES II LLC IN ORDER TO FINANCE ALL OR A PORTION OF THE DESIGN, DEVELOPMENT, CONSTRUCTION AND EQUIPPING OF STUDENT HOUSING, DINING, RECREATION AND PARKING FACILITIES TO BE LOCATED ON THE CAMPUS OF PALM BEACH ATLANTIC UNIVERSITY, 901 S. FLAGLER DRIVE , WEST PALM BEACH, FL 33401; AND TO FINANCE CERTAIN OTHER EXPENDITURES DESCRIBED HEREIN; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT, A TRUST INDENTURE, AND A BOND PURCHASE AGREEMENT; AWARDING THE SALE OF THE BONDS BY A NEGOTIATED SALE TO J.P. MORGAN SECURITIES LLC; APPROVING THE FORM AND THE DISTRIBUTION OF PRELIMINARY AND FINAL OFFICIAL STATEMENTS; PROVIDING THAT SUCH REVENUE BONDS SHALL NOT CONSTITUTE A DEBT, LIABILITY OR OBLIGATION OF PALM BEACH COUNTY, FLORIDA OR THE STATE OF FLORIDA OR ANY POLITICAL SUBDIVISION THEREOF, BUT SHALL BE PAYABLE SOLELY FROM THE REVENUES HEREIN PROVIDED; AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN OTHER DOCUMENTS REQUIRED IN CONNECTION WITH THE FOREGOING; AND PROVIDING CERTAIN OTHER DETAILS IN CONNECTION THEREWITH.

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

C. HOUSING & ECONOMIC DEVELOPMENT (cont'd.)

1. **SUMMARY:** The Borrower has requested that the County issue its Bonds in an aggregate principal amount not to exceed \$250,000,000 in one (1) 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 to: (i) finance substantially all of the cost of design, development, constructing, and equipping of a 25-story mixed-use tower containing 22 floors of student housing with approximately 990 beds, two (2) floors with an approximate 28,000 square foot dining facility, an approximate 14,000 square foot health and recreational facility located on the third floor, and a multi-leveled structured parking facility located adjacent to the tower containing approximately 890 parking spaces and related improvements and amenities, including the buildings, furniture, fixtures, and equipment therefore to be located on the Palm Beach Atlantic University (University) campus in West Palm Beach, Florida, (collectively, the Series 2025 Project); (ii) fund interest on the Series 2025 Bonds; (iii) fund the Debt Service Reserve Fund for the Series 2025 Bonds; and (iv) to pay the costs of issuing the Bonds that will be owned and operated by the Borrower to provide student housing, dining and health and recreational facilities for students matriculating at the University. The parking facility will be available to students, faculty and staff of the University. All facilities to be financed by the Bonds will be owned by the Borrower. The dining facility, health/recreational facilities and the parking facility will be subleased back to the University to operate and manage. The project has a five (5) year estimated economic impact of \$1.36 billion and will create 4,417 direct and indirect jobs. PBAU currently enrolls more than 4,147 students and employs 588 positions. 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. One (1) 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.

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

C. HOUSING & ECONOMIC DEVELOPMENT (cont'd.)

1. **SUMMARY (cont'd.):** The Borrower assumes responsibility for monitoring compliance with applicable provisions of federal tax laws and United States 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 7 (DB)

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5. REGULAR AGENDA

A. ADMINISTRATION

1. **Staff recommends motion to adopt:** a Resolution of the Board of County Commissioners of Palm Beach County, Florida (the Board), amending the Rules of Procedure incorporated into Section 500.00 of the Palm Beach County Administrative Code; and providing for an effective date. **SUMMARY:** Pursuant to direction given at the Board of County Commissioners (BCC) Zoning meeting on January 30, 2025, County Administration placed an item on the March 11, 2025 meeting to discuss: a) the policy for quorum at all BCC meetings; b) the extent and scope of what constitutes “Board Direction”; and c) how “Board Direction” is to be raised for consideration and approved for issuance to staff. At this meeting the BCC reviewed and discussed these points and directed staff to amend the Rules of Procedure to include a specified point in the agenda for “Board Direction”. Countywide (MM)
2. **Staff recommends motion to adopt:** a Resolution of the Board of County Commissioners (BCC) of Palm Beach County, Florida, establishing and updating the uniform policies and procedures for Palm Beach County advisory boards, committees, commissions, task forces, and authorities; repealing Resolution R2013-0193; and providing for an effective date. **SUMMARY:** This Resolution updates the uniform policies and procedures for advisory boards, including: the maximum number of boards on which an individual may serve at one time; terms of office; removal by the BCC and for lack of attendance; eligibility to serve; residency requirements, Sunshine Law and Code of Ethics requirements; travel expenses and reimbursements; and annual narrative reports. The last update to these policies and procedures was completed in 2013. This Resolution updates the policies and procedures to align them with the responsibilities of those who serve on Palm Beach County advisory boards. Countywide (HH)
3. **Staff recommends motion to adopt:** a Resolution of the Board of County Commissioner of Palm Beach County, Florida, establishing the County Administrator Task Force (CATF). **SUMMARY:** The County Administrator notified the Board of County Commissioners (BCC) of her upcoming retirement effective May 31, 2025. On March 4~~1~~18, 2025, the BCC approved a timeline and procedures for the Recruitment and Retention of a County Administrator. On March 27, 2025, the BCC amended the timeline and procedures. Staff respectfully requests the BCC’s approval of the Resolution to establish the CATF to serve in the capacity as outlined in the Resolution. If approved, the CATF will assemble for training and operate under Florida’s Sunshine Law, Palm Beach County Code of Ethics, and the County’s Advisory Board Guidelines outlined in Resolution No. 2013-0193. Pursuant to the BCC’s timeline and procedures, staff has completed the first step by posting the advertisement for a County Administrator and as the number of ~~qualified~~ candidates currently exceeds five (5), the requirement to establish the CATF to reduce the number of candidates has been activated. Countywide (DO)

5. REGULAR AGENDA

A. ADMINISTRATION (cont'd.)

4. Staff recommends motion to approve: seven (7) Primary Members and seven (7) Alternate Members to the County Administrator Task Force (CATF) per companion item 5A3. **SUMMARY:** The County Administrator notified the Board of County Commissioners (BCC) of her upcoming retirement effective May 31, 2025. On March 14, 2025, the BCC approved a timeline and procedures for the Recruitment and Retention of a County Administrator. On March 27, 2025, the BCC amended the timeline and procedures. As part of the amended timeline and procedures, Staff respectfully requested the BCC's approval of a Resolution establishing the CATF in companion item 5A3. Pending the BCC approval of the Resolution, the CATF will move forward with the required training and operate under Florida's Sunshine Law, Palm Beach County Code of Ethics, and the County's Advisory Board Guidelines outlined in Resolution No. 2013-0193. Countywide (DO)

5. Staff recommends motion to approve on preliminary reading and permission to advertise for public hearing on May 6, 2025: **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING PALM BEACH COUNTY CODE CHAPTER 2, ARTICLE V, DIVISION 1. – BOARDS, COMMISSIONS, ETC., AMENDING AN IN-PERSON QUORUM STANDARD; PROVIDING A CONFLICTING PROVISIONS CLAUSE; PROVIDING SEVERABILITY; PROVIDING INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING CAPTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.** **SUMMARY:** This ordinance will standardize the in-person quorum requirements for all County-created boards, commissions, committees and similar entities, including County boards created by Special Act of the Florida Legislature, as long as the provisions do not conflict with quorum definitions in State or federal law, rule, regulation or code. Establishing a standard definition will provide consistency in quorum definitions in County-created boards. Ordinance 2021-009 was established as a result of COVID-19 and the guidelines surrounding the pandemic. With the COVID-19 guidelines no longer in existence, this proposed Ordinance change will be more aligned of statutory requirements of achieving in-person quorums. Countywide (HH)

5. REGULAR AGENDA

A. ADMINISTRATION (cont'd.)

6. Staff requests Board direction:

- A) regarding the approaches the Board of County Commissioners (BCC) would like staff to pursue in addressing the Unsheltered Residents and Housing Development strategic priorities; and
- B) regarding the For-Sale Housing Bond Loan Program (HBLP) sales price limit to a percentage of the maximum purchase price set by the Florida Housing Finance Corporation (FHFC).

SUMMARY: The BCC has adopted the Unsheltered Residents and Housing Development strategic priorities. The former calls for attaining a reduction in homelessness by providing comprehensive support and resources to unsheltered families and individuals by utilizing evidence-based strategies to connect unsheltered residents with emergency shelter, transitional housing, and permanent housing solutions. The latter calls for ensuring access to safe, suitable, and affordable housing for all Palm Beach County residents through the development and implementation of targeted programs that address their housing needs. The Department of Housing and Economic Development (DHED) provides multiple programs to both increase and preserve homeownership opportunities for residents. The programs include providing funding to developers to expand the inventory of for-sale units and provides funding to individuals for homebuyer assistance. The HBLP provides funding on a repayable basis to developers as a low interest construction loan. As a requirement of the HBLP funding the sales price of the HBLP units is restricted to a limit established by the HBLP Allocation Process. Staff recommends establishing the sales price limit as a percentage of the annually adjusted maximum sales purchase (MSP) price set by the FHFC, currently set at \$609,806, and has provided the following three options:

- Option #1: 80% - which would equate to a MSP of \$509,444.
- Option #2: 75% - which would equate to a MSP of \$477,605
- Option # 3:70% - which would equate to a MSP of \$445,764.

Staff intends to return at a May 2025 BCC meeting to request approval of a comprehensive modification to the HBLP Allocation Process. This item seeks to: 1) provide the BCC an overview of the initiatives the County is currently implementing, 2) obtain direction as to the BCC's interest in pursuing specific additional opportunities identified by staff, and 3) obtain direction regarding the HBLP sales price limit to a percentage of the maximum purchase price set by the FHFC. (Administration) Countywide (HJF)

5. REGULAR AGENDA

B. AIRPORTS

1. ~~Staff recommends motion to approve: Food, Beverage and Retail Concession Agreement (Agreement) with Host Hudson, LLC (Host) for the development and operation of a food, beverage and retail concession at the Palm Beach International Airport (PBI), with a transition period commencing on May 1, 2025, and expiring upon the earlier of the completion of construction of the final concession unit or September 30, 2028 (Transition Period), and a primary term commencing upon the expiration of the Transition Period and expiring ten (10) years thereafter (Primary Term); and providing for payment of privilege fees based on a percentage of monthly gross revenues during the Transition Period and payment of the greater of a minimum annual guarantee (MAG) of \$2,000,000 or privilege fees based on a percentage of annual gross revenues during the Primary Term. **SUMMARY:** Request for Proposals No. PB 24-10 (RFP) was issued in accordance with PPM AF-F-037 on May 29, 2024, for replacement of all restaurants, shops and vending machines at PBI in two (2) packages. Package 1 consisted of concession units on Concourse B, Concourse A and portions of the main terminal. Package 2 consisted of concession units on Concourse C and portions of the main terminal. On November 6, 2024, proposals for Package 1 were submitted by Host and SSP America PBI, LLC. On January 8, 2025, after evaluating the proposals based upon the selection criteria in the RFP and hearing oral presentations, the selection committee recommended Package 1 be awarded to Host. The Agreement provides for the development and operation of a food, beverage and retail concession at PBI by Host. Host's proposal provided for a mix of food, beverage and retail concepts that reflect local, regional and national name brand operators, products and suppliers. A detailed list of concepts included in the Agreement can be found in Attachment 1. The Agreement provides for a Transition Period for the design, permitting and construction of improvements, which will expire upon the completion of construction of the final concession unit or September 30, 2028, whichever occurs first. During the Transition Period, Host will pay privilege fees ranging from 12% to 18% of monthly gross revenues from the sale of food, beverages and merchandise from each concession unit. The Agreement requires that construction of each concession unit must be completed within one hundred eighty (180) days from the date it is transferred to Host for build-out.~~

5. REGULAR AGENDA

B. AIRPORTS (cont'd.)

1. ~~**SUMMARY (cont'd.):** The Primary Term will expire ten (10) years after the expiration of the Transition Period. During the Primary Term, Host will pay the greater of a MAG of \$2,000,000 or privilege fees ranging from 12% to 18% of annual gross revenues from the sale of food, beverages and merchandise from each concession unit. The MAG will be adjusted annually to an amount equal to the prior year's MAG or 85% of the prior year's annual privilege fees, whichever is greater. The Agreement provides for a minimum capital investment of \$15,944,000 to be spent on the design, permitting and construction of improvements and minimum mid-term capital investment of \$4,784,000. Supporting storage and office areas will be made available for use by facilities use permits at the then current terminal rental rate applicable to non-signatory airlines established in accordance with the Signatory Airline Agreement (R2019-1155). Host is a Delaware limited liability company, with its principal place of business in Bethesda, Maryland. The RFP established an Airport Concessions Disadvantaged Business Enterprise (ACDBE) participation goal of 25%. Host is a joint venture between Host International, Inc., and Hudson Group Retail, LLC. Host committed to 26% ACDBE participation by forming two (2) joint ventures with ACDBE providers, which include Tarra Enterprises, Inc., Chandler & Campbell Investment Group, LLC dba Chandler Campbell and Daschle, Montes and Pitkonen LLC, and Pioneer Concessions, LLC. The selection committee recommended that Package 2 be awarded to Paradies Lagardere @ PBI, LLC, which will be considered in a separate agenda item. Countywide (AH)~~

5. REGULAR AGENDA

B. AIRPORTS (cont'd.)

2. Staff recommends motion to approve: Food, Beverage and Retail Concession Agreement (Agreement) with Paradies Lagardere @ PBI, LLC (Paradies) for the development and operation of a food, beverage and retail concession at the Palm Beach International Airport (PBI), with a transition period commencing on May 1, 2025, and expiring upon the earlier of the completion of construction of the final concession unit or September 30, 2028 (Transition Period), and a primary term commencing upon the expiration of the Transition Period and expiring ten (10) years thereafter (Primary Term); and providing for payment of privilege fees based on a percentage of monthly gross revenues during the Transition Period and payment of the greater of a minimum annual guarantee (MAG) of \$2,000,000 or privilege fees based on a percentage of annual gross revenues during the Primary Term. **SUMMARY:** Request for Proposals No. PB 24-10 (RFP) was issued in accordance with PPM AF-F-037 on May 29, 2024, for replacement of all restaurants, shops and vending machines at PBI in two (2) packages. Package 1 consisted of concession units on Concourse B, Concourse A and portions of the main terminal. Package 2 consisted of concession units on Concourse C and portions of the main terminal. On November 6, 2024, proposals for Package 2 were submitted by Host Hudson, LLC, Mitchell Estes Olsen PBI, LLC, Paradies and SSP America PBI, LLC. On January 8, 2025, after evaluating the proposals based upon the selection criteria in the RFP and hearing oral presentations, the selection committee recommended Package 2 be awarded to Paradies. The Agreement provides for the development and operation of a food, beverage and retail concession at PBI by Paradies. Paradies' proposal provided for a mix of food, beverage and retail concepts that reflect local, regional and national name brand operators, products and suppliers. A detailed list of concepts included in the Agreement can be found in Attachment 1. The Agreement provides for a Transition Period for the design, permitting and construction of improvements, which will expire upon the completion of construction of the final concession unit or September 30, 2028, whichever occurs first. During the Transition Period, Paradies will pay privilege fees ranging from 12% to 18% of monthly gross revenues from the sale of food, beverages and merchandise from each concession unit. The Agreement requires that construction of each concession unit must be completed within one hundred eighty (180) days from the date it is transferred to Paradies for build out. The Primary Term will expire ten (10) years after the expiration of the Transition Period. During the Primary Term, Paradies will pay the greater of a MAG of \$2,000,000 or privilege fees ranging from 12% to 18% of annual gross revenues from the sale of food, beverages and merchandise from each concession unit.

5. REGULAR AGENDA

B. AIRPORTS (cont'd.)

2. **SUMMARY (cont'd.):** The MAG will be adjusted annually to an amount equal to the prior year's MAG or 85% of the prior year's annual privilege fees, whichever is greater. The Agreement provides for a minimum capital investment of \$14,952,193 to be spent on the design, permitting and construction of improvements and minimum mid-term capital investment of \$4,639,675. Supporting storage and office areas will be made available for use by facilities use permits at the then current terminal rental rate applicable to non-signatory airlines established in accordance with the Signatory Airline Agreement (R2019-1155). Paradies, is a Georgia limited liability company, with its principal place of business in Atlanta, Georgia. The RFP established an Airport Concessions Disadvantaged Business Enterprise (ACDBE) participation goal of 25%. Paradies committed to 25% ACDBE participation by utilizing ACDBE providers, which include SMP Concessions, LLC and Tito Enterprises, LLC. The selection committee recommended that Package 1 be awarded to Host Hudson, LLC, which will be considered in a separate agenda item. Countywide (AH)

5. REGULAR AGENDA

C. HOUSING & ECONOMIC DEVELOPMENT

1. **Staff recommends motion to adopt:** RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA; APPROVING THE ISSUANCE OF NOT EXCEEDING \$250,000,000 HOUSING FINANCE AUTHORITY OF PALM BEACH COUNTY, FLORIDA (AUTHORITY), HOMEOWNER REVENUE BONDS, MULTIPLE SERIES (BONDS) WITHIN THE MEANING OF SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, THE PROCEEDS OF WHICH ARE TO BE USED TO IMPLEMENT ITS SINGLE FAMILY HOMEOWNER REVENUE BOND PROGRAM (PROGRAM), WHICH PROGRAM IS FOR THE PURPOSE OF PROVIDING TO QUALIFIED MORTGAGORS MORTGAGE FINANCING FOR OWNER-OCCUPIED, SINGLE FAMILY RESIDENTIAL HOUSING FACILITIES WITHIN THE AUTHORITY'S AREA OF OPERATION; AND PROVIDING AN EFFECTIVE DATE. **SUMMARY:** The Bonds are being issued by the Authority to implement its Single Family Homeowner Revenue Bond Program (Program), which is for the purpose of providing to qualified mortgagors mortgage financing for owner-occupied, single family residential homes in Palm Beach County. The Authority intends to apply for 2025 Region 12 private activity bond allocation (PAB) from the Florida Division of Bond Finance on or before the May 31 deadline. While the 2025 Region 12 PAB is only \$102,045,421, the Authority intends to apply for any unused state-wide excess PAB that becomes available later in 2025. The Authority intends to request "carry-forward" allocation for whatever amount of PAB the Authority receives, and to use this carry-forward allocation after December 31, 2025 for either single family homeowner revenue bonds, single family mortgage credit certificates and/or multifamily affordable rental housing revenue bonds. Single family homeowner revenue bonds have not been financially feasible for a number of years. The Authority converted the previously approved \$200M of single family homeowner revenue bonds authorized in 2022 to carry-forward allocation for multifamily rental housing bond issuance. The Authority retains Bryant Miller & Olive, P.A. and Greenberg Traurig, P.A. as its bond and disclosure counsel on a rotating basis. It has not yet been determined which of these firms will fill these roles in the event the Bonds are issued as set forth above. Section 2-190 of the Palm Beach County Code of Ordinances requires that prior to the sale of the Bonds, the BCC shall approve the underwriters, placement agent or direct purchaser of the Bonds. That approval will be requested at a later date. **Neither the taxing power nor the faith and credit of the County, nor any County funds, shall be pledged to pay principal or redemption premiums, if any, or interest on the Bonds.** Countywide (HJF)

5. REGULAR AGENDA

C. HOUSING & ECONOMIC DEVELOPMENT (cont'd.)

~~2. Staff recommends motion to:~~

~~A) approve a Housing Initiative Program (HIP) funding in the amount of \$1,250,000 to Legacy at 45th Street, LLC (Legacy) a wholly owned subsidiary of the Spectra organization, Inc., for the development of the Legacy at 45th Street Project (Project);~~

~~B) approve a Budget Transfer in the amount of \$1,250,000 within the HIP Fund to recognize the allocation of HIP funds to the Project; and~~

~~C) delegate authority to the County Administrator, or designee, to execute the Loan Agreement, amendments thereto, and all other documents necessary for project implementation and that do not substantially change the scope of work, terms or conditions of the Loan Agreement.~~

~~**SUMMARY:** On October 18, 2022, the Palm Beach County Board of County Commissioners (BCC) approved an American Rescue Plan Act Replacement Fund (ARPA-RF) award for \$5,500,000 for the development of the Project. The Project entails construction of a 48 multi-family rental development, which includes no fewer than 34 County-assisted units. Due to complications with the supplier/manufacturer, substantial increasing costs of local labor and materials, increased modular units costs from new supplier/manufacturer, increased total development costs, and other factors, Legacy has had to identify additional resources to complete the Project. Other sources of development funding for the Project include a loan from the Palm Beach County Housing Authority (Spectra Loan 1 and Spectra Loan 2) and increased funding from the City of West Palm Beach (City). Staff requested a longer affordability period and Legacy has agreed to affordability for 50 years for all County-assisted units. The units are restricted to 44 units at or below 80% of the Area Median Income (AMI) (\$85,650 for a household of four (4)), and four (4) units at or below 60% AMI (\$64,260 for a household of four (4)) as required by HOME Investment Partnerships Program funding from the City. Total County investment for this project is 28.9%. Funding sources for this Project are as follows:~~

Funding Partner	Original	Additional	Final
Florida Community Loan Fund	\$6,800,000		\$6,800,000
Palm Beach County	\$5,500,000 (ARPA-RF)	\$1,250,000 (HIP)	\$6,750,000
City of West Palm Beach	\$1,250,000	\$400,000	\$1,650,000
Spectra Loan 1		\$2,500,000	\$2,500,000
Spectra Loan 2		\$3,625,000	\$3,625,000
Total	\$13,550,000		\$21,325,000

5. REGULAR AGENDA

C. HOUSING & ECONOMIC DEVELOPMENT (cont'd.)

2. ~~SUMMARY (cont'd.):~~ The developer has agreed to maintain rents at 80% of Florida Housing Finance Corporation's established 80% AMI. Project rents for the 34 County assisted units are noted below:

Income Category	Number of Units	Number of Bedrooms	FHFC 2024 Rent Limit	HUD Fair Market Rent	Proposed Rent	FHFC Rent Limit at 60%AMI
80%	24	One	\$1,607	\$1,670	\$1,285	\$1,205
80%	13	Two	\$1,928	\$1,990	\$1,542	\$1,446

~~To facilitate Project implementation, staff requests authorization for the County Administrator, or designee, to execute the Loan Agreement and all related documents for this Project. District 7 (HJF)~~

5. REGULAR AGENDA

C. HOUSING & ECONOMIC DEVELOPMENT (cont'd.)

3. **Staff recommends motion to adopt:** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS (BCC) OF PALM BEACH COUNTY, FLORIDA, APPROVING THE LOCAL HOUSING ASSISTANCE PLAN (LHAP) AS REQUIRED BY THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM, SUBSECTIONS 420.907-420.9079, FLORIDA STATUTES (F.S.), AND RULE CHAPTER 67-37, FLORIDA ADMINISTRATIVE CODE; AUTHORIZING AND DIRECTING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE ANY NECESSARY DOCUMENTS AND CERTIFICATIONS NEEDED BY THE STATE; AUTHORIZING THE SUBMISSION OF THE LHAP FOR REVIEW AND APPROVAL BY THE FLORIDA HOUSING FINANCE CORPORATION (FHFC); AND PROVIDING FOR AN EFFECTIVE DATE. **SUMMARY:** Palm Beach County (County) has participated in the SHIP Program since 1993. The State requires that the County submit an LHAP to FHFC every three (3) years. The proposed LHAP, which is due May 2, 2025, covers Fiscal Years 2025-2026, 2026-2027 and 2027-2028. By approving this LHAP and submitting it to FHFC, the County will be in a position to receive funding under the SHIP Program during the three (3) upcoming years when the State makes funding allocations to participating jurisdictions. The proposed LHAP maintains the existing strategies: Purchase Assistance, First Mortgage Loan Assistance Program, Owner Occupied Housing Rehabilitation, Utility Connection, Emergency Repairs, Replacement Housing, Disaster Assistance, Foreclosure Prevention, Rental Housing Assistance, Developer Assistance Rental Program and Single Family New Construction. The LHAP strategies are detailed in Attachment 1. Additionally, the proposed LHAP includes a definition for Project Delivery Costs which will be used to clarify costs associated with project implementation, and a first priority ranking for Veterans, Special Needs and Senior Citizens. SHIP regulations require that at least 65% of a local jurisdiction's allocation be earmarked for homeownership activities. **These are State SHIP funds which require no local match.** Countywide (HJF)

5. REGULAR AGENDA

D. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to:

- A) **approve on preliminary reading and permission to advertise for public hearing on Tuesday, June 3, 2025 at 9:30 a.m.:** an Ordinance amending Palm Beach County (County) Code Chapter 17, Article I, Ordinance No. 95-23 reimposing the six (6) cent local option fuel tax upon every gallon of motor fuel and diesel fuel sold in the County; providing for relevy; effective dates; distribution of proceeds; severability; repeal of ordinances in conflict; inclusion in the code of laws and ordinances; captions; and an effective date;
- B) **approve** the 2025 Interlocal Agreement to Re-determine, Re-adopt, and Ratify the existing distribution formula for the six (6) cent local option fuel tax (ILA) with the City of Atlantis;
- C) **approve** the ILA with the Town of Loxahatchee Groves;
- D) **approve** the ILA with the Town of Juno Beach;
- E) **approve** the ILA with the Village of Wellington; and
- F) **approve** the ILA with the City of South Bay.

SUMMARY: This Ordinance amends Ordinance No. 95-23 by relevying the six (6) cent local option fuel tax (Tax) that expires on August 31, 2025. This Tax will be effective beginning September 1, 2025 through August 31, 2055. Section 336.025, Florida Statutes, authorizes the Board of County Commissioners (BCC) to levy fuel taxes on the sale of every gallon of motor fuel and diesel fuel sold in the County. This Tax is pursuant to Section 336.025(1)(a) and is one of several taxes levied on the sale of fuel. The Tax was originally levied by Ordinance No. 83-14 at a rate of two (2) cents, and increased to four (4) cents by Ordinance No. 85-19. Ordinance No 86-23 increased the levy to six (6) cents effective through August 1995, and Ordinance No. 95-23 extended the effective date through August 2025. The County currently receives 66.5648% of this Tax revenue and municipalities collectively share the remaining 33.4352%, pursuant to the distribution formula based upon population and roadway lane miles, as described in the ILA.

5. REGULAR AGENDA

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

1. **SUMMARY (cont'd.):** Use of proceeds from this Tax is restricted to transportation expenditures that include: a) public transportation operations and maintenance; b) roadway and right-of-way maintenance and equipment and structures used primarily for the storage and maintenance of such equipment; c) roadway and right-of-way drainage; d) street lighting installation, operation, maintenance, and repair; e) traffic signs, traffic engineering, signalization, and pavement markings, installation, operation maintenance, and repair; f) bridge maintenance and operation; g) debt service and current expenditures for transportation capital projects in the foregoing program areas, including construction or reconstruction of roads and sidewalks. The ILA must be executed prior to June 1, 2025 by the BCC and enough municipalities, which represent a majority of the population of the incorporated area. The ILA was prepared in coordination with the League of Cities (League), reviewed by the Engineering and Public Works Department (EPW), the Office of Financial Management and Budget (OFMB), and the County Attorney's Office. The League is conducting outreach to all eligible municipalities in the County for ILA execution and will be forwarding the ILAs to the County for approval upon receipt. Countywide (YBH)

5. REGULAR AGENDA

E. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve:

A) a Lease Agreement (Lease) with MG Congress, LLC, a Florida limited liability company (MG), for a portion of the property located at 1200 South Congress Avenue in Palm Springs (Premises), for Palm Tran connection paratransit operations, for a term of 8 years at an annual rent of \$2,065,000 (i.e., \$172,083.33/month) with 3% annual increases; and

B) a Budget Transfer of \$1,035,417 in Palm Tran Operating Fund 1340 to fund Fiscal Year 2025 of the Lease.

SUMMARY: The subject facility sits on approximately 12 acres and includes a 47,792 square foot building located at 1200 South Congress Avenue in Palm Springs. MG has entered into a contract to purchase the property. The County seeks to enter into this Lease for the Premises to be used for Palm Tran paratransit operations. The term of the Lease is for eight (8) years, with two (2) seven (7)-year renewal options. The Lease commencement date is contingent on MG's (i) acquisition of the property, (ii) obtainment of all use approvals from the Village of Palm Springs allowing the County to use the Premises for paratransit operations, and (iii) completion of certain improvements to the Premises by MG. Effective on the Lease commencement date, the annual rent is \$2,065,000 (i.e., \$172,083.33/month), with annual increases at 3%. This is a triple net lease; therefore, the County will be responsible for maintenance, utilities, insurance, and taxes for the Premises. The County's obligation to pay property taxes shall be capped at \$400,000 for the first (1st) full calendar year following lease commencement. If the taxes for the first (1st) full calendar year exceed \$400,000, the rent shall be decreased in the amount above the \$400,000. To fund the first (1st) year of the Lease, Palm Tran requires a budget transfer to decrease the Operating reserves budget line item and increase the Rent – Building reserves budget line item; this budget transfer requires Board of County Commissioner (BCC) approval. Palm Tran supports this Lease as it will allow for greater efficiency and efficacy in performing paratransit operations with multiple vendors. Palm Tran will have administrative responsibilities for this Agreement. (Property & Real Estate Management) District 3 (HJF)

APRIL 8, 2025

5. REGULAR AGENDA

F. INTERGOVERNMENTAL AFFAIRS

1. Staff recommends motion to receive and file: Mid-Session Legislative Update for the 2025 State Legislative Session. **SUMMARY:** County staff will present the 2025 Mid-Session Legislative Update to inform the Board of County Commissioners what has transpired during the first half of the 2025 State Legislative Session. This presentation will include updates of the County's legislative and appropriation priorities that were approved by the Board of County Commissioners on January 7, 2025. Countywide (SS)

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APRIL 8, 2025

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

APRIL 8, 2025

7. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

APRIL 8, 2025

8. COMMISSIONER COMMENTS

District 1 – COMMISSIONER MARIA G. MARINO

District 2 – COMMISSIONER GREGG K. WEISS

District 3 – COMMISSIONER JOEL G. FLORES

District 4 – COMMISSIONER MARCI WOODWARD

District 5 - COMMISSIONER MARIA SACHS

District 6 - COMMISSIONER SARA BAXTER

District 7 – COMMISSIONER BOBBY POWELL JR.

APRIL 8, 2025

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."