

August 23, 2022
9:30am

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

AUGUST 23, 2022

<u>PAGE</u>	<u>ITEM</u>	
50	3K-3	REVISED MOTION: Staff recommends motion to approve: A) a Partial Release of Utility Easement for that easement recorded in the Official Records of Palm Beach County, ORB 7724, Page 0818 <u>and ORB 7722, Page 0370</u>; and B) a Partial Release of Utility Easement for that easement recorded in the Official Records of Palm Beach County, ORB 7722, Page 0370 <u>and ORB 7724, Page 0818</u>. (WUD)
73	5A-1	REVISED MOTION: Staff recommends motion to: A) approve the application of South Florida Fair and Palm Beach County Expositions, Inc. (the Borrower) for the issuance of the County's <u>Industrial Development</u> Revenue Bond (South Florida Fair and Palm Beach County Expositions, Inc. Project), Series 2022 in a principal amount not to exceed \$6,000,000; C) adopt a Resolution of the Board of County Commissioners of Palm Beach County, Florida: (i) authorizing the issuance of the County's <u>Industrial Development</u> Revenue Bond (South Florida Fair and Palm Beach County Expositions, Inc.), Series 2022 (the Bond) for the purpose of providing funds to make a loan to South Florida Fair and Palm Beach County Expositions, Inc. (the Borrower) to provide funds to refinance the County's Industrial Development Revenue Bonds (South Florida Fair Project), Series 2010, issued for the benefit of the Borrower and to provide funds to pay the costs of issuing the Bond; (ii) authorizing the execution of a Financing Agreement; (iii) awarding the sale of the Bond by a negotiated sale; (iv) authorizing officials of the County to take certain action in connection with the issuance of the Bond; (v) making certain other covenants and agreements in connection with the issuance of the Bond; and (vi) providing an effective date. (HED)
85	6F-1	DELETED FOR FURTHER STAFF REVIEW (FDO)

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**

AUGUST 23, 2022

**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 12-71)**

- 4. SPECIAL PRESENTATIONS (Page 72)**

- 5. PUBLIC HEARINGS - 9:30 A.M. (Pages 73-76)**

- 6. REGULAR AGENDA (Pages 77-90)**

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AUGUST 23, 2022

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3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER

1. **Staff recommends motion to receive and file:** Warrant List – Backup information can be viewed in the Clerk & Comptroller’s Office.
2. **Staff recommends motion to approve:** the following final minutes of the Board of County Commissioners’ meetings:

<u>Meeting Date</u>	<u>Meeting Type</u>
February 2, 2022	Comprehensive Plan
March 24, 2022	Zoning
April 05, 2022	Regular

3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller’s Office. Countywide
4. **Staff recommends motion to receive and file:** change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations Department; Water Utilities Department; Environmental Resources Management Department; and the Department of Airports during January, February, March, April, May, June and July of 2022. Countywide
5. **Staff recommends motion to receive and file:** two of Palm Beach County’s annual financial reports for fiscal year ended September 30, 2021.

- A) The Units of Local Government – Annual Financial Report; and
- B) Annual Financial Audit Report, including the Single Audit Report.

SUMMARY: The Units of Local Government Report is an Annual Financial Report which serves to generate input to the state. The Annual Financial Audit Report is a special annual financial report defined in Chapter 10.550 of the rules of the Auditor General. This report is required to be filed annually with the Auditor General in compliance with Section 11.45, Florida Statutes and includes the Single Audit Report. Countywide (DB)

3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER (Cont'd)

6. Staff recommends motion to approve: List of Errors, Insolvencies, Double Assessments, Discounts, and Value Adjustment Board reductions on the 2021 Assessment Roll. **SUMMARY:** Section 197.492, F.S., requires that on or before the 60th day after the tax certificate sale, the Tax Collector shall make out a report to the Board of County Commissioners, separately showing the discounts, errors, double assessments, and insolvencies for which credit is to be given, including in every case except discounts, the names of the parties on whose account the credit is to be allowed. Countywide (DB)

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve:

A) an annual traffic signal construction contract with Gerelco Traffic Controls, Inc. (GTC) in an amount not to exceed \$5,000,000; and

B) an annual traffic signal construction contract with Horsepower Electric, Inc. (HPE) in an amount not to exceed \$5,000,000.

SUMMARY: Approval of these contracts will authorize the annual construction services necessary to install/repair mast arms, traffic signals and construct intersection improvements on a work order basis throughout Palm Beach County (County). The Office of Equal Business Opportunity approved a waiver for these contracts on January 20, 2022 based upon the determination that sufficient qualified Small/Minority/Women Business Enterprises providing the goods or services required by the contracts are unavailable in Palm Beach County despite every reasonable attempt to locate them. GTC and HPE were the only two responsive, responsible bidders. Bids for the contract were received by the Engineering Department on March 15, 2022. These contracts will be in effect for 36 months from the date of approval by the Board of County Commissioners. GTC has an office located in the County. The above contract amounts are based upon the estimated amount to be expended for traffic signal construction projects throughout the County over a 36-month period. Countywide (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

2. Staff recommends motion to approve: a contract with Johnson-Davis, Inc. (JDI) in the amount of \$1,116,662 for the construction of Congress Avenue over the Lake Worth Drainage District L-24 Canal (Project). **SUMMARY:** Approval of this contract will authorize the construction services necessary to install a culvert under the existing bridge, which is to remain in place. The Affirmative Procurement Initiative selected for this contract on January 19, 2022 by the Goal Setting Committee is a 15% minimum mandatory Small Business Enterprise (SBE) participation. JDI agreed to 32.9% SBE participation. Bids for the contract were received by the Engineering Department on March 22, 2022. JDI was the only bidder. The contract time for the Project is 270 calendar days. JDI has an office located in Palm Beach County. **This Project is included in the infrastructure sales tax.** District 2 (YBH)

3. Staff recommends motion to approve: an interlocal agreement (Agreement) with the Town of Juno Beach (Town), repealing and replacing interlocal agreement R1973-194 dated April 24, 1973, and providing for traffic control jurisdiction within the Town by Palm Beach County (County). **SUMMARY:** Section 316.006(2)(a), Florida Statutes, vests municipalities with traffic control jurisdiction over all streets and highways located within their boundaries, except state roads, and provides that a municipality may, by interlocal agreement with a county, agree to transfer traffic regulatory authority (Authority) over areas within the municipality to the county. On April 24, 1973, the County and the Town entered into interlocal agreement R1973-194 wherein the Town transferred certain traffic control functions and duties to the County over the traffic signal at Juno Isles Boulevard and State Road 5. The Town now agrees to repeal and replace interlocal agreement R1973-194 with the Agreement to transfer Authority over all County maintained thoroughfare roadways within the Town's municipal boundaries, as may be amended, to the County. The Agreement also transfers to the County certain maintenance and operations responsibilities over certain traffic signals on Town maintained roads. District 1 (YBH)

4. Staff recommends motion to approve: an agreement with Hampton Fairways Homeowners Association, Inc. (Community) for enforcement of the traffic laws of the state to be performed by the Palm Beach County Sheriff's Office (PBSO). **SUMMARY:** Approval of this agreement will authorize PBSO to provide enforcement of the traffic laws of the state upon the private roadways during normal patrol hours within the Community. District 5 (YBH)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. Staff recommends motion to approve: Amendment No. 2 to R2016-1106 with Bryant Miller Olive, P.A. formalizing the firm's continued representation of the County as disclosure counsel in connection with the Roger Dean Chevrolet Stadium Revenue Bond. **SUMMARY:** Staff recommends an amendment to the current disclosure counsel contract with Bryant Miller Olive, P.A., which is in effect until September 30, 2022, formalizing the firm's continued representation of the County as disclosure counsel in connection with the County's Roger Dean Chevrolet Stadium Revenue Bond. The continued representation is contingent on the bonds being issued on or before April 30, 2024. Countywide (DB)
2. Staff recommends motion to approve: Amendment No. 2 to the contract for Professional Legal Services with Walton Lantaff Schroeder & Carson LLP to provide Workers' Compensation litigation defense services for Palm Beach County, Palm Tran Inc., and Constitutional Officers participating in the County's Self-Insurance Program. This amendment to the contract is for a period of 12 months, beginning October 1, 2022 for the contract price of \$497,650, plus reasonable costs and expenses not to exceed 3% of total fees (\$14,929.50) for the fiscal year 2022/2023. The contract price for Amendment No. 2 is the same as the initial contract price for the fiscal year. **SUMMARY:** On September 18, 2018, the Board of County Commissioners approved the contract (R2018-1470) with Walton Lantaff Schroeder & Carson LLP for three years at \$497,650 for attorney's fees plus reasonable costs and expenses not to exceed 3% of total fees (\$14,929.50), per fiscal year. The contract also provided for two additional one-year options at the same annual fixed fee of \$497,650, plus reasonable costs and expenses not to exceed 3% of the total fees (\$14,929.50 per fiscal year). The Board of County Commissioners approved the first additional year option, which will expire on September 30, 2022. Countywide (DO)
3. Staff recommends motion to approve: a Settlement Agreement, inclusive of attorney's fees and costs, in the total amount of \$100,000 in the personal injury action styled Sharon O. Clegg and Shananh M. Clegg v. Palm Beach County, Case No. 50-2021-CA-008770. **SUMMARY:** This is a personal injury lawsuit arising from a motor vehicle accident involving driver, Sharon Clegg, passenger, Shananh Clegg, and a Palm Tran Bus in West Palm Beach. The Palm Tran bus rear-ended the Plaintiffs' vehicle causing injuries to their necks and backs, resulting in long-term chiropractic treatment, multiple injections, and recommendations for spine surgeries. Countywide (SHH)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

4. Staff recommends motion to approve: a full and final settlement and release of claimant, Richard Citron's personal injury claim, stemming from a rear-end collision by a Palm Tran bus, for the sum of \$80,000. **SUMMARY:** On September 11, 2021, at approximately 6:50 p.m., a Palm Tran bus driven by operator, Ronald Cooper, rear-ended claimant's 2009 Honda Accord, which subsequently spun and collided with another vehicle. The accident occurred at the intersection of Okeechobee Boulevard and Meridian Road and claimant was transported by Palm Beach County Fire Rescue to St. Mary's Hospital. At the hospital, claimant complained of back, neck, and wrist pain and underwent hand-surgery to repair muscle tendons and a complex open wound to his left wrist. Claimant was subsequently treated for back, neck, and shoulder injuries; and his orthopedic physician recommended back, neck, and right shoulder surgery, including a lumbar fusion. After much negotiation, Risk Management and their adjusters have arrived at a settlement, which is very reasonable and serves the best interest of Palm Beach County. Countywide (DO)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to approve: the appointment of one new member to the Community Action Advisory Board (CAAB), effective August 23, 2022:

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Term Ending</u>	<u>Nominated By</u>
14	Yves Saint-Hillien	Low-Income Sector Representative	09/30/24	Democratically selected in Lake Worth

SUMMARY: Per Resolution No. R2018-0372, adopted April 10, 2018, amending Resolution R2014-0588, the total membership for CAAB shall be no more than 15 at-large members, comprised of one-third elected public officials or their representatives, one-third private sector members recommended by the CAAB and one-third low-income representatives selected by a democratic process in the target neighborhoods served or recommended by an agency that serves low-income populations. Members will fully participate in the planning, implementation, and evaluation of the Community Services Block Grant program to serve low-income communities. Mr. Saint-Hillien will complete the unexpired term of Mr. Aundra Lowe. Mr. Saint-Hillien has disclosed that he is employed with For the Children, Inc., which contracts with the County for services. The CAAB provides no regulation, oversight, management, or policy setting recommendations regarding the subject contract or transactions. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Section 2-443, of the Palm Beach County Code of Ethics. Mr. Saint-Hillien meets all applicable guidelines and requirements outlined in the resolution. The diversity count for the 14 seats that are currently filled is African-American: 10 (71%); Caucasian: 3 (21%); and Hispanic-American: 1 (8%). The gender ratio (female:male) is 8:6. Mr. Yves Saint-Hillien is African-American. Staff conducts targeted outreach in an effort to proffer candidates for appointments that maintain a diverse composition of the board. (Community Action Program) County Wide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. Staff recommends motion to approve:

A) Standard Agreement No. IC022-9500 for Community Care for the Elderly (CCE) with the Area on Aging of Palm Beach/Treasure Coast, Inc. (AAA), for the period July 1, 2022 through June 30, 2023, in an amount not-to-exceed \$2,490,900, to assist seniors and caregivers by providing in-home services to help seniors live independently;

B) Standard Agreement No. IH022-9500 for Home Care for the Elderly (HCE) with AAA, for the period July 1, 2022 through June 30, 2023, in an amount not-to-exceed \$202,961, to assist seniors and caregivers with the provision of care in a family-type living arrangement as an alternative to institutional care;

C) Standard Agreement No. IZ022-9500 for Alzheimer's Disease Initiative (ADI) with AAA, for the period July 1, 2022 through June 30, 2023, in an amount not-to-exceed \$1,616,970, to assist seniors afflicted with Alzheimer's disease and other forms of dementia and caregivers with services to help them live independently in their own homes;

D) Standard Agreement No IR022-9500 for Respite for Elders Living in Everyday Families (RELIEF) with AAA, for the period July 1, 2022 through June 30, 2023, in an amount not-to exceed \$45,656.25, to provide stipend volunteers to homebound seniors for in-home respite for caregivers;

E) Amendment 001 to Standard Agreement No. IRP22-9500 (R2022-0395) for the American Rescue Plan Act (ARPA) with AAA, for the period January 1, 2022 through September 30, 2024, to amend, revise, and replace portions of the standard agreement, with no change to the total grant amount \$2,931,447, to prevent, prepare, and respond to the COVID-19 pandemic by providing supportive services to vulnerable seniors;

F) Intake Center Referral Agreement No. IP021-9500 (R2021-0785) for the Emergency Home Energy Assistance for the Elderly Program (EHEAP) with AAA, for the period of April 1, 2022 through September 30, 2023, with reimbursement to the Division of Senior and Veteran Services (DSVS) at a rate of \$27.60 per application, for an increase of \$14,277 for an estimated total amount of \$49,881, to promote the development of a coordinated service delivery system to meet the energy needs of seniors;

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. (Cont'd)

G) Amendment No. 002 to Standard Agreement No. IA022-9500 (R2022-0170) for the Older Americans Act (OAA) with the AAA, for the period January 1, 2022 through December 31, 2022, to amend, revise, and replace portions of the standard agreement and to increase the overall total funding by \$11,000 in an amount not-to-exceed \$2,900,947, to provide in-home services and community-based services to seniors; and

H) an upward budget amendment of \$3,609,656 in FY2022 in the DSVS Administration Fund to align the budget to the actual grant award.

SUMMARY: Under the CCE agreement (CSFA 65.010), seniors and caregivers are assisted with in-home services that help seniors live independently. In Grant Year (GY) 2020, the CCE program served approximately 133 clients, provided approximately 1,514 hours of case management and 57,207 hours of in-home services. Under the HCE agreement (CSFA 65.001), seniors and caregivers are assisted with care in a family-type living arrangement as an alternative to institutional care. In GY2020, the HCE program served approximately 47 clients, provided approximately 585 hours of case management and 6,663 hours of in-home services. Under the ADI agreement (CSFA 65.002 – 65.004), seniors are provided with case management, in-home respite and facility-based respite. In GY2020, the ADI program served approximately 87 clients, provided approximately 927 hours of case management and 74,006 hours of in-home services. Under the RELIEF agreement (CSFA 65.006), homebound seniors are outreached to and assessed for in-home respite for their families/caregivers by trained volunteers. Stipends are paid directly to the volunteers through AAA. In GY2020, the RELIEF program served approximately 13 clients and provided approximately 8,241 volunteer hours. The American Rescue Plan Program prevents, prepares for, and responds to the coronavirus; including supportive services for the aged and family caregivers. Under the EHEAP Intake Center Referral agreement (CFDA 93.658), seniors who are unable to pay their electric bills can receive financial assistance. Seniors can access the program by going to the intake center near their place of residency. In GY2020, the EHEAP program served approximately 472 clients. Under the OAA amendment (CFDA 93.045), services are provided to eligible Palm Beach County seniors age 60 and older and their caregivers to provide in-home and community-based services. In Calendar Year (CY) 2021, the congregate meal program serviced 2,585 seniors, the home-delivered meal program served 1,312 seniors and the in-home services program served 112 seniors. **There is a required County match under CCE Catalog of State Financial Assistance (CSFA) # 65.010 in the amount of \$276,767. There is a required County match under 3B Catalog of Federal Domestic Assistance (CFDA) #93.044 in the amount of \$1,222. Both total \$277,989 and are already included in the budget. No additional County match is required.** The budget amendment is necessary to align the County budget with the actual grant award. DSVS is responsible for providing services north of Hypoluxo Road. The areas of service include all of the districts, excluding Districts 2, 4, 5 and 7 south of Hypoluxo Road. The Mae Volen Center, Inc. is responsible for providing services in the areas south of Hypoluxo Road. (DSVS) Countywide except for portions of Districts 2, 4, 5, & 7 south of Hypoluxo Road (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. Staff recommends motion to:

A) receive and file Amendment No. 0004 to the Florida Department of Children and Families (DCF) Unified Homeless Grant Contract No. IP004 (R2019-1138), for the period July 1, 2019 through June 30, 2025, to increase the grant award by \$693,428.55 for a new total amount not-to-exceed \$3,656,880.10, for homeless prevention assistance to families;

B) approve an upward budget amendment of \$462,285 in the General Fund, Human Services Division to align the budget with the grant award; and

C) authorize the County Administrator or designee to execute grant agreements and amendments thereto, and all other necessary documents related to the DCF Unified Homeless Grant.

SUMMARY: The Palm Beach County Division of Human Services (DHS) grant contract with DCF was amended to update the contract deliverables to add an additional \$693,428.55 for fiscal years 2022-2023, 2023-2024 and 2024-2025. The grant will provide financial assistance to households at-risk of becoming homeless and serve a minimum of 72 households and approximately 144 individuals to pay past due rent and utilities and remain stably housed. On June 15, 2021, the Board of County Commissioners authorized the County Administrator or designee to execute documents for this purpose. In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by initiating department as a receive and file. The grant contract CSFA No. is 60.021. **No County match is required.** (Human Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

4. Staff recommends motion to:

A) receive and file Notice of Grant Award/Fund Availability (NFA) Modification No. 041304 (Federal Award Identification Number (FAIN) G2102FLLWC5, CFDA 93.499), from the Florida Department of Economic Opportunity (FDEO), for the period May 28, 2021 through September 30, 2023, for the Low Income Household Water Assistance Program (LIHWAP), to allocate funding for Program Year (PY) 2021, in an amount not-to-exceed \$2,819,509;

B) approve an upward budget amendment in the amount of \$2,819,509 in the Low Income Home Energy Assistance Program (LIHEAP) fund to align the budget to the actual grant award;

C) approve one full time equivalent (FTE) grant-funded position for a Quality Assurance Coordinator (Pay Grade 34), and one FTE Grants Compliance Specialist I (Pay Grade 27); and

D) delegate to the County Administrator or designee signatory authority to establish Memorandum of Understandings (MOU) with local water utility providers.

SUMMARY: On June 15, 2021, the Board of County Commissioners ratified the Mayor's signature on the Federally Funded Subgrant Umbrella Agreement #E2016 (R2021-0783) with the FDEO, for the period October 1, 2020 through September 30, 2023, for the LIHEAP and Community Services Block Grant programs (CSBG). Modification No. 1 incorporated the new LIHWAP program. The modified agreement allows the Community Action Program (CAP) to continue providing mobility and economic stability services to 2,700 individuals and 1,040 families residing in Palm Beach County. Under the terms of the new umbrella agreement, FDEO will issue an NFA for each program award, and issue amendments to NFAs for any changes. This NFA was issued to increase funding. Electric and water bill assistance will be provided to approximately 13,250 low-income individuals and 5,300 families. In Federal Fiscal Year 2021, 3,414 households obtained electric bill assistance. As there are numerous new programs under CAP with various program requirements, the Quality Assurance Coordinator and Grants Compliance I positions are needed to ensure grant requirements are met. Currently, there is \$22,821,142 funding under this umbrella agreement for LIHEAP, LIHWAP, and CSBG. FDEO issues new NFAs throughout the year with new funding. The positions will be eliminated if funding is discontinued. The MOUs with utility providers are required under the umbrella agreement. **No County match is required.** (Community Action Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

5. Staff recommends motion to:

A) receive and file funding allocation notification for Phase 39 of the Emergency Food and Shelter Program (R2022-0397), for the period November 1, 2021 through April 30, 2023, in an amount not-to-exceed \$65,000, for the provision of rental payments to assist individuals and families in crisis;

B) receive and file funding allocation notification for Phase ARPA-R (American Rescue Plan Act-R) of the Emergency Food and Shelter Program (EFSP) (R2022-0398), for the period November 1, 2021 through April 30, 2023, in an amount not to exceed \$400,000, for the provision of rental payments and/or shelter to assist individuals and families in crisis;

C) approve a downward budget amendment of \$110,000 in the Human Services Division General Fund to align the budget with the actual grant award; and

D) approve an upward budget amendment of \$400,000 in the Human Services Division General Fund to align the budget with the actual grant award.

SUMMARY: On May 3, 2022, the Board of County Commissioners approved the Phase 39 EFSP and the Phase ARPA-R grant applications. EFSP is a restricted federal grant. The United Way of Palm Beach County, Inc. (United Way) administers the award locally. The Division of Human Services and Community Action Program has received EFSP funds for the past 27 years. These funds will be used for homeless prevention services by providing rental assistance for past due rental payments. In 2019, Phase 36 expended 100% of the \$209,849 award and served approximately 258 households in crisis. Under the current grant, an estimated 175 households will receive rental payment assistance. In accordance with County PPM CW-O-051, all delegated contracts, agreements, and grants must be submitted by the initiating department as a receive and file agenda item. The budget amendment is necessary to align the county budget with the actual grant award. **No County match is required.** (Division of Human Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

6. Staff recommends motion to approve: a travel advance at an estimated cost of \$2,351 for Seat No. 27 – Resident of the Palm Beach County HIV CARE Council (HIV CARE Council) Representative, to attend the U.S Conference on HIV/AIDS (USCHA) on October 7, 2022 through October 11, 2022 in San Juan, Puerto Rico. **SUMMARY:** Resolution No. R2013-0193 establishes policies and procedures for the Palm Beach County Advisory Boards, Committees and Commissions, allowing board members to travel in order to fulfill board member responsibilities. In accordance with PPM CW-F-009, non-County employee travel advances require Board approval. A travel advance is requested for the HIV CARE Council member to travel to San Juan, Puerto Rico, to attend the conference. The grantor requires that board members train and attend workshops in order to take an active role in the program. The USCHA theme this year is *Luchando Por Nuestras Vidas: Fighting for Our Lives*. The conference will highlight the impact of HIV in Puerto Rico and Latinx populations. In addition to the conference track topics, USCHA will feature sessions on the updated National HIV/AIDS Strategy. This is an opportunity for health departments, community-based organizations, people living with HIV, people taking pre-exposure prophylaxis (PrEP), national organizations, medical centers, health care providers, donors, activists, and federal leaders to come together to discuss its implementation. The estimated cost of \$2,351 provides for conference registration, lodging, ground transportation, flight itinerary and meals for one participant. **These are Ryan White Part A grant funds, no County match is required.** (Ryan White Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. Staff recommends motion to:

A) receive and file an Award Modification (Modification Number 00003) of Law Enforcement Officer (LEO) Reimbursement Program Other Transaction Agreement (OTA) 70T02021T6114N251 with the Transportation Security Administration (TSA) in the amount of \$220,000 for law enforcement services at Palm Beach International Airport (PBI) for the period commencing April 1, 2022 through December 31, 2022. Delegation of authority for execution of the LEO Agreements was approved by the BCC on August 14, 2012 (R2012-1093); and

B) approve a budget amendment in the Airport's Operating Fund, for the receipt of \$220,000 of funding from the TSA; and an increase to Airport's Reserve in the amount of \$220,000.

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

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

2. Staff recommends motion to receive and file: Notice to 4R Services, LLC, a Florida limited liability company, exercising County's option to renew the term of the Airport On-Demand Ground Transportation Services Agreement (Agreement) dated October 15, 2020 (R2021-0416) from October 1, 2022, through September 30, 2023, for on-demand ground transportation services at the Palm Beach International Airport (PBI). **SUMMARY:** The Agreement provides for on-demand taxi and luxury sedan/SUV service at PBI. The Agreement was assigned by WHC WPB, LLC, to Metro Taxi of Florida, LLC (Metro) effective as of June 29, 2021 (R2022-0111), and Metro simultaneously reassigned the Agreement to 4R Services, an affiliate of Metro. The Agreement provided for an initial term expiring September 30, 2021, renewable thereafter on a monthly basis at the County's sole option for up to 24 months upon prior written notice. The notice provides for renewal through September 30, 2023. Approval of this item will provide budget via a non-board transfer through September 30, 2023, for an amount not to exceed \$206,555. The renewal is required to ensure the continuation of on-demand transportation services pending the testing and implementation of the new ground transportation management system (GTMS) and the selection of a company to manage ground transportation services at PBI. Implementation of the GTMS has been delayed, in part, based on unavailability of certain parts and equipment necessary to manage access to the ground transportation staging area. The Agreement may be terminated without cause upon 30 days prior written notice in the event the full 12-month period is not required. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

3. Staff recommends motion to receive and file: seven first amendments (Amendments), extending the term of each of the Agreements for Rental Car Lease and Concession (Agreements) at the Palm Beach International Airport (PBI) for three months from July 1, 2022, to September 30, 2022, for payment of concession fees equal to 10% of gross revenue, plus facility rental for rental car reservation counter areas in the following amounts:

A) Avis Budget Car Rental, LLC, as the sole owner of Avis Rent A Car System, Inc. (Avis) and Zipcar, Inc. (Zipcar) (R2018-1856), for payment of facility rental of \$13,788.60;

B) Avis Budget Car Rental, LLC, as the sole owner of Budget Rent A Car System, Inc. (Budget) and Payless Car Rental, Inc. (Payless) (R2018-1857) for payment of facility rental of \$13,509.55;

C) Enterprise Leasing Company of Florida, LLC, d/b/a Alamo Rent A Car (Alamo) and National Car Rental (National) (R2018-1858) for payment of facility rental of \$13,542.38;

D) Enterprise Leasing Company of Florida, LLC, d/b/a Enterprise Rent-A-Car (R2018-1859) for payment of facility rental of \$13,542.38;

E) Sixt Rent A Car, LLC (R-2018-1860) for payment of facility rental of \$13,772.19;

F) The Hertz Corporation, d/b/a Hertz (R2018-1983) for payment of facility rental of \$5,219.97; and

G) The Hertz Corporation, d/b/a Dollar Rent A Car and Thrifty Car Rental (R2018-1984) for payment of facility rental of \$13,542.38.

SUMMARY: Each Amendment contains identical terms and conditions and extends the expiration date of the Agreement for three months from July 1, 2022 to September 30, 2022, and updates the provisions pertaining to force majeure and survival. The audit report period has also been extended to include the three-month extension. Delegation of authority for execution of the Amendments is provided in Section 2-54(c)(9) of the Purchasing Code. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

4. Staff recommends motion to approve:

A) a Donation Agreement (Agreement) with the Palm Beach County Sheriff's Office (Sheriff) transferring video storage equipment to the County at Palm Beach International Airport (PBI) at no cost to the County; and

B) an Equipment Transfer Form required by the State of Florida for the transfer of the equipment to the County.

SUMMARY: The Agreement and Equipment Transfer Form transfer video storage equipment to the County for use at PBI. The equipment was purchased by the Sheriff with federal funds under the Urban Areas Security Initiative (UASI) Program for use at PBI in grant year 2015 and has been on-site and in operation at PBI since 2016 as part of the airport security system. Approval of and execution of the Agreement and the Equipment Transfer Form will formally transfer the equipment to the County. The Sheriff has certified to the County that the Sheriff has complied with all grant requirements under the UASI program, and the County shall not be liable for any act or failure to act by the Sheriff related to the equipment prior to the execution of this Agreement. The Equipment Transfer Form, which is required by the State of Florida, requires the County to hold harmless and indemnify the Sheriff, its officers, agents, and employees, from and against all actions, suits, damages, liability, and other proceedings, that may arise as a result of utilizing the equipment. The Department recommends accepting the equipment subject to this condition due to minimal risk of liability associated with use of the equipment. Countywide (AH)

5. Staff recommends motion to approve: a revision to the Railroad Reimbursable Agreement with the Florida Department of Transportation (FDOT) and CSX Transportation (CSXT) approved by the Board on June 7, 2022 (R2022-0546) (Agreement). **SUMMARY:** Palm Beach County (County) entered into a Railroad Reimbursable Agreement with FDOT and CSXT on June 7, 2022 (R2022-0546) for future annual maintenance costs as defined in the Agreement. Following the execution of the Agreement by the County, CSXT modified the Agreement to delete the indemnification clause in favor of FDOT with all other terms and conditions remaining unchanged. Approval of this revision does not alter the County's liabilities or responsibilities under the Agreement. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

6. **Staff recommends motion to receive and file:** Registration for Distribution of Literature or Picketing (Registration) at the Palm Beach International Airport (PBI) issued to South Florida Public Witnessing, Inc., authorizing its members to distribute literature at PBI, effective July 1, 2022, and expiring July 1, 2023, at no cost. **SUMMARY:** The Registration authorizes designated members of SFPW to distribute literature at PBI, in locations designated by the Department of Airports, in accordance with the Airport Rules and Regulations (R98-220 as amended). A sample of the literature to be distributed is attached to the Registration. Delegation of authority for the execution of the standard form Registration was approved by the Board on October 3, 1995 (R95-1410). Countywide (AH)
7. **Staff recommends motion to approve:** the second amendment to Automated Teller Machine (ATM) Concession Agreement with Communitel, Inc. (Communitel) at the Palm Beach International Airport (PBI) (R2019-0950, as amended) (Agreement), exercising the County's option to renew the Agreement to September 30, 2024, for payment of privilege fees equal to 60% of ATM transaction fees, but not less than \$13,493.04 annually. **SUMMARY:** The Agreement provides for the installation, operation, and maintenance of ATMs at PBI. Communitel is a Florida corporation with its principal place of business in Miami, FL. Communitel will pay the greater of a privilege fee equal to 60% of ATM transaction fees, or a minimum annual guaranty, currently \$13,493.04. Communitel is a certified Airport Concession Disadvantaged Business Enterprise (ACDBE) firm and provides 100% ACDBE participation under the Agreement. Countywide (AH)
8. **Staff recommends motion to approve:** Utility Easement Agreement (Easement) with Florida Power & Light Company (FPL) for service to a hangar being constructed on County-owned property on the west side of the Palm Beach International Airport (PBI) under lease to Signature Flight Support Corporation (Signature) (R2016-0560). **SUMMARY:** The Easement parcel is 20 feet in width and approximately 165 feet in length and connects to an existing FPL easement recorded in the official records at book 30965, page 1474 (R2019-1288). The Easement parcel encompasses a total of approximately 3,323 square feet (0.076 acres) and is entirely within Signature's leasehold. Countywide (AH)
9. **Staff recommends motion to approve:** Declaration of Easement (Declaration) for water utility improvements serving County-owned property under lease to Airport Logistics Park, LLC (R2019-0300, as amended) west of the Palm Beach International Airport. **SUMMARY:** The Palm Beach County Water Utilities Department is requesting the Declaration to provide water utilities to these facilities. The Declaration memorializes the existence of water transmission and distribution facilities on the property and provides for the installation, operation and maintenance of these facilities. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

10. Staff recommends motion to:

A) receive and file Allocation award summary detailing disbursement of \$741,134, for concession relief pursuant to the Coronavirus Response and Relief Supplemental Appropriation Act, 2021 (CRRSA); and

B) approve a budget transfer in the Airport's Operating Fund, for disbursement to eligible concessions; and a decrease Airport Reserve in the amount of \$726,312.

SUMMARY: On July 26, 2021, the County executed Federal Aviation Administration (FAA) Airport Coronavirus Relief Grant Program Concessions Relief Addendum No. 3-12-0085-067-2021 in the amount of \$741,134, to fund concession relief pursuant to CRRSA. Delegation of authority to provide this economic relief to concessionaires was approved by the Board on August 17, 2021 (R2021-1028). The Allocation award summary details the amount of relief provided to each eligible concessionaire. PBI, as an airport sponsor, may reserve up to 2%, or \$14,822.68, for administration of the grant. The Department of Airports issued relief by credits to be applied to payments due from each concessionaire until the entire amount is depleted. The FAA has reviewed and approved the disbursement plan and allocations. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

11. Staff recommends motion to receive and file: an amendment for extension of the following Public Transportation Grant Agreements (PTGAs) with the Florida Department of Transportation (FDOT). Delegation of authority for execution of the Amendments for extension of the PTGAs was approved by the Board on August 25, 2020 (R2020-1017):

A) Emergency Generator for Fuel System at Palm Beach County Glades Airport (PHK), Financial Project Number 445445-1 approved by the Board on April 16, 2019 (R2019-0498 and R2019-0499), until March 31, 2023; and

B) Perimeter Fence Improvements at Palm Beach County Park Airport (LNA), Financial Management Number 436398-1 approved by the Board January 15, 2019 (R2019-0046 and R2019-0047), until December 31, 2022.

SUMMARY: Item A provides for a back-up emergency generator capable of operating the airport-owned fueling system at PHK in the event that commercial power is lost. At the present time, there is not a stand-alone emergency generator capable of allowing continued fueling activities at the airport in case of a power outage. This project will enable fueling during commercial power interruptions, including during hurricanes and other events. Item B provides for the replacement of the existing fence at LNA to meet current standards for Palm Beach County airports. The project consists of demolition of the existing perimeter fence, clearing and grubbing, tree removal, installation of new security fence, installation of new manual and electric gates (vehicle and pedestrian) with card access readers, and installation of security cameras at LNA. The amendment for extension of the PTGAs extend the availability of grant funding to allow for the completion of various airport projects. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

12. Staff recommends motion to:

A) receive and file a Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation (FDOT) in the amount of \$960,000 for the West Apron Rehabilitation at Palm Beach County Park Airport (Lantana). Delegation of authority for execution of this PTGA was approved by the BCC on August 25, 2020 (R2020-1017). This PTGA is effective as of July 19, 2022 with an expiration date of December 31, 2024; and

B) approve a budget amendment of \$960,000 in the Airport's Improvement and Development Fund to recognize the receipt of a grant from the FDOT and budget additional project costs of \$1,034,152; which includes a transfer from Reserves in the amount of \$74,152. The amount of \$165,848 is in the current budget; total project costs are \$1,200,000.

SUMMARY: The FDOT has issued a PTGA (CSFA No. 55.004) reflecting their commitment of funding to the above referenced project in the amount of \$960,000 or 80% of the eligible project costs, whichever is less for the West Apron Rehabilitation at Lantana. This funding will provide for apron rehabilitation, reconstruction, tie-down installation, and markings at the Lantana Airport. The required local match for this PTGA is \$240,000. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

13. Staff recommends motion to approve:

A) an agreement for Rental Car Lease and Concession (Concession Agreement) with Fox Rent A Car, Inc. (Fox), for the operation of a rental car concession at the Palm Beach International Airport (PBI), commencing October 1, 2022 and expiring September 30, 2027, with one two-year renewal option, for payment of an initial Minimum Annual Guarantee (MAG) in the amount of \$650,000 and facility rental of \$54,038.18; and

B) a Lease Agreement (Lease) with Fox, for the lease of approximately 303,872 square feet of ground area and associated rental car facility improvements, located at 2600 James L. Turnage Boulevard at PBI, for the operation of a rental car customer service and maintenance facility, commencing October 1, 2022 and expiring September 30, 2032, with two renewal options of 5 years each, with an initial annual rental of \$460,384.60.

SUMMARY: The Concession Agreement provides for the operation of a rental car concession at PBI and requires payment of concession fees equal to the greater of the MAG or 10% of gross revenues. In addition, Fox is required to pay facility rental for the lease of a reservation counter and office area based on standard terminal rental rates, which are adjusted annually in accordance with the Signatory Airline Agreement (R2019-1155). The Lease provides for the lease of approximately 6.98 acres of ground area located at 2600 James L. Turnage Boulevard at PBI, improved with a rental car customer service and maintenance facility. Initial annual rental is \$460,384.60, which will be adjusted every three years, commencing on October 1, 2025. Fox has committed to a minimum capital expenditure of approximately \$575,000 to complete renovations to the existing service and maintenance buildings and pavement, install landscaping, signage, car wash and vacuum facilities and above-ground fuel storage tank. On March 1, 2022, the Department of Airports (DOA) issued Invitation for Bid No. PB 22-3, for Rental Car Lease and Concession Agreements and Request for Proposals No. PB 22-4, for lease of the facility. An Airport Concession Disadvantaged Business Enterprise (ACDBE) goal was established at 3.22% of the purchase of goods and services. Each agreement has a 5.2% ACDBE participation commitment. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

14. Staff recommends motion to approve: agreements for Rental Car Lease and Concession (Agreements), commencing October 1, 2022 and expiring September 30, 2027, with one two-year renewal option, for the operation of a rental car concession at the Palm Beach International Airport (PBI), with the following companies (Concessionaires):

A) Enterprise Leasing Company of Florida, LLC (Enterprise Leasing), d/b/a Alamo Rent A Car (Alamo) and National Car Rental (National), for payment of an initial Minimum Annual Guarantee (MAG) in the amount of \$1,137,789 and facility rentals of \$54,169.50;

B) Enterprise Leasing, d/b/a Enterprise Rent-A-Car (Enterprise), for an initial MAG of \$1,016,410 and facility rentals of \$54,169.50;

C) The Hertz Corporation (Hertz), d/b/a Hertz, for an initial MAG of \$1,000,001 and facility rentals of \$55,088.74;

D) The Hertz Corporation, d/b/a Dollar Rent A Car and Thrifty Car Rental (Dollar/Thrifty), for an initial MAG of \$750,001.00 and facility rentals of \$54,169.50; and

E) Sixt Rent A Car, LLC (Sixt), d/b/a Sixt Rent A Car, for an initial MAG of \$650,000 and facility rentals of \$55,154.40.

SUMMARY: The Agreements provide for the operation of rental car concessions at PBI. The Agreements require payment of concession fees equal to the greater of the MAG or 10% of gross revenues. In addition, Concessionaires are required to pay facility rentals for the lease of reservation counter and office areas based on standard terminal rental rates, which are adjusted annually in accordance with the Signatory Airline Agreement (R2019-1155). An Airport Concession Disadvantaged Business Enterprise (ACDBE) goal was established at 3.22% of the purchase of goods and services. Enterprise, d/b/a Alamo, National and Enterprise, has committed to 13.5% ACDBE participation; Sixt has committed to 3.6% ACDBE participation; and Hertz, d/b/a Dollar/Thrifty and Hertz, has committed to 3.22% ACDBE participation. Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to receive and file: the Quarter Ending 6-30-2022 information for Children's Services Council of Palm Beach County (CSCPBC). **SUMMARY:** The CSCPBC has submitted their Quarter Ending 6-30-2022 information as per Section 125.901(3)(f), Florida Statutes. Countywide (DB)

2. Staff recommends motion to:

A) approve request by Palm Beach County Tax Collector, Anne M. Gannon, for Board of County Commissioners to order the 2022 tax roll to be extended prior to completion of the Value Adjustment Board (VAB) hearings; and

B) direct the VAB to certify the assessment roll pursuant to Section 193.122, Florida Statutes and as otherwise required by applicable law.

SUMMARY: Approval of this request will avoid a delay in the issuance of tax notices beyond November 1, 2022, and will permit the collection of property taxes prior to completion of the VAB hearings. Countywide (DB)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to receive and file: a notice of exercise of the first option to extend, the ATM Operating License Agreement (License Agreement) with Guardians Credit Union, dated December 10, 2018, for the following locations:

A) Vista Center, 2300 N. Jog Road, West Palm Beach, FL 33411;

B) PBC Criminal Justice Complex, 3228 Gun Club Road, West Palm Beach, FL 33406;

C) South County Courthouse, 200 W. Atlantic Avenue, Delray Beach, FL 33444; and

D) Main County Courthouse, 205 N. Dixie Highway, West Palm Beach, FL 33401.

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 5, 2012, the Board of County Commissioners (Board) approved a standard ATM Operating License Agreement and delegated authority to the Director of Facilities Development and Operations Department to sign and administer the same, including all amendments, and extensions thereof. On December 10, 2018, the County entered into a new ATM Operating License Agreement (R2019-0210) with Guardians Credit Union for an initial term of three years, expiring on February 17, 2022, plus two extensions of one-year each. The Notice from Guardians Credit Union exercises the first extension option through February 17, 2023 and is being submitted to the Board to receive and file. PREM will continue to administer this License Agreement. (Property & Real Estate Management) District 3 & 7 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to approve: the second amendment to lease agreement dated January 11, 2005, (R2005-0106), with the Lake Worth West Resident Planning Group, Inc. to: i) redefine the premises to exclude the 1,100 SF main building and add the parking area; ii) replace Exhibit "A" depicting the premises; and (iii) update, add and modify various standard County provisions. **SUMMARY:** Since January 2005, the Lake Worth West Resident Planning Group, Inc. (Group) has leased a County owned 1,100 SF building located at 4730 Maine Street in Lake Worth which is adjacent to the Lake Worth West Neighborhood Park, for operation of the Lake Worth West Community Center. On January 13, 2015, the Board approved the first amendment (R2015-0060) expanding the premises to include a 1,584 SF modular building. In February 2021, the main building was deemed not habitable due to structural issues and is scheduled to be demolished. The lease agreement includes a provision that the County has the option to terminate the lease if the premises are rendered untenable due to destruction or damage by casualty. However, rather than terminate as to the entire premises, the County is willing, and the Group has agreed, to continue leasing the modular building. This second amendment: (i) redefines the premises to exclude the 1,100 SF main building and add the parking area; (ii) replaces Exhibit "A" depicting the premises; and (iii) updates, adds and modifies various standard County provisions. All other terms of the lease agreement will remain in full force and effect. The Property & Real Estate Management Division will continue to have management responsibility for this Lease Agreement with the Parks & Recreation Department's assistance. (Property & Real Estate Management) District 3 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to approve: Work Order No. 22-009 to the annual roofing contract with Hi-Tech Roofing & Sheetmetal, Inc. (Contractor) (R2020-1696) for Palm Beach County (PBC) Convention Center - Roof Repair Rebid project in the amount of \$213,890 for a period of 60 calendar days from permit issuance. **SUMMARY:** On November 17, 2020, the Board of County Commissioners (Board) approved the annual roofing contract with the Contractor for roof repairs, and replacement services. Staff conducted an analysis that evaluated the components and current condition of the existing built-up roof system at the convention center. The evaluation revealed that the existing roofing system still has useful life but there are areas that have deteriorated, cracked, and lost adhesion that must be repaired to maintain weather tightness and operations. Work Order No. 22-009 authorizes roof repair services to the existing built-up roof system, including flashings, pitch pans/chem curbs, penetrations, roof curbs, roof drains, vent pipes, aluminum stucco stops, transition flashing, expansion joints and copings. 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 60 calendar days from permit issuance 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 \$80 per day. On July 15, 2020, the Goal Setting Committee applied the following Affirmative Procurement Initiatives for this annual contract: 1) Sheltered market for projects less than \$100,000, when three or more Small Business Enterprises (SBE) are qualified; or 2) 10% SBE Price Preference for projects \$100,000 or more. Since this project is over \$100,000, the applicable API is 10% SBE price preference. The Contractor is not an SBE and there is no SBE participation on this work order. The cumulative SBE participation on the annual roofing contract is 43.46%. The Contractor is a local business. Funding for this project is from the Tourist Development Council (TDC) - Building Renewal & Replacement Fund. (Capital Improvements Division) District 2 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. Staff recommends motion to approve: Change Order No. 3 to Amendment No. 23 (R2020-1028) to the continuing Construction Management (CM) contract (R2016-0762) with Robling Architecture Construction, Inc. in the amount of \$8,900 for the Fire Station No. 19 Generator Relocation and Replacement project with an increase to the project duration of 95 calendar days. **SUMMARY:** On August 25, 2020, the Board of County Commissioners (Board) approved Amendment No. 23 (R2020-1028) to the contract with Robling Architecture Construction, Inc. (Construction Manager), which established a Guaranteed Maximum Price (GMP) in the amount of \$320,550. Amendment No. 23 (R2020-1028) consisted of renovations to the existing generator building to create additional storage for the bunker gear and the installation of a new outdoor emergency generator on the north side of the existing generator building, along with an enclosure. The Fire Rescue Department requested additional improvements to the project as a result of its ongoing health and safety program, which includes creating separate storage areas for the bunker gear to minimize exposure to contaminants. Change Order No. 1 (2021-16080) authorized the relocation of the existing 8' x 8' storage shed, installation of a new 20' x 10' storage shed, landscaping services and increased the project duration and cost by 112 days and \$23,787.06, respectively. Change Order No. 2 authorized the rerouting of the existing 3" water leader, removal of the existing 2" gas line in the bunker gear room, repairs to the existing wall finishes and the cost of building permit fees in the amount of \$12,726.48. Change Order No. 3 to Amendment No. 23 in the amount of \$8,900 authorizes the labor and material required to relocate, pressure wash, paint the existing storage shed, and install a new ductless mini split air conditioner unit in the new shed, with an increase to the project duration by 95 days. The additional work improves the condition of the existing shed and creates a climate-controlled environment that aids in preserving the quality of the bunker gear equipment by eliminating the potential for extreme shifts in the temperature. The Construction Manager is not an SBE but is a Palm Beach County business. The continuing CM contract was presented to the Goal Setting Committee on February 20, 2019 and an Affirmative Procurement Initiative of 20% SBE participation was applied to the contract. SBE participation on Change Order No. 3 is 6.07%. To date, the Construction Manager has achieved 73.47% SBE subcontracting participation under this continuing contract. The funding source for this project is from the Fire Rescue Improvement Fund. (Capital Improvements Division) District 1 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. Staff recommends motion to approve: Work Order No. 22-014 to the annual heating, ventilation and air conditioning (HVAC) contract with Cedars Electro-Mechanical, Inc. (Contractor) (R2020-0019) for the Palm Beach Sheriff Office (PBSO), Motor Pool – Chiller and Make-Up Air Replacement project in the amount of \$519,775 for a period of 60 calendar days from equipment delivery. **SUMMARY:** On January 7, 2020, the Board of County Commissioners (Board) approved the annual contract with the Contractor for HVAC services related to system and component installations, upgrades, replacements, modifications and repairs on an as needed basis. The existing chiller is more than 24 years old, in poor condition with deteriorated coils and in need of replacement. Work Order No. 22-014 authorizes the removal and replacement of the existing chiller and make-up air units at the PBSO facility. 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 60 calendar days from equipment delivery 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 \$80 per day. On August 21, 2019, the Goal Setting Committee applied the following Affirmative Procurement Initiatives (API) for this annual contract: 1) Sheltered Market for projects less than \$100,000; or 2) 10% Small Business Enterprises (SBE) Price Preference for single-trade projects \$100,000 or greater. Since this project is over \$100,000, the applicable API is the latter. The Contractor is an SBE and committed to 95.77% SBE participation on this work order. To date, the overall SBE participation on the annual HVAC contract is 35.99%. The Contractor is a local business. Funding for this project is from the Public Building Improvement Fund. (Capital Improvements Division) District 3 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

6. Staff recommends motion to approve: Work Order No. 22-021 to the annual minor construction contract with Ralph Della-Pietra Inc. (Contractor) (R2020-1575) for the Palm Beach County (PBC) Convention Center- Fire System (Beam Detectors) Heating Ventilation and Air Conditioning Modification (Rebid) project in the amount of \$383,355 for a period of 120 calendar days from permit issuance. **SUMMARY:** On October 20, 2020, the Board of County Commissioners (Board) approved the annual contract with the Contractor for construction services associated with repairs, improvements and renovations to County properties on an as needed basis. Work Order No. 22-0021 authorizes construction services to furnish and install ceiling grid tiles for the second floor electrical telephone/data and storage closets, replace all existing beam detectors, modify the fire alarm and heating ventilation and air conditioning systems. This project was competitively advertised and new contractors were invited to bid on the project by submitting prequalification documents prior to the submission of the bid response. The Contractor will have 120 calendar days from permit issuance 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 \$80 per day. On August 21, 2019, the Goal Setting Committee applied the following Affirmative Procurement Initiatives (API) for this annual contract: 1) Sheltered Market for projects less than \$100,000; or 2) 10% Small Business Enterprises (SBE) Price Preference for single-trade projects \$100,000 or greater; or 3) a minimum mandatory 25% SBE subcontracting goal for multi-trade projects. Since this is a multi-trade project over \$100,000, the applicable API is a minimum mandatory 25% SBE subcontracting goal. The Contractor is an SBE and committed to 31.24% SBE participation on this work order. To date, the overall SBE participation on the annual minor construction contract is 79.67%. The Contractor is a local business. Funding for this project is from the Tourist Development Council (TDC) - Building Renewal & Replacement Fund. (Capital Improvements Division) District 2 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

7. Staff recommends motion to approve: continuing contracts with the following consultants to provide property development evaluation services for various capital improvement projects on an as needed basis through August 22, 2027:

A) 2GHO, Inc. Landscape Architects, Planners, Environmental Consultants (2GHO, Inc.);

B) Cotleur & Hearing Landscape Architecture, LLC (Cotleur); and

C) Urban Design Studio, LLC (UDS).

SUMMARY: The continuing property development evaluation services contract authorizes the consultant to provide planning, engineering and related consulting services to evaluate the possible development of existing county-owned property and potential land acquisition parcels that are associated with the design of various capital projects, which may include new construction, additions, or renovations. This contract is for a period of five years. Generally, construction costs for each project assigned under the contract will not exceed \$4,000,000 or for a study activity where the fee for professional services for each individual study under this contract does not exceed \$500,000. Consultant fees will be negotiated on an individual basis for the identified projects. The solicitation was advertised on April 24, 2022 in accordance with the Consultant Competitive Negotiations Act and according to the Equal Business Opportunity (EBO) Ordinance, with the final selection taking place on July 7, 2022. The project was presented to the Goal Setting Committee (Committee) on April 20, 2022. The Committee established Affirmative Procurement Initiatives of a Minority Business Enterprise (MBE) participation evaluation preference of up to 15 points based on the level of participation from African American firms for the selection of the continuing consultants and a minimum mandatory contract goal of 20% Small Business Enterprise (SBE) participation. 2GHO, Inc committed to an SBE participation goal of 95%, of which 23% is MBE participation for African American Owned Business. Cotleur committed to an SBE participation goal of 95%, of which 3% is MBE participation for African American Owned Business. UDS committed to an SBE participation goal of 100%, of which 9% is MBE participation for African American Owned Business. S/M/WBE actual participation will be identified on each consultant services authorization (CSA), and will be tracked cumulatively over all CSA issued under the contract. (Capital Improvements Division) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

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

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
Breezy Cool Air Conditioning Inc.	Local	Non-SBE

SUMMARY: On January 7, 2020, the Board of County Commissioners (Board) approved the annual HVAC contract (R2020-0019 through R2020-0023). The work consists of HVAC services related to system and component installations, upgrades, replacements, modifications and repairs. The contractor now joins the list of 19 prequalified contractors for a total of 20 with a contract expiration date of January 6, 2025. The specific requirements of the work will be determined by individual work orders issued against this annual contract. These contracts are five-year indefinite-quantity contracts with a maximum cumulative value of \$13,000,000 across all prequalified contractors. Work is to be awarded as work orders on a lump sum, competitively bid basis across all prequalified contractors. Contractors are allowed to qualify at any time and be added to this annual contract. Projects \$100,000 and over are advertised on the vendor self-service website while projects \$200,000 and over are also advertised in the newspaper. Projects under \$100,000 are bid among the pool of pre-qualified contractors and for projects over \$100,000, the bidding pool is expanded to include any additional bidders responding to the specific project advertisement that submit a qualification application at least ten calendar days before the bid due date. The HVAC annual contract was presented to the Goal Setting Committee on August 21, 2019 and the Committee established Affirmative Procurement Initiatives of Sheltered Market for projects less than \$100,000 or 10% Small Business Enterprises price preference for projects \$100,000 or greater. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for each work order issued. To date, the cumulative S/M/WBE participation for all work orders under the annual HVAC contract is 36.01%. (Capital Improvements) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

9. Staff recommends motion to approve: an annual contract with the following contractor for general minor construction services on an as-needed basis through February 10, 2025.

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
Waypoint Contracting Inc	Non-Local	Non-SBE

SUMMARY: On February 11, 2020, the Board of County Commissioners (Board) approved the annual minor construction contract (R2020-0142 through R2020-0151). The work consists of construction services associated with repairs, improvements and renovations to County properties. The contractor now joins the list of 34 prequalified contractors for a total of 35 prequalified contractors with a contract expiration date of February 10, 2025. The specific requirements of the work will be determined by individual work orders issued against this annual contract. These contracts are five-year indefinite-quantity contracts with a maximum cumulative value of \$15,000,000. Work is to be awarded as work orders on a lump sum, competitively bid basis across all prequalified contractors. Contractors are allowed to qualify at any time and be added to this annual contract. Projects \$100,000 and over are advertised on the vendor self-service website while projects \$200,000 and over are also advertised in the newspaper. Projects under \$100,000 are bid among the pool of pre-qualified contractors and for projects over \$100,000, the bidding pool is expanded to include any additional bidders responding to the specific project advertisement that submit a qualification application at least ten calendar days before the bid due date. This minor construction annual contract was presented to the Goal Setting Committee on August 21, 2019. The Committee applied the following three Affirmative Procurement Initiatives: 1) Sheltered Market for projects less than \$100,000; or 2) 10% Small Business Enterprises (SBE) Price Preference for single-trade projects \$100,000 or greater; or 3) a minimum mandatory 25% SBE subcontracting goal for multi-trade projects. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for all work orders issued. To date, the cumulative S/M/WBE participation for all work orders under the annual minor construction contract is 76.86%. (Capital Improvements) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

10. Staff recommends motion to approve: annual contracts with the following contractors for electrical services on an as-needed basis through November 18, 2024.

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
A) EAU Gallie Electric, Inc.	Non-Local	Non-SBE
B) Mills Electric Service, Inc.	Non-Local	Non-SBE

SUMMARY: On November 19, 2019, the Board of County Commissioners (Board) approved the annual electrical contract (R2019-1752 through R2019-1758). 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 15 prequalified contractors for a total of 17 prequalified contractors with a contract expiration date of November 18, 2024. The specific requirements of the work will be determined by individual work orders issued against this annual contract. These contracts are five-year indefinite-quantity contracts with a maximum cumulative value of \$3,000,000 across all prequalified contractors. Work is to be awarded as work orders on a lump sum, competitively bid basis across all prequalified contractors. Contractors are allowed to qualify at any time and be added to this annual contract. Projects \$100,000 and over are advertised on the vendor self-service website while projects \$200,000 and over are also advertised in the newspaper. Projects under \$100,000 are bid among the pool of pre-qualified contractors and for projects over \$100,000, the bidding pool is expanded to include any additional bidders responding to the specific project advertisement that submit a qualification application at least ten calendar days before the bid due date. The electrical annual contract was presented to the Goal Setting Committee on June 5, 2019 and the Committee established Affirmative Procurement Initiatives of Sheltered Market for projects less than \$100,000 or 10% Small Business Enterprise price preference for projects \$100,000 or greater. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for all work orders issued. To date, the cumulative S/M/WBE participation for all work orders under the annual electrical contract is 76.55%. (Capital Improvements) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

11. Staff recommends motion to approve: Work Order No. 22-006 to the annual electrical contract with Protect Video, Inc. (Contractor) (R2019-1756) for Palm Beach Sheriff's Office (PBSO) District 4 – New Generator Installation project in the amount of \$298,148 for a period of 240 calendar days from permit issuance. **SUMMARY:** On November 19, 2019, the Board of County Commissioners (Board) approved the annual electrical contract with the Contractor to provide electrical services associated with repairs, improvements and renovations to County properties. Work Order No. 22-006 authorizes the installation of a new generator and automatic transfer switch at the PBSO District 4 facility. This facility is a critical facility that operates 24/7 and the emergency generator is required in order to maintain operations during electrical outages. This project was competitively advertised, and new contractors were invited to bid on the project by submitting prequalification documents prior to the submission of the bid response. The Contractor will have 240 calendar days from permit issuance 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 \$193 per day. On June 5, 2019, the Goal Setting Committee applied the following Affirmative Procurement Initiatives for this annual contract: 1) Sheltered market for projects less than \$100,000, when three or more Small Business Enterprises (SBE) are qualified; or 2) 10% SBE Price Preference for projects \$100,000 or more. Since this project is over \$100,000, the applicable API is 10% SBE price preference. The Contractor is an SBE and committed to 100% SBE participation on this work order. The cumulative SBE participation on the annual electrical contract is 76.55%. The Contractor is a local business. Funding for this project is from the Planned Unit Development (PUD) Civic Site Cash Out Fund. (Capital Improvements Division) District 5 (MWJ)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to:

A) approve a re-assignment of an Impact Fee Affordable Housing Assistance Program (IFAHAP) funding award in the amount of \$203,846 from the Delray Beach Housing Authority (DBHA) to Island Cove, LLC;

B) rescind the IFAHAP funding award previously approved for the Delray Beach Housing Authority; and

C) authorize the Mayor to execute a Certificate of Award to be released to the recipient pursuant to IFAHAP Guidelines.

SUMMARY: On June 14, 2022, per Agenda Item 3I-5, the Board of County Commissioners approved an IFAHAP award in the amount of \$203,846 to the DBHA for the Island Cove project. On June 23, 2022, the DBHA conveyed the property to Island Cove, LLC while retaining a .0005% ownership interest in Island Cove, LLC. This approval of the change in ownership will allow Island Cove, LLC to receive the IFAHAP assistance previously designated for the DBHA. Staff recommends that the award of up to \$203,846 be transferred to Island Cove, LLC and provided as a credit for impact fees associated with the construction of 60 multifamily rental units located between SW 8th Street and SW 10th Street and SW 12th Avenue and SW 13th Avenue in the City of Delray Beach (the Project). Island Cove, LLC will be given credits for Roads Zone 5 Impact Fees (\$175,740), Park Zone 3 Impact Fees (\$17,874) and Public Building Impact Fees (\$10,232) for the construction of the Project. Island Cove, LLC will pay impact fees above the allocated \$203,846. According to IFAHAP requirements, all units will be rented to persons with incomes no greater than 140% of Area Median Income. The assisted units will be restricted to remain affordable for 30 years. **These funds are from interest earned by the Impact Fee Fund.** District 7 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT (Cont'd)

2. Staff recommends motion to approve: Amendment 001 to Economic Development Services Agreement R2021-1367 with the Business Development Board (BDB) to clarify the distribution of tickets for County participation in key stakeholder events, and amend the scope of services to include the continuation of the Growth & Infrastructure Task Force. **SUMMARY:** Amendment 001 will provide for modifications to the agreement clarifying the recognition provision for the BDB to provide access to stakeholder events on the County's behalf pursuant to the agreement and to revise the scope of services to include the BDB's continuation of the Growth & Infrastructure Task Force to encourage discussions regarding housing, transportation and education. Countywide (HJF)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. **Staff recommends motion to receive and file:** eight executed Standard Potable Water and Wastewater Development Agreements, one Standard Potable Water and Wastewater Development Renewal Agreement, for the months of February, March, and April 2022.

A) Standard Potable Water and Wastewater Development Agreement with Meritage Homes of Florida, Inc., SDA #02-01167-000 (District 3), Recorded in OR BK 33389 PG 0097;

B) Standard Potable Water and Wastewater Development Agreement with Blue Lake Owner, LLC, SDA #02-01168-000 (District 3), Recorded in OR BK 33428 PG 1765;

C) Standard Potable Water and Wastewater Development Agreement with Boca Raton Associates IX, LLLP SDA #09-01098-000 (District 5), Recorded in OR BK 33428 PG 1773;

D) Standard Potable Water and Wastewater Development Agreement with AG Essential Housing Multi State 2, LLC, SDA #02-01169-000 (District 3), Recorded in OR BK 33477 PG 0146;

E) Standard Potable Water and Wastewater Development Agreement with Symphony Place LLC, SDA #01-01275-000 (District 2), Recorded in OR BK 33477 PG 0153;

F) Standard Potable Water and Wastewater Development Agreement with Boulevard Shoppes, LLC, SDA #13-01031-000 (District 6), Recorded in OR BK 33477 PG 0162;

G) Standard Potable Water and Wastewater Development Agreement with West Atlantic Business Plaza IIA LLC, SDA #09-01099-000 (District 5), Recorded in OR BK 33477 PG 0180;

H) Standard Potable Water and Wastewater Development Agreement with Boynton Beach Associates 30, LLLP, SDA #05-01131-000 (District 5), Recorded in OR BK 33477 PG 0171; and

I) Standard Potable Water and Wastewater Development Renewal Agreement with Cleveland Clinic Weston Hospital NonProfit Corporation, SDA #02-01143-001 (District 6), Recorded in OR BK 33389 PG 0105.

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 in accordance with Resolutions R93-1619, R96-0228, and R2003-0539 and are now being submitted to the BCC to receive and file. Districts 2, 3, 5 & 6 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

2. Staff recommends motion to approve:

A) a contract for the South County Reclaimed Water Transmission Pipeline Phase 1A (Project) with Man-Con, Incorporated (Man-Con) in the amount of \$7,716,362.25; and

B) Consultant Services Authorization (CSA) No. 4 to the South County Reclaimed Water Transmission Pipeline – Phase 1 (Contract) with Chen Moore and Associates, Inc., (CMA) for a not to exceed amount of \$766,603.65.

SUMMARY: On February 16, 2022, the Palm Beach County Water Utilities Department (PBCWUD) received eight bids for the Project (PBCWUD Project No. 18-022R). The Project includes furnishing all materials, labor, supervision, equipment, supplies, fees, expertise and services necessary for the construction of approximately 3.7 miles of new 24-inch reclaimed water transmission pipeline in southern Palm Beach County. This Project was procured under the requirements of the Equal Business Opportunity Ordinance. On March 4, 2020, the Goal Setting Committee approved an Affirmative Procurement Initiative (API) of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting participation goal. On April 14, 2022, the Office of Equal Business Opportunity (OEBO) completed their compliance review of the bids received on February 16, 2022, and determined the lowest apparent bidder, Ric-Man International, Inc., (RMI) was non-responsive finding its bid did not satisfy the API for this Project. OEBO determined the bid from the second lowest bidder, Ric-Man Construction, Inc., (RMC) did not satisfy the API for this project and failed to list themselves on the Schedule 1. OEBO determined the bid from the third lowest bidder, Man-Con was responsive. On March 13, 2018, the Board of County Commissioners (BCC) approved the PBCWUD Contract (R2018-0295) with CMA to provide consulting/professional engineering services. Under CSA No. 4, CMA will provide engineering services during construction of the Project. The Contract with CMA was procured under the requirements of the 2002 Small Business Enterprise (SBE) Ordinance (R2002-0064) prior to the adoption of the new Equal Business Opportunity Ordinance on October 16, 2018. The SBE participation goal established under the 2002 Ordinance was 15% overall participation. The Contract with CMA provides for 82.5% SBE participation. CSA No. 4 includes 93.82% SBE participation. The cumulative SBE participation including CSA No. 4 is 84.47%. CMA is headquartered in Fort Lauderdale, Florida, but maintains an office in Palm Beach County from which the majority of the work will be undertaken. The Project is included in the PBCWUD FY22 budget. (PBCWUD Project No. 18-022) District 5 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

3. Staff recommends motion to approve:

A) a Partial Release of Utility Easement for that easement recorded in the Official Records of Palm Beach County, ORB 7724, Page 0818 and ORB 7722, Page 0370; and

B) a Partial Release of Utility Easement for that easement recorded in the Official Records of Palm Beach County, ORB 7722, Page 0370 and ORB 7724, Page 0818.

SUMMARY: Palm Beach County Water Utilities Department (PBCWUD) is seeking the release of the County's interest in the utility easements recorded in the Official Records of Palm Beach County as noted above and located at 6275 Lantana Road, Lake Worth. The Property Owner is requesting release of the portions of the easement that are no longer associated with any public potable water, wastewater and reclaimed water facilities. As a result of site development for Lee Square, these portions of the existing utility easements are no longer required. PBCWUD has determined that these portions of the easements are no longer required. PBCWUD has determined that the release of the easement will not affect existing or new public potable water, wastewater and reclaimed water facilities and therefore recommends approval of the release. (PBCWUD Project No. 21-500) District 3 (MWJ)

4. Staff recommends motion to approve: a contract for the Repump No. 8310 Upgrades and Improvements (Project) with Cardinal Contractors, Inc. (Cardinal) in the amount of \$2,697,000. **SUMMARY:** On August 11, 2021, the Palm Beach County Water Utilities Department (PBCWUD) received five bids for the Project. Cardinal was determined to be the lowest responsive and responsible bidder in the amount of \$2,697,000. The Project provides for the rehabilitation of Repump Station No. 8310; and includes mechanical, electrical, and civil rehabilitation including new pumps, piping, valve replacements, variable frequency drives, lighting, instrumentation, control panel, radio antenna and pole, site regrading, and temporary bypass pumping. This contract was procured under the requirements of the Equal Business Opportunity Ordinance. On March 17, 2021, the Goal Setting Committee approved an Affirmative Procurement Initiative (API) of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting participation of which 3% shall be among certified African American and/or Hispanic American owned firms. Cardinal has met the established API for this contract. The contract provides for 23.47% SBE participation, which includes 3.05% M/WBE participation, 3.05% WBE. Cardinal is headquartered in Sunrise, Florida, but maintains an office in Palm Beach County from which the majority of the work will be undertaken. The Project is included in the PBCWUD FY22 budget. (PBCWUD Project No. 18-064R) District 6 (MWJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

A) approve a Memorandum of Understanding (MOU) between Discover The Palm Beaches (DTPB), and Palm Beach County for LagoonFest 2022 Event Management, providing \$15,000 for event planning and management services; including DTPB securing a contract with a professional event management company, to plan, promote and implement LagoonFest 2022 with an effective date of January 10, 2022, and terminates on December 15, 2022; and

B) authorize the County Administrator or designee to sign all future time extensions, task assignments, certifications, and other forms associated with the MOU that do not substantially change the terms or conditions of the MOU.

SUMMARY: LagoonFest is an annual eco-themed festival that aims to inspire a connection between residents and visitors to Lake Worth Lagoon, the County's largest estuary. Utilizing a professional event management firm, DTPB will partner with Environmental Resources Management to plan, promote and implement LagoonFest 2022, which is scheduled to take place on November 5, 2022. A professional event management firm will provide services that include but are not limited to planning, assistance in securing municipal authorizations, offsetting event costs through sponsorship development, event marketing and promotion, maintenance of event budget records, as well as event management during LagoonFest. County's contribution of \$15,000 will offset festival expenses including approximately 50% of the contract with the event management firm contracted by DTPB. Funding is provided from the County's Manatee Protection Fund (1232). The MOU has a retroactive effective date of January 10, 2022 due to time sensitive hiring of an event management company for the permitting and planning schedule required for LagoonFest, which occurred prior to the execution of this MOU. Countywide (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

2. Staff recommends motion to:

A) approve a Material Removal Agreement (Agreement) between Palm Beach County and Port of Palm Beach (Port) for the removal of up to 300,000 cubic yards of spoil material from the Port of Palm Beach Dredge Material Management Area (Port DMMA), commencing upon execution and terminating December 31, 2025; and

B) authorize the County Administrator or designee to sign all future time extensions, task assignments, certifications and other forms associated with the Agreement, and any necessary minor amendments that do not substantially change the scope of work, terms or conditions of the Agreement.

SUMMARY: This Agreement provides for the beneficial reuse of dredge material from the Port DMMA on Peanut Island to construct Bonefish Cove. Bonefish Cove is a Lake Worth Lagoon restoration project that will be constructed in partnership with the U.S. Army Corps of Engineers, with the County as the local sponsor. The budget for the estimated \$11,815,000 project was set upon execution of the Project Partnership Agreement with the USACE (R2019-1177). The construction of the Bonefish Cove Project would not be possible without this partnership and Agreement with the Port to utilize and repurpose their dredge material. **There is no cost to the County.**
Districts 1, 2, 4 & 7 (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

3. Staff recommends motion to:

A) approve a Material Removal Agreement (Agreement) between Palm Beach County and the Florida Inland Navigation District (District) for payment to the County of \$3,500,000 or \$20 per cubic yard, whichever amount is less, for the removal of an estimated 164,000 cubic yards of spoil material from the District's Dredge Material Management Area Peanut Island (DMMA PI), commencing upon execution and terminating December 31, 2025;

B) approve a budget amendment for \$3,500,000 in the Manatee Fund to recognize revenue from the District; and

C) authorize the County Administrator or designee to sign all future time extensions, task assignments, certifications and other forms associated with the Agreement, and necessary minor amendments that do not substantially change the scope of work, terms or conditions of the Agreement.

SUMMARY: The Agreement provides for the beneficial reuse of dredge material from the District's DMMA PI, to construct the Bonefish Cove Project. Bonefish Cove is a Lake Worth Lagoon restoration project that will be constructed in partnership with the U.S. Army Corps of Engineers (USACE), with the County as the local sponsor. The budget for the estimated \$11,815,000 project was set upon execution of the Project Partnership Agreement with the USACE (R2019-1177). The County will pay the District an administrative removal fee of 20 cents per cubic yard of material removed, which is estimated at \$32,800. The construction of the Bonefish Cove Project would not be possible without this partnership and Agreement with the District to utilize and repurpose their dredge material. Districts 1, 2, 4 & 7 (SS)

4. Staff recommends motion to receive and file: Change Order No. 1 to Florida Department of Environmental Protection (FDEP) Standard Grant Agreement (Agreement) No. 21PB13 for the South Jupiter Feasibility Study expiring on December 31, 2023. **SUMMARY:** On August 17, 2021, the Board of County Commissioners approved FDEP Agreement No. 21PB13 (R2021-1108). Delegated authority to execute all future time extensions, task assignments, certifications, and any other forms associated with this Agreement was approved at that time. Change Order No. 1 was executed on November 22, 2021. The Grant Work Plan was deleted and replaced with a revised Grant Work Plan that reduces County and Total cost share amounts by \$1 to accurately reflect the 50% cost share. In accordance with County PPM CW-O-051, all delegated contracts/ agreements/grants must be submitted by the initiating Department as a receive and file agenda item. **There is no cost to the County.** District 1 (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

5. Staff recommends motion to receive and file: Amendment No. 1 to the State of Florida, Florida Fish and Wildlife Conservation Commission (FWC) Contract No. 20307 (Contract), for Tarpon Cove Estuarine Habitat Restoration Project (Project) in the Lake Worth Lagoon (LWL), in order to amend the Scope of Work for a term beginning upon execution and expiring on June 30, 2023. **SUMMARY:** On June 15, 2021, the Board of County Commissioners approved the \$999,999 Contract (R2021-0822) to construct the Project and authorized the County Administrator or designee to sign all future task assignments and minor amendments that do not substantially change the scope of work, terms or conditions of the Contract. Amendment No. 1, authorizes for the payment of 21,793.12 tons of sand and 325 tons of bedding stone and allows \$999,999 to be invoiced on one invoice. In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a receive and file agenda item. **There is no cost to the County.** Districts 2 & 7 (SS)

6. Staff recommends motion to receive and file: Task Assignment No. PM2 to Contract No. FWC21149 (R2022-0361) with FWC to provide aquatic vegetation control services for water bodies within the County and a cost reimbursement of \$67,020, for a term beginning upon execution to June 30, 2023. **SUMMARY:** On April 12, 2022, the Board of County Commissioners approved FWC Contract No. FWC21149 (R2022-0361) (Contract) for aquatic vegetation control services in the following lakes: Clarke, Ida, Osborne, and Pine. This Contract facilitates County treatment and control of aquatic exotic plants within the Chain of Lakes. County work is reimbursed by FWC. Delegated authority to execute all future time extensions, task assignments, certifications, and any other forms associated with this Contract was approved at that time. In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a receive and file agenda item. **There is no cost to the County.** Districts 2, 3, & 4 (SS)

3. CONSENT AGENDA APPROVAL

N. LIBRARY

1. Staff recommends motion to approve: an upward budget amendment of \$122,013 in the County Library Fund to reconcile the State Aid to Libraries Grant Budget to the actual award amount. **SUMMARY:** The State Aid to Libraries Grant Agreement was approved by the Board of County Commissioners and executed on September 14, 2021 (R2021-1266). Notification by the State of the Grant Award in the amount of \$876,656 was issued to the County Library on March 5, 2022, to begin on that date and end when funds are fully expended, which is anticipated to be on or before June 30, 2022. The State provides an annual operating grant to eligible libraries based upon their annual operating expenditures from local funds. The upward budget amendment is necessary to reconcile the State Aid to Libraries Grant Budget to the actual award amount. There are no matching funds for this grant. Estimated State Aid revenue was included in the County Library's FY 2022 budget. Countywide (AH)

3. CONSENT AGENDA APPROVAL

N. LIBRARY (Cont'd)

2. Staff recommends motion to approve: the County Library's Strategic and Long-Range Plan for FY 2023 through FY 2025. **SUMMARY:** This Plan represents the Library's mission statement, goals and objectives, and strategic plan for FY23 through FY25. This process of strategic planning is done in conjunction with the State's requirements for libraries receiving State Aid grant funds and with the County's budget process. The Library Advisory Board endorsed this Plan with Resolution 22-01, dated July 11, 2022. The Plan for FY23-25 has been updated to reflect changes brought about by the COVID-19 pandemic with a shift toward providing more electronic resources, developing a hybrid approach to activities by offering both in-person and virtual activities, and carefully transitioning back to our pre-COVID levels of service.

Highlights of the Plan for FY 2023 include:

- Providing access to a collection of print, non-print, and electronic resources for borrowing and research that supports the needs and interests of the citizens of Palm Beach County;
- Promoting inclusivity and embracing diversity in staffing, collections, services, activities and spaces;
- Addressing food insecurity in the community by partnering with local organizations to distribute meals from library locations and by hosting Supplemental Nutrition Assistance Program benefit consultations at select library locations;
- Offering public technology instructional activities to meet the digital literacy needs of adults and children, including through in-person training sessions; and
- Designing family learning opportunities to improve a child's ability to achieve academically with continuing emphasis on children's classes and activities, including virtual options.

To remain current and effective, the FY24 through FY26 Plan will undergo a complete revision. This process will include gathering community viewpoints and staff input in order to update strategic goals based on Palm Beach County's post-COVID needs. Countywide (AH)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

1. Staff recommends motion to approve: an Emergency Services Agreement for Mutual Assistance, Automatic Aid, and Dispatch Services with the City of Riviera Beach (City), for a period of ten years commencing retroactively on October 1, 2019 through September 30, 2029. **SUMMARY:** In an effort to enhance the provision of fire-rescue services, the Board of County Commissioners (Board) authorized the Fire Rescue Department to provide countywide fire-rescue dispatch and related communication services effective June 1, 2005. This agreement provides the terms and conditions under which the Fire Rescue Department will continue to provide all the necessary equipment and services to implement and provide Common Dispatch and related communication services to the City, along with providing the mechanism for implementing mutual assistance and automatic aid/closest unit response. The agreement further authorizes the parties' respective fire chiefs to enter into Letters of Understanding to develop automatic aid/closest unit response and Common Dispatch plans and procedures. The agreement may be terminated by either party, upon 90 days prior notice to the other party. Countywide (SB)
2. Staff recommends motion to approve: a Fourth Amendment to Interlocal Agreement (R2008-1567) for Fire Vehicle Maintenance with the City of West Palm Beach (City) to extend the term of the agreement from September 9, 2022 through September 8, 2023. **SUMMARY:** The agreement provides the terms and conditions under which Palm Beach County Fire Rescue Support Services personnel provides maintenance and emergency repair to the City's Fire-Rescue emergency response apparatus. This agreement, as amended, is cost neutral with no supplemental funding from the Fire Rescue MSTU as the City is billed for all time, materials, and services performed to maintain and repair the City's fire vehicles. During this extension period, the County shall provide for maintenance and repair services for the following emergency response apparatus: Aerials/Platforms and Ladders. Countywide (SB)
3. Staff recommends motion to receive and file: a copy of municipal Ordinance No. 2022-04 of the City of Belle Glade (City), extending the City's participation in the Fire/Rescue Municipal Services Taxing Unit (MSTU) through December 31, 2025. **SUMMARY:** The Fire/Rescue MSTU encompasses the unincorporated areas of Palm Beach County plus the incorporated areas within municipalities that have opted to join the MSTU. The County has provided fire rescue services to the City as part of the Fire/Rescue MSTU since October 1, 2006. The City adopted Ordinance No. 2022-04 to extend their participation through December 31, 2025 to fund fire-rescue services by the County through 7:30 a.m. on October 1, 2026. The City Ordinance is now being submitted to the Board of County Commissioners to receive and file. Countywide (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (Cont'd)

4. Staff recommends motion to:

A) receive and file an Amendment Memo to the U.S. Department of Homeland Security Federal Emergency Management Agency (FEMA), FY2020 Assistance to Firefighters Grant (AFG) Program – COVID-19 Supplemental (AFG-S) Agreement No. EMW-2020-FG-00759 extending the performance period from June 23, 2021 to June 23, 2022, and;

B) approve a budget amendment of \$43,172 within the Fire/Rescue MSTU Fund to reestablish the carry forward and 10% match amount with the extended end date.

SUMMARY: On July 14, 2020 (R2020-0870), the Board accepted an AFG grant award from FEMA for a period of June 24, 2020 through June 23, 2021. The Grant Agreement contemplated that any necessary changes to the award document after an award would be notified to the recipients by FEMA in writing. The Fire Rescue Department received the Amendment Memo extending the performance period. This Amendment Memo is now being submitted to the Board to receive and file. Countywide (SB)

5. Staff recommends motion to authorize: the Mayor to execute Certificate to Non-Ad Valorem Assessment Roll (DR-408A) forms certifying the non-ad valorem assessment roll for the Municipal Service Benefit Unit (MSBU) for Fire Hydrant Maintenance and Rental-Riviera Beach and the non-ad valorem assessment roll for the MSBU for Fire Hydrant Maintenance and Rental-Boca Raton. **SUMMARY:** MSBUs for Riviera Beach and Boca Raton fire hydrant maintenance and rental were established in February of 1993, as set out in Chapter 26, Article III of the Palm Beach County Code. The current rates as established by resolutions are \$52.86 per parcel for Riviera Beach (R2019-1223) and \$23 per parcel for Boca Raton (R2008-0239). Every year the assessment roll must be certified by the Mayor of the Board of County Commissioners, and the State Department of Revenue form DR-408A must be signed by the Mayor for each MSBU in order for the assessment to be included on the property's annual tax bill. These forms and the tape of the assessment rolls must be submitted to the Tax Collector no later than September 15 of each year. Districts 4, 5 & 7 (SB)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to approve: the second amendment to Interlocal Agreement R2019-1797 with the Town of Lantana for additional network services with an increase in annual revenue of \$1,200. **SUMMARY:** The Town of Lantana has an existing Interlocal Agreement with Palm Beach County (R2019-1797) for network services. The second amendment adds two new locations, 205 W Ocean Ave and 510 W Pine Street, to the agreement and will generate an additional \$1,200 in annual revenue to the County. The Florida LambdaRail, LLC has approved the connection of the Town of Lantana to the Florida LambdaRail network. District 7 (DB)

2. Staff recommends motion to:

A) rescind Interlocal Agreement R2020-0280;

B) approve the replacement Interlocal Agreement providing updated contract terms for network services with Palm Beach State College; and

C) authorize the County Administrator or designee to approve and execute task orders associated with these services, up to a maximum dollar value of \$50,000 per task order.

SUMMARY: Palm Beach State College has an existing Interlocal Agreement with Palm Beach County (R2020-0280) for network services. Staff recommends rescinding the existing agreement and replacing it with a new agreement for a period of one year with four automatic one-year renewals unless notice is given by either party. In addition to updating language, this new Interlocal Agreement with Palm Beach State College changes the Belle Glade site from an AT&T ASE variable-rate to a 1 GB County connection which represents an additional \$1,000 per month of revenue. The Florida LambdaRail, LLC has approved the connection of Palm Beach State College to the Florida LambdaRail network. District 3 (DB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to:

A) approve a contract for professional/consultation services in the area of veterinary and medical services with Barky Pines Animal Rescue & Sanctuary Inc. for spaying/neutering at risk cats as part of the Countdown 2 Zero (C2Z) initiative in an amount not to exceed \$75,000 beginning August 23, 2022 through August 22, 2023, which may be extended by the parties for up to two additional one-year terms; and

B) authorize County Administrator or designee to sign all future renewals, task assignments, and necessary minor amendments that do not change the scope of work or terms and conditions of the contract after approval of legal sufficiency by the County Attorney's Office and within budget allocations.

SUMMARY: Spaying/neutering at risk animals is part of the overall C2Z program to reduce and/or eliminate euthanasia. The County currently has contracts with Peggy Adams Animal Rescue League and Tri-County Humane Society, Inc. for outsourcing sterilization services. An agreement with Barky Pines will sterilize at-risk cats in the west county area to include spaying/neutering, microchipping, vaccinating against rabies and ear tipping. Once at risk cats are sterilized, microchipped, vaccinated and ear tipped, they are returned to their original location by Community Cat Caregivers, volunteers, or Barky Pines. This contract will provide sterilization services to 1,000 cats at \$75 per cat. Countywide (SF)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

2. Staff recommends motion to receive and file: the following executed contracts for Consulting/Professional Services with project partners from April 1, 2022 through September 30, 2024:

A) Aid to Victims of Domestic Abuse, Inc. (AVDA), for a not-to-exceed contract amount of \$363,678 to provide victim advocacy and manage the coordinated community response (CCR) team; and

B) Battered Women's Justice Project, Inc. (BWJP), for a not-to-exceed contract amount of \$30,000 to provide project evaluation.

SUMMARY: Palm Beach County Division of Victim Services in conjunction with project partners AVDA, and the Palm Beach County Criminal Justice Commission was selected for a continuation grant from the U.S. Department of Justice (DOJ), Office on Violence Against Women (OVW) FY 2021 Improving Criminal Justice Responses to Sexual Assault, Domestic Violence, Dating Violence, and Stalking (ICJR) Grant Program (CFDA# 16.590) for the period October 1, 2021 through September 30, 2024. The purpose of this continuation grant is to enhance victim safety and hold offenders accountable through a CCR team to respond to incidents of domestic violence, dating violence and stalking. AVDA will employ a full-time Intimate Partner Violence (IPV) CCR Coordinator and a full-time Domestic Violence Certified Victim Advocate to coordinate the development and implementation of the multidisciplinary CCR team and provide direct services to victims of IPV, respectively. BWJP will perform continued project evaluation, on-going action research to assess project performance, technical assistance as needed based on project performance and inform of project activities throughout the lifecycle of the OVW ICJR grant. AVDA and BWJP will comply with all applicable "special conditions" as set forth in the OVW ICJR grant. R2014-1633 authorized the County Administrator or designee to execute future applications, awards, contracts and amendments/modifications utilizing funding from the DOJ, OVW ICJR grant on behalf of the Board of County Commissioners. Countywide (JW)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. Staff recommends motion to approve: the sixth amendment to Contract No. 14-041/SC; R2014-1540; the contract for Palm Tran Connection Services Run Package A, dated October 7, 2014, by and between Palm Beach County Board of Commissioners (BCC), and MV Transportation Inc., and MV Contract Transportation, Inc. (MV Transportation) and approve an increase of the contract ceiling to \$98,617,424. **SUMMARY:** On April 5, 2022, the BCC approved the fifth amendment to contract R2022-0334, that included an incorrect not to exceed amount of \$97,500,206. This sixth amendment to the contract is being issued to correct the staff error and reflect the accurate not to exceed amount of \$98,617,424. The tabulation error occurred on the April 5, 2022 agenda item to the BCC, in which the amount of \$87,366,053 (2nd Amendment) was utilized instead of the fourth amendment amount of \$88,483,271. The BCC approved an increase of the contract ceiling to \$97,500,206 instead of \$98,617,424. This amendment increases the contract ceiling by \$1,117,218 to reflect the amount previously approved by the BCC as Amendment 4. Countywide (MM)

CC. SHERIFF

1. Staff recommends motion to receive and file: a Modification #1 to Grant Award Agreement between the Office for Victims of Crime and the Palm Beach County Sheriff's Office to extend the grant period from September 30, 2022 through September 30, 2023. **SUMMARY:** The Board of County Commissioners accepted this grant for \$900,000 on November 19, 2019 (R2019-1810). This agenda item will extend the grant period from September 30, 2022 through September 30, 2023. The Department of Justice Office of Justice Programs Catalog of Federal Domestic Assistance Number for this program is 16.320 and the contract number is 2019-VT-BX-K018. Countywide (RS)

2. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, a donation from The Howard E. Hill Foundation, Inc., in the amount, of \$50,000 for the FY2022-23 Gunfire Detection and Location Project; and

B) approve a budget amendment of \$50,000 in the Sheriff's Grant Fund.

SUMMARY: On July 12, 2022, the Palm Beach County Sheriff's Office (PBSO) accepted a donation from The Howard E. Hill Foundation, Inc., to offset the contractual services cost of the Gunfire Detection and Location Project. PBSO is providing a \$60,250 match requirement through the FY22 general fund budget. Countywide (RS)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (Cont'd)

3. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, a Letter of Agreement and contract between the Palm Beach County Sheriff's Office and the University of North Florida Training and Services Institute, Inc., d/b/a Institute of Police Technology and Management, for the Palm Beach County Sheriff's Office's High Visibility Enforcement Project in the amount of \$91,144.70 for the period of July 18, 2022 through May 12, 2023; and

B) approve a budget amendment of \$91,145 in the Sheriff's Grants Fund.

SUMMARY: On July 18, 2022, the University of North Florida Training and Services Institute, Inc., d/b/a Institute of Police Technology and Management, awarded a High Visibility Enforcement grant to the Palm Beach County Sheriff's Office in the amount of \$91,144.70 to support the Florida Department of Transportation's Bicycle Pedestrian Focused Initiative. These funds will be used to pay for overtime costs associated with the HVE project. **There is no match requirement associated with this award.** The Catalog of Federal Domestic Assistance number is 20.205, the project number is 433144-1-8404, and the FDOT Contract number is G2A92. Countywide (RS)

4. Staff recommends motion to:

A) receive and file the first, second, third and fourth FDLE quarterly disbursements; and

B) approve a budget amendment to increase the grant award from \$300,000 to \$339,619 in the Sheriff's Grant Fund.

SUMMARY: The Florida Department of Law Enforcement provides state financial assistance to five locally funded laboratories in the State of Florida, including Palm Beach County. The Palm Beach County Sheriff's Office operates the Palm Beach County Crime Laboratory. The grant award was accepted by the BCC on December 2, 2021 (R2021-1870). Since the total award is not known in advance, \$300,000 was budgeted in the Sheriff's Grant Fund. The total final disbursement amount received is \$339,618.90. Thus, the budget needs to be amended to increase the grant award by \$39,619. **There is no match requirement associated with this award.** The Catalog of State Financial Assistance number is 71.002 and the grant agreement number is B4004. Countywide (RS)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (Cont'd)

5. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, a Bureau of Justice Assistance (BJA) State Criminal Alien Assistance Program FY 2020 Grant in the amount of \$70,727 for the period of December 31, 2019, through the date all funds have been spent; and

B) approve a budget amendment of \$70,727 increasing the Sheriff's Grants Fund.

SUMMARY: The BJA has made funds available to be used for correctional purposes. These funds will be used in accordance with the Department of Justice Reauthorization Act of 2005. **There is no match requirement associated with this award.** Countywide (RS)

6. Staff recommends motion to receive and file: a Modification #2 to the Memorandum of Agreement between the City of Miami and the Palm Beach County Sheriff's Office to extend the grant period through December 30, 2022. **SUMMARY:** On August 17, 2021, the Board of County Commissioners (BCC) accepted a Palm Beach County Sheriff's Office grant award in the amount of \$1,069,108 for the FY20 Urban Area Security Initiative (UASI) Grant Program (R2021-1139) for the period June 8, 2021 through June 30, 2022. On July 12, 2022, the BCC approved an extension through September 30, 2022 (R2022-0733). This agenda item extends the grant period through December 30, 2022. The UASI is a federally funded homeland security grant program pass-through the State of Florida to the City of Miami, as the UASI's fiscal agent. The Catalog of Federal Domestic Assistance number is 97.067 and the contract number is R0232. **There is no match requirement associated with this award.** Countywide (RS)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (Cont'd)

7. Staff recommends motion to approve: a budget transfer of \$742,000 from the Law Enforcement Trust Fund (LETf) to the Palm Beach County Sheriff's Office (PBSO). **SUMMARY:** Section 932.7055(5), Florida Statutes, provides that the seizing agency shall use Forfeiture proceeds for school resource officer, crime prevention, safe neighborhood, drug abuse education and prevention programs, or for other law enforcement purposes, which include defraying the cost of protracted or complex investigations, providing additional equipment or expertise, purchasing automated external defibrillators, and providing matching grant funds. Section 932.7055(5), Florida Statutes, also requires that no less than 25% of the LETf's previous year's revenues be used for the support or operation of drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood and school resource officer programs of various non-profit organizations. The PBSO's FY 2022 donation requirement is \$129,498. The PBSO's support of these programs exemplifies its strong commitment to the prevention and reduction of crime throughout the communities it serves and its desire to put money back into these communities to support organizations that provide such services. The year-to-date transfer for all donations to outside organizations after approval of this item is \$1,796,057. The funds requested are to aid PBSO and qualified organizations that meet the requirements set forth in Section 932.7055(5), Florida Statutes. Use of LETf requires approval by the Board, upon request of the Sheriff. The current State LETf balance is \$2,292,467. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$1,550,467. The PBSO certifies that the use of these funds is in accordance with Section 932.7055(5), Florida Statutes. Below is a table indicating the organizations the PBSO seeks to fund and the corresponding amount of funding proposed per respective organization or agency. **No new positions are needed and no additional County funds are required.** Countywide (RS)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (Cont'd)

7. (Cont'd)

ORGANIZATION	AMOUNT
211 Palm Beach/Treasure Coast, Inc.	\$50,000
Alzheimer's Community Care, Inc.	\$10,000
BAM Festival, Inc.	\$2,500
Believer's Academy, Inc.	\$10,000
Bella's Angels, Inc.	\$25,000
Big Dog Ranch Rescue, Inc.	\$25,000
Boys & Girls Clubs of Palm Beach County, Inc. - Belle Glade	\$20,000
Boys & Girls Clubs of Palm Beach County, Inc. - Wellington	\$7,500
Boys & Girls Clubs of Palm Beach County, Inc. - West Palm Beach	\$5,000
Center for Trauma Counseling, Inc.	\$10,000
Child Rescue Coalition, Inc.	\$15,000
Clinics Can Help, Inc.	\$15,000
Cox Science Center and Aquarium, Inc.	\$25,000
Crime Stoppers of Palm Beach County, Inc.	\$30,000
Els for Autism Foundation, Inc.	\$25,000
Esperanza Community Center, Inc.	\$10,000
Florida Alliance to End Human Trafficking, Inc.	\$25,000
Florida Crime Prevention Association, Inc.	\$7,000
Florida Fishing Academy, Inc.	\$5,000
Girl Scouts of Southeast Florida, Inc.	\$25,000
H.A.C.E.R. Ministry, Inc.	\$25,000
Inner City Innovators, Inc.	\$30,000
Latin Quarter of West Palm Beach, Inc.	\$25,000
Leadership Palm Beach County, Inc.	\$10,000
Mental Health Association of Palm Beach County, Inc.	\$10,000
Mothers Against Murder Association, Inc.	\$25,000
PACE Centers for Girls, Inc. – Palm Beach	\$15,000
Palm Beach County Sheriff's Foundation, Inc. - Explorers	\$40,000
Palm Beach County Sheriff's Foundation, Inc. - Scholarships	\$25,000
Palm Beach County Sheriff's Foundation, Inc. - School Supplies	\$35,000
Palm Beach County Sheriff's Foundation, Inc. - Shop with a Cop	\$50,000
Palm Beach County, Public Safety Department, Division of Consumer Affairs	\$10,000
Sweet Dream Makers, Inc.	\$10,000
The Children's Place at Home Safe, Inc.	\$10,000
The Homeless Coalition of Palm Beach County, Inc.	\$35,000
Vita Nova, Inc.	\$15,000
West Palm Beach Library Foundation, Inc.	\$25,000
Total Amount	\$742,000

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (Cont'd)

8. Staff recommends motion to approve: a budget amendment of \$1,734,862 in the General Fund to recognize the federal allocation received by the Palm Beach County Sheriff's Office under the Fiscal Year 2021 Presidential Residence Protection Assistance Grant. **SUMMARY:** On May 24, 2022, the Palm Beach County Sheriff's Office received a federal grant award from the U.S. Department of Homeland Security/Federal Emergency Management Agency as reimbursement for the extraordinary law enforcement personnel costs incurred for protection activities directly associated with the designated residence of the President during the period October 1, 2020 through September 30, 2021. The Catalog of Federal Domestic Assistance number is 97.134 and the agreement number is EMW-2021-GR-00219-S01. **There is no match requirement associated with this award.** No new positions are needed. Countywide (LDC)

DD. MEDICAL EXAMINER

1. Staff recommends motion to:
 - A) **receive and file** a subrecipient agreement for Federal grant funding assistance through Florida's administering agency: The Florida Department of Law Enforcement (FDLE) in the amount of \$2,474.75 for the purchase of ten flashlights, three infrared thermometers, two rolling stepladders and one camera lens for the Medical Examiner's Office for the period of October 1, 2021 through September 30, 2023; and
 - B) **approve** a downward budget amendment of \$525 in the General Fund to adjust the budget to reflect the actual grant award of \$2,474.75.

SUMMARY: The United States Department of Justice, Office of Justice Programs, National Institute of Justice has awarded the FY2021 Paul Coverdell Forensic Sciences Improvement Act Formula Grant Program, CFDA No. 16.742; federal grant award number 15PBJA-21-GG-02897-COVE, to the Palm Beach County Medical Examiner's Office, through the FDLE. The grant funding will be used to purchase flashlights, infrared thermometers, stepladders and camera lens. On June 4, 2013 (R2013-0704), the County Administrator or designee was authorized to execute future grant agreements, amendments, and modifications with the FDLE. **No County match is required for this grant.** Countywide (SF)

3. CONSENT AGENDA APPROVAL

EE. OFFICE EQUAL OPPORTUNITY

1. Staff recommends motion to:

A) approve Amendment of Solicitation/Modification of Contract No. 45310021C0038P00002 with the U. S. Equal Employment Opportunity Commission (EEOC) in the total amount of \$40,050 as payment for processing and resolving employment discrimination complaints;

B) approve a net downward budget amendment of \$32,950 in the General Fund to adjust the budget to the actual contract amount; and

C) receive and file the FY 2022 Extension of Worksharing Agreement with the EEOC.

SUMMARY: Execution of the documents is required so that the Office of Equal Opportunity can receive payment for processing and resolving complaints of employment discrimination pursuant to the Worksharing Agreement with the EEOC. Contract No. 45310021C0038P00002 is for FY 2021 – 2022 and is in the amount of \$40,050 (\$37,350 for charge processing and \$2,700 for intake services. The Worksharing Agreement is designed to provide individuals with an efficient procedure for obtaining redress for their grievances under Palm Beach County's Equal Employment Ordinance and Federal laws. The Worksharing Agreement is a prerequisite to the receipt of a Charge Resolution Contract with the EEOC. On November 26, 1996, the Board of County Commissioners approved staff's recommendation that future Worksharing Agreements be executed by the County Administrator or designee because of the recurring time constraints involved in this process. Pursuant to Countywide PPM-CW-O-051, the document is now being submitted to the BCC to receive and file. **No County funds are required.** Countywide (DO)

3. CONSENT AGENDA APPROVAL

FF. OFFICE OF RESILIENCE

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, authorizing the County to join the American Flood Coalition to help advance the County's resiliency initiatives. **SUMMARY:** The American Flood Coalition is a nonprofit organization and nonpartisan coalition advocating for national solutions to flooding and sea level rise. The organization provides educational guides, communication tools, pilot programs, and advocacy and education platforms. The American Flood Coalition also facilitates forums to network with leaders on flooding. Joining the coalition is free and does not create legal ties or obligations. Current Florida counties and cities that are members include Boca Raton, Boynton Beach, Delray Beach, Palm Beach Shores, South Palm Beach, Broward County, Miami Beach, and Miami. The Office of Resilience recommends joining the American Flood Coalition. Countywide (RM)

3. CONSENT AGENDA APPROVAL

GG. TOURIST DEVELOPMENT COUNCIL

1. Staff recommends motion to receive and file: three fully executed Palm Beach County FY2022 Grant Agreements managed by the Palm Beach County Sports Commission, Inc., on behalf of the Palm Beach County Tourist Development Council (TDC) with:

A) Prospect Wire 2, LLC, for the promotion of the Prospect Wire Southeast Championship, held from June 3 - 8, 2022, for the term January 3, 2022 – September 8, 2022. This grantee was approved by the TDC on March 10, 2022, in the amount of \$20,000;

B) South Florida Collegiate Baseball, Inc., for the promotion of the South Florida Collegiate Baseball League, held from June 2 – July 25, 2022, for the term January 2, 2022 – October 31, 2022. This grantee was approved by the TDC on March 10, 2022, in the amount of \$15,000; and

C) Prospect Select Baseball, Inc., for the promotion of the Prospect Select Palm Beach Classic, held from June 10 - 19, 2022, for the term January 10 – September 19, 2022. This grantee was approved by the TDC on March 10, 2022, in the amount of \$30,000.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a receive and file agenda item. On June 7, 1994, the Board of County Commissioners adopted Resolution R94-702, as amended authorizing the Executive Director of the Tourist Development Council to enter into grant agreements with Category G (Sports) grantees after they have been approved by the Tourist Development Council. Room nights generated for Prospect Wire 2, LLC, were 455, well below the estimated 2,000 room nights. Therefore, Prospect Wire 2, LLC, was paid \$4,550 (\$10 per room night) per contract, instead of the maximum grant award of \$20,000. Room nights generated for South Florida Collegiate Baseball, Inc. were 2,002, and room nights generated for Prospect Select Baseball, Inc., were 6,075. Districts 1, 2, 4, 5 & 7 (YBH)

3. CONSENT AGENDA APPROVAL

GG. TOURIST DEVELOPMENT COUNCIL (Cont'd)

2. Staff recommends motion to receive and file: three fully executed Palm Beach County FY2022 Grant Agreements managed by the Palm Beach County Sports Commission, Inc., on behalf of the Palm Beach County Tourist Development Council (TDC) with:

A) National Junior Tour, LLC, for the promotion of the Junior Tour Powered by Under Armor National Championship, held from June 20 - 26, 2022, for the term January 23, 2022 – September 26, 2022. This grantee was approved by the TDC on March 10, 2022, in the amount of \$25,000;

B) Florida State Golf Association, Inc., for the promotion of the Florida State Golf Association 105th Amateur Championship, held from June 23 – 26, 2022, for the term January 23, 2022 – September 26, 2022. This grantee was approved by the TDC on March 10, 2022, in the amount of \$5,000; and

C) Palm Beach Gardens Youth Athletic Association, Inc., for the promotion of the Cal Ripkin Baseball Rookie & T-Ball State Championship, held from June 22 - 26, 2022, for the term October 1 – September 26, 2022. This grantee was approved by the TDC on May 12, 2022, in the amount of \$15,000.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a receive and file agenda item. On June 7, 1994, the Board of County Commissioners adopted Resolution R94-702, as amended authorizing the Executive Director of the Tourist Development Council to enter into grant agreements with Category G (Sports) grantees after they have been approved by the Tourist Development Council. Room nights generated for National Junior Tour, LLC , were 2000, room nights generated for Florida State Golf Association, Inc., were 540, and room nights generated for Palm Beach Gardens Youth Athletic Association, Inc., were 1,800. District 1 (YBH)

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4. SPECIAL PRESENTATIONS – 9:30 A.M.

- A)** Proclamation declaring August 31, 2022 as International Overdose Awareness Day in Palm Beach County (District 6)
- B)** Proclamation declaring August 2022 as Palm Beach County Black Business Month in Palm Beach County (District 5)
- C)** Proclamation declaring September 2022 as National Recovery Month in Palm Beach County (District 6)
- D)** Proclamation recognizing August 26, 2022 as Women’s Equality Day in Palm Beach County (District 5)
- E)** Proclamation declaring August 23, 2022 as K9 Yogi Day in Palm Beach County (District 3)
- F)** Certificate of Commendation to Nicole Farley (District 4)

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

A. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to:

A) approve the application of South Florida Fair and Palm Beach County Expositions, Inc. (the Borrower) for the issuance of the County's Industrial Development Revenue Bond (South Florida Fair and Palm Beach County Expositions, Inc. Project), Series 2022 in a principal amount not to exceed \$6,000,000;

B) conduct a public hearing pursuant to Section 147(f) of the Internal Revenue Code concerning the proposed issuance of the Bond; and

C) adopt a Resolution of the Board of County Commissioners of Palm Beach County, Florida: (i) authorizing the issuance of the County's Industrial Development Revenue Bond (South Florida Fair and Palm Beach County Expositions, Inc.), Series 2022 (the Bond) for the purpose of providing funds to make a loan to South Florida Fair and Palm Beach County Expositions, Inc. (the Borrower) to provide funds to refinance the County's Industrial Development Revenue Bonds (South Florida Fair Project), Series 2010, issued for the benefit of the Borrower and to provide funds to pay the costs of issuing the Bond; (ii) authorizing the execution of a Financing Agreement; (iii) awarding the sale of the Bond by a negotiated sale; (iv) authorizing officials of the County to take certain action in connection with the issuance of the Bond; (v) making certain other covenants and agreements in connection with the issuance of the Bond; and (vi) providing an effective date.

SUMMARY: The Borrower has applied for the issuance of an industrial development revenue bond by the County in an amount not to exceed \$6,000,000. Bond proceeds will be used to refinance the County's Industrial Development Revenue Bonds (South Florida Fair Project), Series 2010. The 2010 Bonds were issued to refinance earlier bonds issued by the County in 2000 to finance capital assets for the Borrower's facilities at The South Florida Fairgrounds on Sansbury's Way in unincorporated Palm Beach County. The Bond will be payable solely from revenues derived from the Borrower. **Neither the taxing power nor the faith and credit of the County, nor any County funds, shall be pledged to pay the principal, premium, if any, or interest on the Bond.** District 6 (HF)

5. PUBLIC HEARINGS – 9:30 A.M.

A. HOUSING AND ECONOMIC DEVELOPMENT (Cont'd)

2. Staff recommends a motion to approve on first reading and advertise for adoption hearing on September 13, 2022: a Resolution of the Board of County Commissioners (BCC) of Palm Beach County, Florida, making certain findings and designating the real property located at 5976 Okeechobee Boulevard, within unincorporated Florida 33417, further identified by Property Control Numbers 00-42-43-26-00-000-1300, 00-42-43-26-00-000-1340, and 00-42-43-26-05-004-0000 (the “Subject Property”), as a Brownfield Area pursuant to Section 376.80(2)(c), Florida Statutes, to be known as The Town of Palm Beach - Okeechobee Blvd. Former Landfill and Shooting Range Green Reuse Area, for the purpose of rehabilitation, job creation and promoting economic development; providing for an effective date; and, for other purposes. **SUMMARY:** On July 12, 2022, the BCC approved two motions to allow for a Brownfield Area designation of the Subject Property: 1) a waiver of the statutory requirement that one of two public hearings be held after 5:00 p.m.; and 2) the advertising of public hearings on Tuesday, August 23, 2022 at 9:30 a.m., and Tuesday, September 13, 2022 at 9:30 a.m. On June 2, 2022, CRE Fund at Okeechobee Boulevard LLC (CRE Fund), as contract lessor with the Town of Palm Beach, submitted a revised application to the Department of Housing and Economic Development to designate the Subject Property as a Brownfield Area. The Subject Property was formerly operated as a permitted yard trash disposal facility and shooting range, and is impacted by metal and organic contaminants in soil and groundwater. CRE Fund plans to develop the Subject Property as a mixed-use development. The rezoning of the 27.66 acre site was approved at the May 26, 2022 BCC Zoning Hearing (Resolution R2022-0537), concurrent with a future land use amendment (Ordinance 2022-013), to allow for the development of 708 multifamily dwelling units, which includes 177 on-site Workforce Housing rental units, and 21,839 square feet of commercial uses. The approved Preliminary Site Plan indicates two seven-story and three three-story residential buildings; six one-story buildings comprised of two Retail buildings, a Type 1 Restaurant, two club houses, and a guardhouse; 1,355 parking spaces; and, two recreational areas. Prior to redevelopment, CRE Fund is seeking a “Brownfield Area” designation under Florida’s Brownfields Redevelopment Act. **No County funds for implementation are required.** District 2 (HJF)

5. PUBLIC HEARINGS – 9:30 A.M.

B. COUNTY ATTORNEY

1. Staff recommends motion to adopt: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, repealing Chapter 18, Article V, Section 18-121, et seq., Palm Beach County Code, Ordinance No. 2017-046, “Prohibition of Conversion Therapy on Minors Ordinance”; providing for repeal of laws in conflict; providing for inclusion in the code of laws and ordinances; and providing for effective date. **SUMMARY:** On December 21, 2017, the Palm Beach County Board of County Commissioners (BCC) enacted Chapter 18, Article V, Section 18-121, et seq., Palm Beach County Code, Ordinance No. 2017-046, referred to as the “Prohibition of Conversion Therapy on Minors Ordinance” (Ordinance). On June 13, 2018, two therapists filed a single suit against the City of Boca Raton, (the City), and Palm Beach County, (the County), in the United States District Court for the Southern District of Florida in *Otto v. City of Boca Raton, Florida*, Case No. 9:18-CV-80771-RLR, challenging the City’s and County’s substantially similar conversion therapy ban ordinances. The District Court conducted a hearing on the therapists’ claim for a temporary injunction that sought to prohibit the City and the County from enforcing their ordinances, and the District Court denied injunctive relief. The therapists appealed that interlocutory order to the United States Circuit Court of Appeals for the Eleventh Circuit (Eleventh Circuit). The Eleventh Circuit determined that the ordinances violated the First Amendment in *Otto v. City of Boca Raton, Florida*, 931 F.3d 854 (11th Cir. 2020), *reh’g en banc den.*, 2022 WL 2824907 (Jul. 20, 2022). The Eleventh Circuit issued mandate on July 29, 2022, finalizing its decision. In light of the Eleventh Circuit’s ruling, the County Attorney recommends repeal of the County’s Ordinance utilizing the regular enactment procedure provided for in section 125.66(2)(a), Florida Statutes (2021), which requires publication and consideration of the ordinance at a single public hearing. Countywide (HH)

5. PUBLIC HEARINGS – 9:30 A.M.

C. PUBLIC SAFETY

1. Staff recommends motion to adopt: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Palm Beach County Code Chapter 19, Article VIII (Ordinance no. 2011-008), providing for a title; providing for definitions; providing for tow truck class specifications; providing for operating permit required; providing for new applications/renewals and issuance of an operating permit and fees; providing for inspection of storage yards and public offices required; providing for insurance requirements, providing for tow truck registration, tow truck standards and decals; providing for inspection procedures and requirements for tow companies; providing for non-consent manifest, towing invoice or tow sheet; providing for advertisements; providing for records required; providing for operating permit required to do business with the county; providing for non-consent towing with prior express instruction; providing for notice requirements for providing non-consent tow services at request of real property owners; providing for non-consent tow truck company requirements; providing for consent-only tow truck company requirements; providing for maximum rates; providing for tow truck driver requirements and failure to comply; providing for fraudulent transfer of tow truck companies; providing for additional requirements for providing immobilization services; providing for deceptive and unfair trade practices; providing for cease and desist orders; providing for assurances of voluntary compliance; providing for enforcement and civil/criminal penalties; providing for administrative enforcement, denial, revocation and suspension of operating permits/i.d. badges; providing for additional penalties; providing for hearings and appeals; providing for scope of ordinance; providing for repeal of laws in conflict; providing for a savings clause; providing for inclusion in the code of laws and ordinances; providing for severability; and providing for an effective date. **SUMMARY:** A preliminary reading of the proposed ordinance revisions was approved by the BCC on July 12, 2022. At the request of the towing industry and administrative need to update the Tow Truck Ordinance, staff convened multiple meetings of industry members from both the towing and immobilization industry. Staff and industry members identified several ways to improve the ordinance while continuing to provide consumer protections. Updates include modifications to ordinance language to conform to Florida Statute with respect to signage placement and lien requirements; establishing timelines on certain disqualifying criminal offenses for tow truck drivers; creating a licensing and program for immobilization services that addresses the following: maximum rates, signage requirements, required methods of payment, warning notices on vehicles, insurance requirements, identification requirements, release/response time requirements, awareness to consumers on complaint filing, and violations for non-compliance; allowing credit card convenience fees; e-mail authorizations for private property impounds; creating an annual rate adjustment using the Consumer Price Index; updating the ordinance name to Towing and Immobilization Services; and improving general readability. The proposed revisions were presented to the Consumer Affairs Hearing Board on June 15, 2022 and League of Cities on June 22, 2022 with no objection. Administration and enforcement of this ordinance is funded entirely through license fees. Countywide (JAW)

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6. REGULAR AGENDA

A. PUBLIC SAFETY

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners (BCC) of Palm Beach County, Florida establishing a new schedule of maximum rates for non-consent towing and immobilization services, fees and fines; establishing minimum insurance limits; and repealing and replacing Resolution No. R2014-1622, relating to the Towing and Immobilization Services Ordinance of Palm Beach County, Florida, as codified in the Palm Beach County Code of Ordinances. **SUMMARY:** The Towing and Immobilization Services Ordinance provides that the BCC shall establish by resolution certain licensing fees, fines, and maximum rates. This proposed resolution adjusts the 2015 maximum towing and storage rates using the Consumer Price Index (CPI) for all Urban Consumers as published by the U.S Bureau of Labor Statistics each calendar year and establishes an immobilization rate. A multi-year adjustment was made to account for the past seven years where no adjustment was made for private property impound tows, storage, and after-hours gate fee. The police directed tow rate received a one-year adjustment to account for increasing operational costs. Annual rate adjustment language for non-consent towing, storage, and immobilization services using the CPI was incorporated into the Towing and Immobilization Services Ordinance with a requirement to be reviewed by the Board every five years. This new language in the ordinance is being recommended for approval by the BCC on August 23, 2022. There are no changes recommended for licensing fees or fines relating to towing services, however new fines and licensing fees are proposed for companies providing immobilization services. Countywide (JAW)

6. REGULAR AGENDA

B. AIRPORTS

1. Staff recommends motion to approve: the Purchasing Department's issuance of an award letter for the 12-month extension of the term contract for Janitorial Services at the Palm Beach International Airport (PBI) (Term Contract) with Triangle Services of Florida, Inc. d/b/a Triangle Services (Triangle) for the period commencing October 1, 2022, and ending on September 30, 2023, per Master Agreement #17032D, and an increase to the Term Contract of \$3,600,000. **SUMMARY:** The Term Contract ends on September 30, 2022, with no further renewal options. The County has expended or encumbered \$3,565,114 during the previous 10.5 months of the current 12-month term contract. This item provides approval for the Purchasing Department to issue an award letter extending the Term Contract by 12 additional months to provide sufficient time for the Purchasing Department to issue a new competitive solicitation and award a new term contract without a gap in service. This extension is necessary due to staffing shortages and the COVID-19 pandemic, which resulted in workload reprioritizations. The Term Contract provides for the payment of a monthly management fee of \$12,816.66. Expenses, including employee salaries and benefits, are paid on a reimbursement basis in accordance with an annual budget approved by the Department of Airports. The total cost for the 12-month extension is projected to be \$3,600,000. The Term Contract amount for the: (i) initial 12-month term was \$2,685,989, with \$2,423,499.45 expended; (ii) first 12-month renewal term was \$2,685,989, which was increased to \$2,954,587, with \$2,826,621.89 expended; (iii) second 12-month renewal term was \$2,685,989, which was increased to \$2,954,587.90 with \$2,677,740 expended; (iv) third 12-month renewal term was \$2,685,989, which was increased to \$3,185,989 with \$2,826,628 expended; and (v) fourth 12-month renewal term was \$3,600,000. Triangle is located outside Palm Beach County in the City of Fort Lauderdale, Florida. The Term Contract was advertised pursuant to the Small Business Enterprise (SBE) Ordinance in place at the time with an SBE goal of 15%. Triangle committed to 18% SBE participation. The cumulative SBE participation to date is 17.06%. In the event the full 12-month extension is not required for the award of a new term contract, the County may terminate the Term Contract for convenience. Pursuant to changes to Chapter 332, Florida Statutes, effective October 1, 2020, a governing body of a commercial service airport may not approve purchases of contractual services in excess of the Category Five threshold amount of \$325,000 provided in Section 287.017, Florida Statutes, on a consent agenda. This item exceeds the threshold amount and must be approved on the regular agenda. Countywide (AH)

6. REGULAR AGENDA

B. AIRPORTS (Cont'd)

2. Staff recommends motion to approve: Amendment No. 3 to the General Consulting Agreement with HDR Engineering, Inc. (HDR) for Consulting/Professional Services in the amount of \$339,430.44 for the continued performance of professional planning and design services related to the approved Palm Beach County Airports Capital Improvement Program. **SUMMARY:** The Consulting Agreement with HDR for general airport planning and design was approved by the Board on August 20, 2019 (R2019-1157) in the amount of \$960,107 in order to carry out the approved Capital Improvement Programs for the County's Airports. Amendment No. 1 was approved by the Board on August 17, 2021 (R2021-1024), allowing the County, at its sole discretion, to exercise the first one-year renewal option for the continuation of services provided under this agreement. Amendment No. 2 was approved by the Board on June 7, 2022 (R2022-0574), increasing the amount of the contract by \$541,180.72, and allowing the County, at its sole discretion, to exercise the second one-year renewal option for the continuation of services provided under this agreement. Approval of Amendment No. 3 will provide an additional \$339,430.44 to complete the following task: Task 1 Services - Palm Beach International Airport (PBI) Cargo Access Improvements Design. HDR is an Omaha, Nebraska based firm; however, the majority of the work to be completed in this agreement will be managed through their West Palm Beach, Florida office in conjunction with several Palm Beach County-based and South Florida-based sub-consultants and firms. A Disadvantaged Business Enterprise (DBE) goal of 20% was set for this contract. HDR committed to 20% in its proposal. The anticipated DBE participation based upon the approved tasks is approximately 20.99%. The current paid to date DBE participation is approximately 9.25%. The DBE participation for this Amendment is approximately 29%. Pursuant to changes to Chapter 332, Florida Statutes, effective October 1, 2020, a governing body of a commercial service airport may not approve purchases of contractual services in excess of the Category Five threshold amount of \$325,000 provided in Section 287.017, Florida Statutes, on a consent agenda. This amendment exceeds the threshold amount and must be approved on the regular agenda. Countywide (AH)

6. REGULAR AGENDA

B. AIRPORTS (Cont'd)

3. Staff recommends motion to approve:

A) the General Consulting Agreement with Ricondo & Associates, Inc. (Ricondo) for a term of two years, with two one year renewal options in the amount of \$2,021,165 for the performance of Airport General Consulting Services related to the approved Palm Beach County Airports' Capital Improvement Program; and

B) a budget transfer in the amount of \$2,021,165 in the Airport's Improvement and Development Fund to provide for the Ricondo contract, including a transfer from Reserves of \$2,021,165.

SUMMARY: In order to carry out the approved Capital Improvement Program for the County, the Department of Airports requires airport general consulting services. In accordance with Section 287.055, Florida Statutes and PPM CW-O-048, Ricondo was competitively selected to provide these services. The initial agreement of a potential multi-year contract in the amount of \$2,021,165 will provide the Department of Airports with the necessary continuing professional services to implement the following services: Level 1 Tasks - Palm Beach International (PBI) Airfield Capacity Update and Alternatives Analyses; PBI Wildlife Hazard Assessment; PBI Gate Capacity Analysis and Incremental Development Strategy; PBI Aviation Activity Forecasts; PBI Public/Employee Parking Analyses; PBI Airport Layout Plan Revision; Palm Beach County Department of Airports (PBCDOA) Capital Improvement Program (CIP) Manual and Project Sheets; PBCDOA GASB 87 Lease Accounting Support; PBCDOA General Aviation Airport Master Plan Updates Gap Analysis; Level 2 Tasks - PBCDOA CIP Planning Support; PBCDOA Passenger Facility Charge Support, and Level 3 Tasks - Miscellaneous Planning, Financial, Airport Business and Management Support Services; and Miscellaneous National Environmental Policy Act Processing Support Services. Work to be completed under these Task III Services will be issued per the level of authority contained in PPM CW-F-050, by way of a separate proposal or task authorization. Ricondo is a Chicago, Illinois based firm; however, the majority of the work contained in this agreement will be completed and/or managed through their Miami, Florida office in conjunction with several Palm Beach County-based sub-consultants and firms. On September 1, 2021, the Goal Setting Committee set an Affirmative Procurement Initiatives for this contract of a mandatory SBE Goal of 10%. The initial tasks to be awarded under the agreement contain SBE participation of 10.5%. Ricondo has committed to 11% SBE participation and intends to meet or exceed the participation. Pursuant to changes to Chapter 332, Florida Statutes, effective October 1, 2020, a governing body of a commercial service airport may not approve purchases of contractual services in excess of the Category Five threshold amount of \$325,000 provided in Section 287.017, Florida Statutes, on a consent agenda. This agreement exceeds the threshold amount and must be approved on the regular agenda. Countywide (AH)

6. REGULAR AGENDA

B. AIRPORTS (Cont'd)

4. Staff recommends motion to:

A) receive and file Federal Aviation Administration (FAA) Grant Agreement Number 3-12-0085-071-2022 in the amount of \$1,674,268 for the James L. Turnage Blvd. Bridge Repairs at Palm Beach International Airport (PBI). Delegation of authority for execution of this grant was approved by the BCC on August 25, 2020 (R2020-1017). This grant is effective as of July 25, 2022 with an expiration date of July 24, 2026;

B) approve a contract with Southern Road & Bridge, LLC in the amount of \$2,232,358.10 and 410 calendar days for the James L. Turnage Blvd. Bridge Repairs at PBI; and

C) approve a budget amendment of \$1,674,268 in the Airport's Improvement and Development Fund to recognize the receipt of grant funding from the FAA; including a transfer from Reserves in the amount of \$558,091 for a total budget in the amount of \$2,232,359 for the Southern Road & Bridge, LLC contract.

SUMMARY: The FAA has issued a Grant Offer (Assistance Listings Number 20.106) reflecting its commitment of funding in the amount of \$1,674,268 for the James L. Turnage Blvd. Bridge Repairs at PBI. Acceptance of this grant provides the Department of Airports with funding for the project. This grant began on July 25, 2022 and expires on July 24, 2026. This grant requires a local match in the amount of \$558,091. This project was advertised utilizing the County's competitive bid process. On April 5, 2022, three bids were received for the James L. Turnage Blvd. Bridge Repairs at PBI. Southern Road & Bridge, LLC, a Pinellas County, Florida company has been identified as the lowest responsible/responsive bidder in the amount of \$2,232,358.10. This project will provide for the routine maintenance and repair activities on the bridges along James L. Turnage Blvd. at PBI, including cleaning, sealing and repairing concrete joints, as well as concrete spall and crack repair. The project also consists of cleaning and refinishing the exterior bridge surfaces and applying a friction surface coating on designated pavement surfaces. A Disadvantaged Business Enterprise (DBE) goal of 24.7% was established for this project. Southern Road & Bridge, LLC has committed to meet the DBE goal of 24.7%. Pursuant to changes to Chapter 332, Florida Statutes, effective October 1, 2020, a governing body of a commercial service airport may not approve purchases of contractual services in excess of the Category Five threshold amount of \$325,000 provided in Section 287.017, Florida Statutes, on a consent agenda. This contract exceeds the threshold amount and must be approved on the regular agenda. Countywide (AH)

6. REGULAR AGENDA

C. OFFICE OF RESILIENCE

1. [Staff recommends motion to approve on preliminary reading and advertise for public hearing on October 18, 2022, at 9:30 A.M.:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Palm Beach County Code, Chapter 17, Article XVII, (Ordinance 2017-012), Section 17-504 through Section 17-507, regarding the Property Assessed Clean Energy (PACE) Program; providing for a savings clause; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; providing for enforcement; providing for penalties; providing for captions; and providing for an effective date. **SUMMARY:** In recent years, Office of Resilience (OOR) staff have presented to the Board of County Commissioners (BCC) at several workshops and received BCC direction to amend Palm Beach County Code, Chapter 17, Article XVII, (Ordinance 2017012), Section 17-504 through Section 17-507, regarding the PACE Program that operates in the County. At the September 28, 2021, workshop, the BCC recommended that staff work to increase the applicability of the Ordinance for non-residential financing, streamline administrative tasks, increase consumer protections, and explore capping interest rates. At the June 7, 2022, BCC meeting, OOR staff brought an agenda item recommending a motion to approve on preliminary reading and advertise for public hearing staff's proposed PACE ordinance changes. The BCC directed staff to postpone the request to advertise and work with stakeholders to find additional common ground for ordinance amendments. Since then, staff has met with local PACE representatives and the Tax Collector's Office to align further on ordinance revisions. Upon final direction, staff will advertise the proposed ordinance amendments for adoption at the October 18, 2022, BCC meeting. Countywide (RM)

6. REGULAR AGENDA

D. PLANNING, ZONING & BUILDING

1. [Staff recommends motion to approve on preliminary reading and advertise for public hearing on Tuesday, September 13, 2022 at 9:30 a.m.:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida adopting an Interlocal Service Boundary Agreement with the City of Greenacres to coordinate future land use, public facilities and services, in advance of annexation; authorizing the Mayor of the Board of County Commissioners to sign the Interlocal Agreement; providing for severability; providing for captions; and providing for an effective date. **SUMMARY:** In accordance with Palm Beach County policy to promote interlocal agreements with municipalities to address service delivery issues, Palm Beach County and City of Greenacres staff jointly prepared an Interlocal Service Boundary Agreement (ISBA) and Joint Planning Agreement (JPA). In November 2020 and December 2020, the City of Greenacres and Palm Beach County respectively adopted resolutions to commence negotiations for an ISBA/JPA. The subject's unincorporated area is within the future annexation area of the City, generally located on the southeast corner of Lake Worth Rd and S. Jog Rd, as depicted in Exhibit A of the ISBA. By Ordinance No. 2022-01 adopted on August 15, 2022, the City accepted the terms of the proposed ISBA/JPA. The proposed ISBA/JPA does not annex any property, but rather provides a more flexible mechanism for annexation to occur within the proposed area. The proposed ISBA/JPA meets the requirements of Chapter 171, Part II, F.S., and is consistent with the Intergovernmental Coordination Element Policy 1.4-d of the County's Comprehensive plan. District 3 (DL)

6. REGULAR AGENDA

D. PLANNING, ZONING & BUILDING (Cont'd)

2. Staff seeks Board direction: to move forward with a building recertification program that adopts State standards for particular building types within unincorporated Palm Beach County. **SUMMARY:** Following the devastating event that took place on June 24, 2021 at Champlain Towers located in Surfside, Florida, the County Administrator directed staff to research current practices and identify potential recommendations and reach out to the League of Cities to establish a collaborative working group. Building Division staff participated in and facilitated meetings with the League of Cities group and other stakeholder groups. Staff then requested direction from the Board of County Commissioners (BCC) regarding developing and implementing a program to evaluate the safety of certain building types in Palm Beach County. At the July 13 and August 17, 2021 BCC Meeting(s), the Board directed staff to continue identifying the potential candidate structures, work with specific industry representatives, assess other safety evaluation programs in effect in other areas around the country, and to continue to work with the League of Cities Building Officials to explore/develop a model standard. On October 19, 2021, the BCC directed Staff to wait and see if the State Legislature would bring forward a statewide initiative on this topic. The Legislature did not act during its regular session to implement a statewide building recertification program. However, upon being recalled by Governor DeSantis for a Special Session to address this issue, the Legislature passed Senate Bill 4D (SB 4D). SB 4D requires all condominium and co-op buildings 3 stories or more to have a “milestone” inspection” at 30 years, and at 25 years if within 3 miles of the coastline, with updates every 10 years thereafter. These inspections will determine if a more thorough inspection is necessary and it is up to the local government to establish timing of the repairs. Under the bill, the list of applicable buildings is to be provided by the Department of Business and Professional Regulation. According to rough data pulled by the Planning Division, there appear to be approximately 550 buildings in unincorporated Palm Beach County that are immediately required to have a milestone inspection due to their age, location and stories. A recent meeting with the League of Cities subcommittee resulted in a recommendation to move forward with the State’s program with no additional requirements. The program is in line with the draft model ordinance the group has been working on. Staff intends to present the mechanics of the State program and seek direction on proceeding with a local ordinance to adopt the program with or without additions for unincorporated Palm Beach County. Unincorporated (RM)

6. REGULAR AGENDA

E. CLERK & COMPTROLLER

1. Staff recommends motion to approve: a budget transfer of \$160,000 from General Fund Contingency Reserves to supplement the 2022 Value Adjustment Board Budget. **SUMMARY:** The 2021 Value Adjustment Board season has been influenced by multiple factors having budgetary impact. The Palm Beach County Value Adjustment Board requires \$160,000 to supplement its current budget to meet operating cost projections for the remainder of the fiscal year. Countywide (DB)

F. FACILITIES DEVELOPMENT & OPERATIONS

1. ~~**DELETED FOR FURTHER STAFF REVIEW: Staff recommends motion to adopt:** a resolution recognizing that the Facilities Development and Operations Department (FDO) is responsible for the management of parking lots and parking garages in and around certain County facilities. **SUMMARY:** The Palm Beach County Parking Ordinance authorizes the County Engineer to determine and designate traffic restrictions and parking regulations, including the establishment of parking meter locations, within the boundaries of the County. However, FDO has long been responsible for the parking lots and parking garages, including parking meters, at certain County facilities operated and managed by FDO. FDO has also long been responsible for collecting and accounting for the monies generated by the metered parking at these facilities. FDO is requesting the Board of County Commissioners (Board) recognize that FDO is responsible for managing certain county parking garages and lots, and is responsible for managing the assessments and collection of metered parking fees. The resolution authorizes FDO to manage and maintain the parking garages and lots associated with County facilities operated and managed by FDO, and to collect and account for the monies generated by metered parking. The resolution also requires that FDO prepare a policy and procedure memorandum regarding how the FDO Director is to review metered parking fees from time to time and determine whether the parking fee should be raised or lowered. Finally, the resolution requires that FDO seek Board approval before installing metered parking at any County facility that does not already have metered parking as of the date of this resolution. At this time, the only locations managed by FDO where metered parking fees are assessed are in downtown West Palm Beach at the Judicial Center Garage and surface lot, the Governmental Center Garage and the 4th Street surface lot, located adjacent to the Governmental Center. The Engineering and Public Works Department will continue to maintain authority over any metered parking within County-maintained road rights of way. The County Engineer has no objection and supports this request. (FDO Admin) Countywide (MWJ)~~

6. REGULAR AGENDA

F. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. [Staff recommends motion to approve:](#) a Development and Conveyance Agreement (DCA) with the University of Florida Foundation, Inc. (UF) for the planning, development, design, permitting, construction, operation and maintenance of an urban educational campus which will include approximately 5.03 acres of County-owned property (Properties) located in the City of West Palm Beach. **SUMMARY:** On August 24, 2021, the mayors of Palm Beach County (County) and the City of West Palm Beach (City) held a joint press conference to announce an educational initiative for the region. The initiative provides for the conveyance of real estate owned by the County, City and a private third party(s) within the area historically known as Government Hill in downtown West Palm Beach to UF for the development, operation and maintenance of an urban educational campus (Urban Campus) focused on graduate, professional and executive programs. On August 31, 2021, the Board of County Commissioners (Board) instructed Staff to commence conversations with UF and the City towards reaching mutual understandings and the necessary agreements for the development of an Urban Campus, and to consider four key elements: reversionary rights, use restrictions, closing costs and development timeline. On December 7, 2021, Staff provided the Board a status report regarding the collaboration with UF and the City towards the development of the Urban Campus. On February 8, 2022, the Board approved a conceptual term sheet and authorized staff to proceed with negotiations towards finalizing an agreement. At the time of approval of the conceptual term sheet, County staff reported to the Board that although mutual agreements had been reached on most terms, there remained two material terms to be further negotiated: 1) the extent of the reversionary rights to be retained by the County, and 2) the definition of allowable private uses on the Properties. County staff and UF representatives were able to reach agreements on both material terms. However, County staff notes that the reversionary rights captured in the DCA are limited in scope and will automatically expire once UF commences vertical construction (defined as "Phase 1" in the DCA) on the Properties. The extent of reversionary rights in the DCA is **significantly limited** compared to the County's standard practice when conveying public property at no cost. Typically, the County has reversionary rights that extend beyond completion of development/construction, and which seek to ensure that the real estate holdings conveyed at no cost will return to the County's ownership if the use deviates from the one approved at the time of conveyance. UF has maintained that inclusion of standard reversionary rights would impair its ability to develop the Urban Campus as it intends to pursue the same through, among other mechanisms, a series of Public-Private Partnerships (P3s). Combined with a series of negotiated use restrictions, the DCA as drafted achieves Board direction and should serve to ensure that the Properties are used in a manner consistent with the Board's intention in conveying the same. However, this hybrid approach still lacks the automatic nature and associated benefits that result from having standard reversionary rights. As it relates to the Private Uses on the Properties, the same will be limited to those that exist in collaboration with, or in support of, the Public Educational Use. The aggregated square footage of the floor area of Private Uses on the Properties will be limited to no more than 40% of the aggregate floor area of all buildings constructed on the Properties and will not include travel and leisure hospitality facilities nor outpatient/inpatient medical facilities. As per the Board approved conceptual term sheet, Staff had included as a condition precedent for closing on the Properties receipt by UF of the permits required to commence construction. UF has maintained that it could not enter into the DCA with said condition precedent, as it would result in UF having to front-fund the design of the Urban Campus rather than to rely on the P3 agreement that it intends to pursue for the development. To achieve Board direction, the DCA as drafted no longer requires UF to obtain permits as a condition precedent to closing but rather, to confirm that all permits and approvals required for Phase 1 are obtainable in the ordinary course of business. The County's current holdings on Government Hill amount to approximately 5.03 acres. In September 2021, County staff obtained two separate appraisals (prepared by Callaway & Price, Inc. and M.R. Ford & Associates, Inc.) which average to a fee simple interest market value for the properties totaling \$42,072,500. The City's holdings amount to approximately 2.2 acres and the private holdings amount to approximately 4.5 acres. In February 2022, the City approved a donation agreement (Contract Number 27893; Ordinance No. 4989-22) to provide UF the right to develop the Urban Campus on the City's holdings.

6. REGULAR AGENDA

F. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. **SUMMARY: (Cont'd)** UF has represented that it continues to negotiate with the owner(s) of the private holdings located on Government Hill and that if/when an agreement is reached, the same will be kept confidential as per UF's policies. The approved State of Florida budget for fiscal year 2023 includes an appropriation of \$100 million for the "West Palm Beach Global Center for Technology and Innovation" (i.e. the Urban Campus) contingent upon: 1) UF receiving one or more donations of land in Palm Beach County comprising of approximately 12 acres; and 2) UF obtaining, within 60 days of the effective date of the appropriation law, at least \$100 million in commitments for cash gifts to be used in support of the Urban Campus and with commitments that such gifts be paid in full on or before July 1, 2027. The State budget was approved on June 2, 2022 and went into effect on July 1, 2022 therefore, the 60-day deadline falls on September 1, 2022. If the Board approves the DCA, UF would have secured approximately 7.2 of the total 12 acres required under the appropriation bill. UF has indicated it has secured the \$100 million required under the appropriation bill thereby achieving the funding goal prior to the deadline. The County's contribution towards the Urban Campus will consist of the land value (i.e. approximately \$42 million) and staff time in administering the DCA. The County will release mineral and petroleum rights on the Properties and on the City's real estate holdings in accordance with Florida Statute, Section 270.11. **These conveyances must be approved by a Supermajority Vote (5 Commissioners).** FDO Admin (District 7/Countywide) (HJF)

6. REGULAR AGENDA

G. ADMINISTRATION

1. [Staff recommends motion to approve on preliminary reading and permission to advertise for a public hearing on September 13, 2022 at 9:30 a.m.:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Sections 14-81 and 14-82 of the Palm Beach County Code; providing for authority; providing for required written fair notice of termination of residential tenancies with specific duration and certain tenancies without specific term and written fair notice requirements for rental payment increases for residential tenancies with specific duration and certain tenancies without specific term; providing for enforcement; providing for severability; providing for inclusion in the code; and providing for an effective date. **SUMMARY:** At the request of the Board of County Commissioners, this ordinance is being proposed for consideration and seeks to amend Sections 14-81 and 14-82 of the Palm Beach County Code to require a 60-day written notification for either non-renewal of a residential lease, termination of a residential lease, or an increase of the rental rate by more than 5% for tenancies of a specific duration under Section 83.575(1), Florida Statutes, or for tenancies without a specific term under Section 83.57(1) through (3), Florida Statutes. This ordinance shall apply in unincorporated and incorporated areas of Palm Beach County, subject to certain limitations. Similar ordinances have passed in other counties in the state as well as several municipalities in Palm Beach County. This ordinance provides that any municipal ordinances in Palm Beach County either adopted before or after the adoption of this ordinance would remain in effect. It also allows a municipality to opt out of the provisions of this ordinance. The ordinance provides for an enforcement mechanism in the unincorporated areas of the county through Palm Beach County Code Enforcement and includes fines for such violations. In incorporated Palm Beach County, any municipal code enforcement officers or any law enforcement agency having jurisdiction of the area within which the residential tenancy at issue is located would enforce this ordinance. This ordinance is anticipated to have a beneficial impact for residents and will help renters navigate the highly competitive rental market by providing more time to adjust to higher rents or seek alternative housing, and will help landlords in sooner identifying certain residential units that may become available in order to identify new occupants. Countywide (MM)

6. REGULAR AGENDA

H. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to:

A) approve a request for an amendment to Series 2020A Bond, an amendment to Series 2020B Bond and an amendment to Financing Agreement approved by County Resolution No. R2020-0288 pursuant to which such Bonds were issued to refinance certain outstanding debt and finance a project on behalf of Pine Crest Preparatory School, Inc.; and

B) adopt a Resolution of the Board of County Commissioners of Palm Beach County, Florida authorizing the amendments to the Educational Facilities Revenue Bonds, Series A and B of 2020 (the Series 2020 Bonds), previously issued in an aggregate principal amount not to exceed \$125,000,000, for the purpose of refinancing certain outstanding debt and making a loan to finance a project on behalf of Pine Crest Preparatory School, Inc.; confirming that such educational facilities 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 revenue herein provided; approving and authorizing the execution and delivery of the documents necessary to complete such amendments.

SUMMARY: The Series 2020 Bonds were issued on March 18, 2020 to: (i) refinance certain outstanding debt of the Borrower; (ii) finance a portion of the costs of a project consisting of the construction, installation and equipping of certain educational facilities of Pine Crest Schools, including, among other things, at: (a) the Fort Lauderdale Campus located at 1501 N. E. 62nd Street, Fort Lauderdale, Florida: several building renovations and additions to the Lower, Middle and Upper Schools, baseball field reconfiguration, track and field renovation and resurfacing, dining hall renovation and pavilion expansion, transportation center addition, car line reconfiguration and parking garage renovation; and, (b) the Boca Raton Campus located at 2700 St. Andrews Boulevard, Boca Raton, Florida: several building renovations and additions to the Middle School, outdoor classrooms, covered walkways and parking lot reconfiguration; and (iii) pay the costs of issuance of the Series 2020 Bonds. The proposed amendments will: (i) adjust the interest calculation from a London Interbank Offer Rate (LIBOR) based index to a Term Secure Overnight Financial Rate (SOFR) based index for the Series 2020A Bond and the Series 2020B Bond; (ii) extend the drawdown period for the Series 2020B Bond from April 1, 2023 to April 1, 2026; and (iii) make certain other corresponding amendments to the terms and conditions as set forth in the First Amendment to Financing Agreement. **Neither the taxing power nor the faith and credit of the County nor any County funds, shall be pledged to pay the principal, premium, if any, or interest on the Bonds.** District 4 (HJF)

6. REGULAR AGENDA

I. OFFICE OF FINANCIAL MANAGEMENT AND BUDGET

1. Staff recommends motion to approve: a budget transfer of \$2,144,495 from General Fund Contingency Reserves to the Supervisor of Elections (SOE). **SUMMARY:** Due to the unexpected death of Congressman Alcee Hastings, the SOE held four unplanned and unbudgeted Special Elections. The impact to the operating budget is \$2,408,274.46. To date, the SOE has received \$263,780.37 in State reimbursement, and the State is committed to reimbursement of the remaining \$2,144,494.09; however, it is not likely to occur in the current fiscal year. As a result, the SOE is requesting this amount to be covered by the County to continue normal operations. This amount will be reimbursed once it is received from the State. Countywide (DB)

J. HEALTH DEPARTMENT

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, adopting the FY 2022/2023 budget for the Air Pollution Control Program. **SUMMARY:** This resolution is required by the August 21, 1984, agreement with the Department of Health Palm Beach County to establish the annual budget for the expenditure of fees deposited into the Air Pollution Control Trust Fund. This Program is solely supported by motor vehicle license registration fees. **The proposed FY 2022/2023 budget for the Air Pollution Control Program from this funding source is \$994,345, which is a 3.41% increase from the current year budget.** This budget can be accommodated by future revenues and a surplus in the Air Pollution Control Trust Fund. Countywide (HH)

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7. BOARD APPOINTMENTS

A. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

- 1. Staff recommends motion to approve: the appointment of **two** members to the Investment Policy Committee for a three year term.

<u><i>Nominee</i></u>	<u><i>Term</i></u>	<u><i>Nominated By</i></u>
Robert Deviney	10/1/22 – 9/30/25	Vice Mayor Weiss
<i>or</i>		
Johnny Ortiz	10/1/22 – 9/30/25	Commissioner Kerner
<i>or</i>		
Robert Rubin	10/1/22 – 9/30/25	Mayor Weinroth

SUMMARY: The Investment Policy Committee is comprised of seven members, with four being at-large appointments by the Board of County Commissioners (BCC), one being a representative appointed by the Sheriff, a member appointed from OFMB by the County Administrator, and the Chair being a member of the BCC, currently Vice Mayor Weiss. Of the seats currently filled the diversity count is: three Caucasian males (60%), and two Caucasian females (40%). The gender ratio (male:female) is 3:2. Nominees Mr. Deviney and Mr. Rubin are Caucasian males, and Mr. Ortiz is a Hispanic male. Countywide (DB)

B. COMMISSION DISTRICT APPOINTMENTS

AUGUST 23, 2022

8. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

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

B. COUNTY ATTORNEY

AUGUST 23, 2022

9. COMMISSIONER COMMENTS

District 1 – COMMISSIONER MARIA G. MARINO

District 2 – COMMISSIONER GREGG K. WEISS

District 3 – COMMISSIONER DAVE KERNER

District 4 – COMMISSIONER ROBERT S. WEINROTH

District 5 - COMMISSIONER MARIA SACHS

District 6 - COMMISSIONER MELISSA MCKINLAY

Request for off-site Proclamation declaring September 17, 2022 as Caribbean-American for Community Involvement Day in Palm Beach County

District 7 – COMMISSIONER MACK BERNARD

AUGUST 23, 2022

10. ADJOURNMENT

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