

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

OCTOBER 3, 2023

<u>PAGE</u>	<u>ITEM</u>	
44	4H	*DELETE - Postpone for 11/7/23. Proclamation declaring October 3, 2023 as Wellington Chamber of Commerce Day. (District 6)
44	4J	*ADD-ON: Proclamation declaring October 2023 as National Energy Awareness Month (District 1)
51	5F1	*REVISED MOTION / TITLE / SUMMARY (WAITING FOR BACKUP) (CAO) / Walton Contract / Staff recommends motion to approve: a 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 for a period <u>retroactive of three (3) years, beginning to October 31, 2023, and continuing for three (3) years, with two (2) renewal options each for a term of one (1) year</u> at the same annual fixed fee of \$522,650, plus reasonable costs and expenses not to exceed three percent (3%) of the total fees \$15,679.50 per fiscal year. SUMMARY: Walton Lantaff Schroeder & Carson LLP currently provides workers' compensation litigation defense services for Palm Beach County, Palm Tran Inc., and Constitutional Officers participating in the County's Self-Insurance Program. Their current contract expires on September 30, 2023. Following a competitive selection process, staff recommends this Contract for Professional Legal Services be awarded to Walton Lantaff Schroeder & Carson LLP to provide workers' compensation litigation defense services beginning October 31, 2023. <u>Countywide (DO)</u>

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**

OCTOBER 3, 2023

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

**COMMISSION
CHAMBERS**

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

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

- 3. CONSENT AGENDA (Pages 8 - 43)**

- 4. SPECIAL PRESENTATIONS (Page 44)**

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ADJOURNMENT (Page 56)

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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>
August 30, 2023	Comp Plan
September 07, 2023	Budget

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

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to adopt:** a Resolution declaring the acquisition of fee simple right-of-way designated as Parcel 105 necessary for the construction of roadway improvements on Old Dixie Highway from Yamato Road to south of Linton Boulevard (Project). **SUMMARY:** Adoption of this Resolution will initiate eminent domain proceedings pursuant to Chapters 73, 74, 127, and Section 337.27, Florida Statutes, as amended, against one parcel having a total appraised value of \$223,292. The parcel is necessary for the Project that will include the addition of curb and gutter, sidewalks, additional drainage, bridge replacement and traffic signals. The property owner has not accepted the offer to purchase made by Palm Beach County and attempts to negotiate the purchase have been unsuccessful. Eminent domain proceedings are necessary to acquire the parcel at this time in order to expedite construction of the Project. **This Project is included in the Five-Year Road Program. District 4 (DO)**

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3. CONSENT AGENDA APPROVAL

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

2. **Staff recommends motion to approve:** Consultant Service Authorization (CSA) No. 1 to the Intersection Improvements Annual Design Services Contract (R2023-0476) dated April 18, 2023 (Contract) with HSQ Group, LLC (HSQ) in the amount of \$333,956.63 for the Haverhill Road and 45th Street Intersection Improvements (Project). **SUMMARY:** Approval of this CSA will provide the professional services necessary for the design of a northbound to eastbound free flow right turn lane, mast arm traffic signals, transitions for all approaches of the intersection, survey and permitting for the Project. On January 5, 2022, the Goal Setting Committee applied Affirmative Procurement Initiatives of a 20% minimum mandatory Small Business

Enterprise (SBE) participation and an SBE evaluation preference. HSQ agreed to 80% SBE participation for the Contract. They agreed to 100% SBE participation for this CSA. HSQ has an office located in Palm Beach County and is a certified SBE company. **This Project is included in the Five-Year Road Program. District 7 (YBH)**

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3. **CONSENT AGENDA APPROVAL**

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

3. **Staff recommends motion to approve:**

- A) the Construction Materials Testing, Geotechnical Engineering and Inspection Professional Continuing Services Contract with Pacifica Engineering Services, LLC (PES) to be in effect for 36 months from the date of approval by the Board of County Commissioners (BCC);
- B) the Construction Materials Testing, Geotechnical Engineering and Inspection Professional Continuing Services Contract with RADISE International, L.C. (RADISE) to be in effect for 36 months from the date of approval by the BCC;
- C) the Construction Materials Testing, Geotechnical Engineering and Inspection Professional Continuing Services Contract with Thomas Geotechnical Services, LLC (TGS) to be in effect for 36 months from the date of approval by the BCC; and
- D) the Construction Materials Testing, Geotechnical Engineering and Inspection Professional Continuing Services Contract with GFA International, Inc. (dba) Universal Engineering Sciences (GFA) to be in effect for 36 months from the date of approval by the BCC.

SUMMARY: Approval of these contracts will provide the professional services necessary for construction materials testing, geotechnical engineering and inspection throughout Palm Beach County (County) on a consultant service authorization basis. The contract period for these contracts is 36 months from the date of approval by the BCC. On August 3, 2022, the Goal Setting Committee applied Affirmative Procurement

Initiatives of a 20% minimum mandatory Small Business Enterprise (SBE) participation and a Minority Business Enterprise Evaluation Preference for African American owned firms. PES agreed to 100% SBE participation for their contract. RADISE agreed to 25% SBE participation for their contract. TGS agreed to 100% SBE participation for their contract. GFA agreed to 40% SBE participation for their contract. On March 2, 2023, the Consultant's Competitive Negotiations Act Selection Committee selected PES, RADISE, TGS and GFA and, in accordance with PPM No. CW-O-048, the BCC was notified of the selections on March 3, 2023. PES, RADISE, TGS and GFA have offices located in the County and PES and TGS are certified SBE companies. Countywide (YBH)

OCTOBER 3, 2023

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. Staff recommends motion to approve: full and final settlement and release of claimant, The Estate of Shirley Goldberg's personal injury claim, stemming from an incident involving a Palm Tran bus, for the sum of **Two hundred thousand dollars** (\$200,000.00). **SUMMARY:** On August 18, 2021, at approximately 12:20pm, a Palm Tran bus operated by Steffon Monroe, exited the Westwinds Shopping plaza onto Glades Road in Boca and made contact with, Shirley Goldberg, a pedestrian walking within the crosswalk on Glades Road. Despite significant lifesaving measures on the scene and at Delray Medical Center, the claimant succumbed to her injuries shortly after the incident. Countywide (DO)

OCTOBER 3, 2023

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

- 1. **Staff recommends motion to approve:** the appointments of two (2) new members and the reappointment of one (1) current member to the Palm Beach County HIV Comprehensive AIDS Resources Emergency Act Council (HIV CARE Council), effective October 3, 2023:

<u>Seat No.</u>	<u>Appointment</u>	<u>Recommended By</u>	<u>Term Expires</u>
21	Cecil Smith	HIV CARE Council	10/02/2026
24	Cynthia Walker	HIV CARE Council	06/13/2025

<u>Seat No.</u>	<u>Reappointment</u>	<u>Recommended By</u>	<u>Term Expires</u>
27	Kenny Talbot	HIV CARE Council	10/02/2026

SUMMARY: The HIV CARE Council shall establish priorities for the allocation of funds within PBC; develop a comprehensive plan for the organization and delivery of health services described in 42 U.S.C. that is compatible with any existing state or local plan regarding the provision of health services to individuals with HIV disease. The U.S. Department of Health and Human Services, Health Resources and Services Administration (HRSA) requires Palm Beach County to maintain a planning council tasked with establishing priorities and allocations for the Ryan White HIV/AIDS Program grant funding that the County receives. The Palm Beach County HIV CARE Council is the County’s planning council. Federal law requires that the planning council “shall reflect in its composition the demographics of the population of individuals with HIV/AIDS in the Eligible Metropolitan Area....” At least 33% of planning council members must be consumers of Ryan White services who are unaffiliated with subrecipient service providers. The law also requires that members of the planning council represent designated categories including: health care providers; social service providers; community-based organizations; local public health agencies; non-elected community leaders; and grantees of Federal HIV programs. The Palm Beach County HIV CARE Council nomination process is an open process. Per Resolution No. R2018-0015, the total membership for the HIV CARE Council shall be no more than 33 at-large members. The nominees have successfully completed the nomination process and the HIV CARE Council recommends the appointments. Ms. Walker will complete the term of Denise Brown, who resigned from the HIV CARE Council. The diversity count for the 22 seats that are currently filled is African-American: 9 (41%), Caucasian: 6 (27%), Hispanic-American: 6 (27%) and Asian-American: 1 (5%). The gender ratio (female: male) is 12:10. Mr. Smith and Ms. Walker are African-American. Mr. Talbot is Caucasian. Staff conducts targeted outreach in an effort to proffer candidates for appointments who meet HRSA’s requirements. (Ryan White Program) Countywide (HH)

OCTOBER 3, 2023

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (cont’d.)

- 2. **Staff recommends motion to approve:**
 - A) Subrecipient Agreement with Adopt-A-Family of the Palm Beaches, Inc. (AAF), for the period September 1, 2023 through September 30, 2025, in an amount not-to-exceed \$385,632, for the provision of rental/utility assistance and other supportive services to families experiencing homelessness;
 - B) Subrecipient Agreement with Vita Nova, Inc. (Vita Nova), for the period September

1, 2023 through September 30, 2025, in an amount not-to-exceed \$168,080, for the provision of rental/utility assistance and other supportive services to youth experiencing homelessness; and

- C) Contract for Provision of Services with Reinstitute, Inc. (RI), for the period September 1, 2023 through September 30, 2024, in an amount not-to-exceed \$109,975 to facilitate and implement the Reinstitute Emergency Rental Assistance Program (ERAP) Housing Plus Partnership Training and Technical Assistance.

SUMMARY: On March 9, 2021, the Board of County Commissioners (BCC) allocated funding to the Community Services Department (CSD) to provide rental and utility assistance and other supportive services to individuals and families through ERAP. During the term of the contracts, AAF will serve approximately 90 unduplicated families with ERAP Housing Plus services and Vita Nova will serve 25 unduplicated youth with ERAP Housing Plus services. CSD will contract RI to serve as the principal technical assistance (TA) provider and as facilitator of the meetings of the ERAP Housing Plus program providers. RI is an international nonprofit organization established in 2007 to help communities swiftly and effectively address critical social problems via a proven collaborative systems transformation strategy. The goal of the training is to eliminate fragmentation, bringing stakeholders together to define and analyze a problem, develop solutions, and implement the solutions in a rapid timeframe. The services will include preparation and facilitation of a 2-day workout event and 1-day training event to coordinate services, two quarterly ERAP Homelessness Housing Plus check-ins, facilitate bi-weekly virtual meetings to track progress against Specific, Measurable, Attainable, Realistic and Time-based (SMART) goals to ensure desired outcomes. **No County match is required.** (Community Services) Countywide (HH)

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3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. **Staff recommends motion to receive and file:** Five (5) Consent to Sublease (Consent) documents, consenting to the sublease of space by Signature Flight Support LLC (Signature) at the Palm Beach International Airport (PBI), with the following subtenants:

1. Abaco Three, LLC effective July 1, 2023;
2. AS Aviation Holdings, LLC effective May 1, 2023;
3. Clearbrook Investments, LLC effective July 1, 2023;
4. Robtoria Aircraft Leasing, LLC effective August 1, 2023; and
5. Thomas J Hilfiger c/o T Capital Management, LLC effective July 1, 2023.

SUMMARY: Signature provides fixed based operator services for general aviation aircraft at PBI pursuant to a Lease Agreement dated September 30, 2004 (R2004-1990, as amended). The Lease Agreement provides for the sublease of space subject to the County's consent. Delegation of authority for execution of the standard form consent to sublease was approved by the Board in R94-1453. Countywide (AH)

2. **Staff recommends motion to receive and file:** a summary of fees and charges commencing October 1, 2023 for the standard form Hotel-Motel Courtesy Shuttle Operator Permit (Permit) at the Palm Beach International Airport (PBI), pursuant to Resolution 2017-1020. **SUMMARY:** Commencing October 1, 2023, the annual fee for new or renewed Permits will increase by five percent (5%), from \$230 to \$242. Delegation of authority for increases to the annual fee not to exceed 5% per year without further action by the Board was approved in R2017-1020.

OCTOBER 3, 2023

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

3. Staff recommends motion to approve:

- A) Amendment No. 1 to the General Consulting Agreement with AVCON, Inc. (AVCON) for Consulting/ Professional Services in the amount of \$449,162.38 for the continued performance of professional planning and design services related to the approved Palm Beach County Airports Capital Improvement Program; and
- B) a Budget Transfer in the amount of \$449,163 in the Airport's Improvement and Development Fund to provide budget for the project; including a transfer from Reserves in the amount of \$449,163.

SUMMARY: The Consulting Agreement with AVCON for general airport planning and design was approved by the Board on September 13, 2022 (R2022-0102) in the amount of \$796,697.19 in order to carry out the approved Capital Improvement Programs for the County's Airports. Approval of Amendment No. 1 will provide an additional \$449,162.38 to complete the following tasks: Task I Services – PBI Air Handler Unit Phase 2 (Design) and Task III Services. Work to be completed under Task III Services will be issued in accordance with PPM CW-F-050, by way of a separate proposal or task authorization. AVCON is an Orlando, Florida based firm; however, the majority of the work to be completed in this agreement will be completed and/or managed through their Boca Raton, Florida offices 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 (API) for this contract of a mandatory SBE goal of 20%. AVCON is a State of Florida certified MBE firm and has committed to 37.75% SBE participation for this agreement. The anticipated SBE participation based upon the previous approved tasks is 58.32%. The SBE participation for this Amendment is 45.71%. Countywide (AH)

OCTOBER 3, 2023

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

4. 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 445445-1-94-01 approved by the Board on April 16, 2019 (R2019-0498 and R2019-0499), until June 30, 2024;
 - B) Runway 10-28 (formerly Runway 9-27) Rehab at Palm Beach County Park Airport (LNA), Financial Project Number 440102-1-94-01 approved by the Board December 3, 2019 (R2019-1841 and R2019-1842), until July 31, 2024; and
 - C) Construct Additional Tie-Down/Transient Apron at North Palm Beach County General Aviation Airport (F45), Financial Management Number 433143-2-94-01 approved by the Board June 8, 2021 (R2021-0745), until July 31, 2025.

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. Item B provides for the pavement rehabilitation activities on Runway 10-28 at LNA to extend the useful life of the pavement. Item C will provide additional tie-down/transient aircraft parking apron at F45 to accommodate existing and forecasted demand. The Amendment for Extension of the PTGAs extend the availability of grant funding to allow for the completion of various airport projects. Countywide (AH)

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to receive and file: The Financial Statements for the Fiscal Year ending September 30, 2022 from the City of Belle Glade Community Redevelopment Agency (BG CRA). **SUMMARY:** The BG CRA has submitted its Financial Statements for the Fiscal Year ending September 30, 2022 as per section numbers 163.356(3)(d) and 163.387(8), Florida Statutes. Countywide (DB).
2. Staff recommends motion to receive and file: The Annual Report for the Fiscal Year ending September 30, 2022 from the Town of Lake Clarke Shores Community Redevelopment Agency (LCS CRA). **SUMMARY:** The LCS CRA has submitted its Annual Report for the Fiscal Year ending September 30, 2022 as per section numbers 163.356(3)(d) and 163.387(8), Florida Statutes. Countywide (DB).

OCTOBER 3, 2023

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET (cont'd.)

3. Staff recommends motion to receive and file: The Annual Report for the Fiscal Year ending September 30, 2021 from the Lake Worth Beach Community Redevelopment Agency (LWB CRA). **SUMMARY:** The LWB CRA has submitted its Annual Report for the Fiscal Year ending September 30, 2021 as per section numbers 163.356(3)(d) and 163.387(8), Florida Statutes. Countywide (DB).
4. Staff recommends motion to receive and file: The Annual Report for the Fiscal

Year ending September 30, 2022 from Riviera Beach Community Redevelopment Agency (RB CRA). **SUMMARY:** The RB CRA has submitted its Annual Report for the Fiscal Year ending September 30, 2022 as per section numbers 163.356(3)(d) and 163.387(8), Florida Statutes. Countywide (DB).

5. **Staff recommends motion to receive and file:** The Annual Report for the Fiscal Year ending September 30, 2021 from the West Palm Beach Community Redevelopment Agency (WPB CRA). **SUMMARY:** The WPB CRA has submitted its Annual Report for the Fiscal Year ending September 30, 2021 as per section numbers 163.356(3)(d) and 163.387(8), Florida Statutes. Countywide (DB).

OCTOBER 3, 2023

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:** a contract with Netta Architects, LLC (Consultant) in the amount of \$1,535,741 to provide professional services for planning, programming, design, permitting and construction administration services for the Medical Examiner's Office (MEO) Building Expansion project. **SUMMARY:** The MEO building is located at 3126 Gun Club Road, West Palm Beach, on the northeast corner of the County's Criminal Justice Complex. As a result of the existing and projected operational demands of the MEO, an expansion was deemed necessary in order to properly support operations. The MEO Building Expansion project includes, but is not limited to, renovations to approximately 5,815 square feet of the existing administrative building to convert it into morgue space, construction of a new approximately 10,000 square feet administrative building and the construction of a new parking structure for approximately 100 vehicles to serve the expanded facility and replace surface parking lost within the footprint of the planned improvements. This contract authorizes the professional services necessary for the MEO Building Expansion project. Professional services include architectural/engineering services for site planning, interior space planning, design, permitting and construction administration services. The solicitation for design professionals was advertised on February 5, 2023 according to the Equal Business Opportunity (EBO) Ordinance, with final selection on May 8, 2023. The project was presented to the Goal Setting Committee on December 7, 2022. The Committee established Affirmative Procurement Initiatives (APIs) of a mandatory minimum participation goal of 20% Small Business Enterprise (SBE) participation and an SBE Evaluation Preference. The Consultant committed to 22% SBE participation for this contract. SBE participation for the project is 28.80%. The Consultant is a local

OCTOBER 3, 2023

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to approve: an annual contract with the following contractor for asphalt, pavers and pathway construction services on an as-needed basis through May 15, 2028.

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
Lanzo Construction Co., Florida dba Lanzo Construction Company	Non-Local	Non-SBE

SUMMARY: On May 16, 2023, the Board of County Commissioners (Board) approved the annual asphalt, pavers and pathway construction services contract. The work consists of asphalt, pavers and pathway construction services to County-owned properties on an as needed basis. The Contractor now joins the list of three (3) prequalified contractors for a total of four (4) prequalified contractors with a contract expiration date of May 15, 2028. The specific requirements of the work will be determined by individual work orders issued against this annual asphalt, pavers and pathway construction services contract. These contracts are five (5) year indefinite-quantity contracts with a maximum cumulative value of \$3,000,000 across all prequalified contractors. Work will be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors may qualify at any time and be added to this annual asphalt, pavers and pathway construction services contract before the term ends. Projects less than \$100,000 are bid among the pool of certified Small Business Enterprise (SBE) contractors, when three (3) or more small businesses are qualified under the contract. Projects \$100,000 or greater are advertised on the vendor self-service (VSS) website and are bid among the pool of pre-qualified contractors while projects \$200,000 or greater are advertised on the VSS website and additionally advertised in the newspaper. The bidding pool is further expanded, for projects \$100,000 or greater, to include additional bidders responding to the specific project advertisement that submit a qualification application at least ten (10) calendar days before the bid due date. The annual asphalt, pavers and pathway construction services contract was presented to the Goal Setting Committee on January 4, 2023 and the Committee established Affirmative Procurement Initiatives (APIs) of sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or an SBE contractor will be given a price preference for projects \$100,000 or greater if its bid is within 10% of the lowest non-small business bid. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for all work orders issued. **(Capital Improvements) Countywide** (MWJ)

OCTOBER 3, 2023

3. CONSENT AGENDA APPROVAL

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

3. 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>
Trane U.S. 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 to County-owned properties on an as needed basis. The Contractor now joins the list of twenty-one (21) prequalified contractors for a total of twenty-two (22) prequalified contractors with a contract expiration date of January 6, 2025. The specific requirements of the work will be determined by individual work orders issued against this annual HVAC contract. These contracts are five (5) year indefinite-quantity contracts with a maximum cumulative value of \$23,000,000 across all prequalified contractors. Work will be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors may qualify at any time and be added to this annual HVAC contract before the term ends. Projects less than \$100,000 are bid among the pool of certified Small Business Enterprise (SBE) contractors, when three (3) or more small businesses are qualified under the contract. Projects \$100,000 or greater are advertised on the vendor self-service (VSS) website and are bid among the pool of pre-qualified contractors while projects \$200,000 or greater are advertised on the VSS website and additionally advertised in the newspaper. The bidding pool is further expanded, for projects \$100,000 or greater, to include additional bidders responding to the specific project advertisement that submit a qualification application at least ten (10) calendar days before the bid due date. The annual HVAC contract was presented to the Goal Setting Committee on August 21, 2019 and the Committee established Affirmative Procurement Initiatives (APIs) of sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or an SBE contractor will be given a price preference for projects \$100,000 or greater if its bid is within 10% of the lowest non-small business bid. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for all work orders issued. To date, the cumulative S/M/WBE participation for all work orders under the annual HVAC contract is 27.53%. **(Capital Improvements)** Countywide (MWJ)

OCTOBER 3, 2023

3. CONSENT AGENDA APPROVAL

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

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

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
J. Ruderman & Co. LLC		

SUMMARY: On August 22, 2023, the Board of County Commissioners (Board) approved the annual IAQ remediation services contract. The work consists of indoor air quality, infectious disease and blood borne pathogen remediation services on an as needed basis. The Contractor now joins the list of six (6) prequalified contractors for a total of seven (7) prequalified contractors with a contract expiration date of August 21, 2028. The specific requirements of the work will be determined by individual work orders issued against this annual IAQ remediation services contract. These contracts are five (5) year indefinite-quantity contracts with a maximum cumulative value of \$3,000,000 across all prequalified contractors. Work will be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors may qualify at any time and be added to this annual IAQ remediation services contract before the term ends. Projects less than \$100,000 are bid among the pool of certified Small Business Enterprise (SBE) contractors, when three (3) or more small businesses are qualified under the contract. Projects \$100,000 or greater are advertised on the vendor self-service (VSS) website and are bid among the pool of pre-qualified contractors while projects \$200,000 or greater are advertised on the VSS website and additionally advertised in the newspaper. The bidding pool is further expanded, for projects \$100,000 or greater, to include additional bidders responding to the specific project advertisement that submit a qualification application at least ten (10) calendar days before the bid due date. The annual IAQ remediation services contract was presented to the Goal Setting Committee on March 15, 2023 and the Committee established Affirmative Procurement Initiatives (APIs) of sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or an SBE contractor will be given a price preference for projects \$100,000 or greater if its bid is within 10% of the lowest non-small business bid. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for all work orders issued. **(Capital Improvements) Countywide** (MWJ)

OCTOBER 3, 2023

3. CONSENT AGENDA APPROVAL

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

5. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 4 to the continuing consulting services/design professional services contract (R2022-0486) with Williamson Dacar Associates Inc. dba Williamson Design Associates (Consultant) in the amount of \$119,388.53 for the Belle Glade Palm Tran Parking Lot project. **SUMMARY:** On May 17, 2022, the Board of County Commissioners (Board) approved the continuing consulting services/design professional services contract (R2022-0486) with the Consultant to provide consulting services/design professional services for various federal projects on a continuing contract basis. This item will authorize professional services for CSA No. 4 for the Belle Glade Palm Tran Parking Lot project. Palm Tran desires to restripe the existing bus lot due to deterioration of the existing striping, the need for additional lighting for added security and the need to incorporate canopies over the above ground tanks and probe areas for shelter. Under CSA No. 4, the Consultant will provide professional services (i.e. design, construction document preparation, bidding and construction administration phase services) necessary for the parking lot striping, additional pole mounted lighting and new canopies at the Belle Glade Palm Tran parking lot. This continuing consulting services/design professional services contract is exempt from the County's Equal Business Opportunity Ordinance pursuant to section 2-80.22 thereof. There is no Disadvantaged Business Enterprise (DBE) Goal established for this work however; Palm Tran encourages the bidder to make every attempt to obtain participation of certified DBEs and other Small Business Enterprises (SBE) certified by a cognizant agency in the completion of this contract (Race neutral). The SBE and/or DBE non-

mandatory goal for this project is 15%. Funding for this project is from the Palm Tran Grants Fund. **(Capital Improvements Division) District 6** (MWJ)

OCTOBER 3, 2023

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to approve: a Request for Release of Funds and Certification (HUD Form 7015.15) required for an environmental review conducted on behalf of the YMCA Foundation of South Palm Beach County, Inc. (YMCA). **SUMMARY:** The U.S. Department of Housing and Urban Development (HUD) awarded a \$812,000 Community Project Funding (CPF) grant to the YMCA to expand the Peter Blum Early Learning Center and to renovate the youth locker room at its facility located at 6631 Palmetto Circle South, Boca Raton, FL. The Early Learning Center provides day care for low and moderate income families in southern Palm Beach County. The expanded facility will allow the YMCA to increase the number of children that it assists on an annual basis. The CPF Program requires that an environmental review be performed in accordance with Federal regulations at 24 CFR Part 58. Palm Beach County bears responsibility for completing environmental reviews for HUD-funded projects located within the geographic area of its land use authority. The environmental review has been completed and the County must now provide HUD with a Request for Release of Funds and Certification (HUD Form 7015.15) for the project. The Certification affirms that procedures required by 24 CFR Part 58 have been followed, the activity did not require an Environmental Impact Statement, and the County will comply with the National Environmental Policy Act and other environmental laws as they relate to the activity. A required Notice of Intent to Request Release of Funds was published on September 6, 2023, and no public comments were received during a 7-day comment period. Approval of the Certification will allow the YMCA to proceed with the CPF funded activity. District 4 (HJF)
2. Staff recommends motion to receive and file: a Loan Agreement in the amount of \$2,000,000 in State Housing Investment Partnership (SHIP) Program funds with Davis Commons, LLC. **SUMMARY:** The Loan Agreement with Davis Commons LLC., provided \$2,000,000 in SHIP Program funds toward the construction of Davis Commons, a 20-unit affordable townhome community on Davis Road in unincorporated Palm Beach County. All SHIP assisted units will be affordable to homeowners with incomes no greater than 120% of Area Median Income. The document has been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development in accordance with Agenda Item 6D-1, as approved by the BCC on September 13, 2022, that delegated authority to the County Administrator or designee to execute agreements, amendments, and all other related documents necessary for project implementation. Agenda Item 6D-1 dated September 13, 2022, awarded SHIP Program Funds to successful respondents to Request for Proposal HED.2022.3. County PPM CW-O-051 provides that all delegated contracts, agreements and grants must be submitted by the

initiating department as a receive and file agenda item. **These are State SHIP Program grant funds that do not require a local match.** District 3 (HJF)

OCTOBER 3, 2023

3. CONSENT AGENDA APPROVAL

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

3. **Staff recommends motion to receive and file:** Nine (9) CDBG Public Service Agreements to provide services under the Fiscal Year 2023-2024 Community Development Block Grant (CDBG) Program, in the amount of \$242,678, for the period October 1, 2023 to September 30, 2024:
- A) Aid to Victims of Domestic Abuse, Inc. in the amount of \$29,125 for transitional housing and supportive services;
 - B) Family Promise of North Central Palm Beach County, Inc. in the amount of \$21,710 for emergency housing and services to the homeless;
 - C) Healthy Mothers/ Healthy Babies Coalition of Palm Beach County, Inc. in the amount of \$16,020 for assistance to uninsured low income pregnant women and their families in order to access health care, secure payer sources and other services for prenatal care;
 - D) Legal Aid Society of Palm Beach County, Inc. in the amount of \$46,415 for fair housing education, outreach, advocacy and enforcement activities;
 - E) Palm Beach Food Bank, Inc. in the amount of \$32,500 for assistance to seniors to qualify for SNAP benefits;
 - F) Pathways to Prosperity, Inc. in the amount of \$28,390 for assistance to persons transitioning out of poverty;
 - G) Redlands Christian Migrant Association, Inc. in the amount of \$9,633 for child care and development services in the Glades area;
 - H) Urban League of Palm Beach County, Inc. in the amount of \$17,777 for foreclosure mitigation counseling, homebuyer education classes, and pre-purchase homebuyer counseling services; and
 - I) Vita Nova, Inc. in the amount of \$41,108 for supportive housing and life skills training for youths who have aged out of foster care.

OCTOBER 3, 2023

3. CONSENT AGENDA APPROVAL

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

3. **SUMMARY:** On July 11, 2023 the BCC approved the Palm Beach County Action Plan for Fiscal Year 2023-2024 (R2023-1013), which included \$242,678 in CDBG funds allocated to these non-profit agencies to provide various public services. Kimberly Rommel-Enright, an employee of the Legal Aid Society of Palm Beach County, Inc.,

serves on the HIV CARE Council, a County Advisory Board. Patrick Franklin, an employee of the Urban League of Palm Beach County, Inc., serves on the Infrastructure Surtax Independent Citizens Oversight Committee. These boards provide no regulatory oversight, management, or policy-setting recommendations regarding their agency contracts. Disclosure of these contractual relationships at a duly noticed public meeting are being provided in accordance with the provisions of Sect. 2-443, of the Palm Beach County Code of Ethics. The nine (9) Agreements have been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development in accordance with Agenda Item 6D-3 (R2023-1013) as approved by the BCC on July 11, 2023 that delegated authority to the County Administrator or designee to execute forms, certifications, funding agreements, amendments thereto, and all other documents necessary for implementation of the Action Plan, CDBG, HOME and ESG activities. County PPM CW-O-051, provides that all delegated contracts, agreements and grants must be submitted by the initiating department as a receive and file agenda item. **These are Federal CDBG funds which require no local match.** Countywide (HJF)

OCTOBER 3, 2023

3. **CONSENT AGENDA APPROVAL**

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

4. **Staff recommends motion to receive and file:** Four (4) Capital Improvement Agreements funded under Fiscal Year 2023-2024 Community Development Block Grant (CDBG) Program, in the amount of \$989,050, for the period October 1, 2023 to December 31, 2024:
- A) City of Greenacres in the amount of \$549,481 for the construction of the Original Section Sanitary Sewer Infrastructure Improvements Phase II, along Martin Avenue from 4th Street to Biscayne Drive and bound on the north by 10th Avenue, to the south by Lake Worth Road, to the east by Haverhill Road and west by the LWDD E-3 Canal;
 - B) City of Lake Worth Beach in the amount of \$266,814 for the improvements at the Osbourne Community Center: roof, restrooms, interior flooring, electrical and HVAC upgrades, lighting and painting;
 - C) Town of Lake Park in the amount of \$47,704 for ADA compliant playground improvements and safety enhancements at West Ilex Park; and
 - D) Village of Palm Springs in the amount of \$125,051 for the installation of street lighting and security improvements along Lakewood Road.

OCTOBER 3, 2023

3. CONSENT AGENDA APPROVAL

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

4. **SUMMARY:** The Fiscal Year 2023-2024 Action Plan includes the allocation of \$1,458,991 of CDBG funding for Local Entitlement Municipalities. A portion of this CDBG allocation in the amount of \$989,050 will be utilized by the following four (4) municipalities, to undertake capital improvements. The City of Greenacres is the recipient of the Special Area of Hope allocation under FY2023-2024 and will begin Phase II of sanitary sewer improvements to the gravity sewer main of the Original Section, along Martin Avenue from 4th Street to Biscayne Drive. The City of Lake Worth Beach will implement exterior and interior improvements to renovate the Osbourne Community Center, which serves as a vital public hall to its residents. The Town of Lake Park will undertake Phase II of the West Ilex Park improvements to increase safety and replace deteriorated playground equipment with new ADA compliant equipment, surfacing and amenities. The Village of Palm Springs will install street lighting along Lakewood Road to increase night visibility for drivers and greater security to residents within the surrounding area. The four (4) Agreements have been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development in accordance with Agenda Item 6D-3 (R2023-1013) as approved by the BCC on July 11, 2023 that delegated authority to the County Administrator or designee to execute forms, certifications, funding agreements, amendments thereto, and all other documents necessary for implementation of the Action Plan, CDBG, HOME and ESG activities. County PPM CW-O-051, provides that all delegated contracts, agreements and grants must be submitted by the initiating department as a receive and file agenda item. **These are Federal CDBG funds which do not require a local match.** Districts 2, 3, and 7 (HJF)

OCTOBER 3, 2023

3. CONSENT AGENDA APPROVAL

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

5. [Staff recommends motion to receive and file:](#) Three (3) CDBG Code Enforcement Agreements to provide code enforcement services under the Fiscal Year 2023-2024 Community Development Block Grant (CDBG) Program, in the amount of \$218,438, for the period October 1, 2023 to September 30, 2024:
- A) City of Belle Glade in the amount of \$166,616 towards the salary, benefits, vehicle lease and related electronic equipment of one (1) full-time Lead Code Enforcement Officer and two (2) Code Enforcement Officers;
 - B) Town of Mangonia Park in the amount of \$14,833 towards the salary and benefits of one (1) part-time Code Enforcement Officer; and
 - C) City of South Bay in the amount of \$36,989 towards the salary and benefits of one (1) full-time Code Enforcement Officer.

SUMMARY: The three (3) Agreements have been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development in accordance with Agenda Item 6D-3 (R2023-1013) as approved by the BCC on July 11, 2023 that delegated authority to the County Administrator or designee to execute forms, certifications, funding agreements, amendments thereto, and all other documents necessary for implementation of the Action Plan, CDBG, HOME and ESG activities. County PPM CW-O-051, provides that all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. **These are Federal CDBG funds which do not require a local match.** Districts 6 & 7 (HJF)

OCTOBER 3, 2023

3. CONSENT AGENDA APPROVAL

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

6. [Staff recommends motion to receive and file:](#) a CDBG Economic Development Agreement (Agreement) with the Center for Technology, Enterprise and Development,

Inc. (TED Center) for \$250,000 to provide economic development services under the Fiscal Year 2023-2024 Action Plan for the Community Development Block Grant (CDBG) Program. **SUMMARY:** The Agreement with TED Center provides \$250,000 in Fiscal Year 2023-2024 CDBG funds to assist with operational expenses for the development and expansion of small businesses and microenterprises (defined as “commercial enterprises” that have five (5) or fewer employees). The TED Center is required to create a minimum of 17 full-time equivalent jobs countywide, with a minimum of four (4) of the newly created jobs being held by persons residing in the Glades area. Additionally, at least 51% of the jobs must be held by, or made available to low and moderate income persons who must reside in the Palm Beach County CDBG jurisdiction during the term of the Agreement. The TED Center shall also provide business assistance to 62 unduplicated microenterprises or entrepreneurs and conduct 45 training workshops, with three (3) of the said trainings in the Glades area. The document has been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development in accordance with Agenda Item 6D-3 (R2023-1013) as approved by the BCC on July 11, 2023 that delegated authority to the County Administrator or designee to execute forms, certifications, funding agreements, amendments thereto, and all other documents necessary for implementation of the Action Plan, CDBG, HOME and ESG activities. County PPM CW-O-051, provides that all delegated contracts, agreements and grants must be submitted by the initiating department as a receive and file agenda item. The TED Center received \$250,000 in CDBG funds during Fiscal Year 2022-2023 and successfully met their deliverables. **These are Federal CDBG funds which do not require a local match.** Countywide (HJF)

OCTOBER 3, 2023

3. CONSENT AGENDA APPROVAL

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

7. **Staff recommends motion to approve:** An Economic Development Agreement (Agreement) with the Palm Beach County Black Business Investment Corporation (BBIC) for \$96,000 in Community Development Block Grant (CDBG) Program funds and \$54,000 in County Ad Valorem funds to provide economic development services, under the Fiscal Year 2023-2024 for the period of October 1, 2023 to September 30, 2024. **SUMMARY:** This Agreement for a total of \$150,000 will fund a portion of BBIC’s operational expenses for providing consulting and financial assistance to existing and start-up small businesses and entrepreneurs in Palm Beach County. BBIC is required to obtain eight (8) business loan approvals from financial institutions totaling at least \$750,000 while serving 120 unduplicated clients seeking business loans, bonding, equity investments and/or other business services. The businesses assisted by BBIC shall create 15 permanent full-time equivalent jobs. This Agreement increases the number of loan approvals and amounts, and that businesses receiving other assistance reported to be unduplicated clients. Funding for this Agreement will consist of \$96,000 of CDBG Funds and \$54,000 in Ad Valorem funds. BBIC received \$54,000 in Ad Valorem funds during Fiscal Year 2022-2023 and successfully met their deliverables. **These are Federal CDBG funds and County Ad Valorem funds which do not require a local match.** Countywide (HJF)

OCTOBER 3, 2023

3. CONSENT AGENDA APPROVAL

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

8. Staff recommends motion to receive and file: a CDBG Economic Development Agreement with the Business Loan Fund of the Palm Beaches, Inc. d/b/a Center for Enterprise Opportunity (CEO) for \$80,000 to provide economic development services under the Fiscal Year 2023-2024 Community Development Block Grant (CDBG) Program, for the period October 1, 2023 to September 30, 2024. **SUMMARY:** The Agreement with CEO provides \$80,000 in Fiscal Year 2023-2024 CDBG funds to provide technical assistance and business support services to small businesses and persons developing small businesses. CEO is required to create a minimum of 5.5 full-time equivalent jobs advertised countywide, conduct four (4) business plan training seminars, close four (4) credit builder loans/microloans and provide business and financial counseling to no fewer than 40 unduplicated businesses and/or entrepreneurs. Additionally, at least 51% of the jobs must be held by, or made available to low and moderate income persons who must reside in the Palm Beach County CDBG jurisdiction during the term of the Agreement. The document has been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development in accordance with Agenda Item 6D-3 (R2023-1013) as approved by the BCC on July 11, 2023 that delegated authority to the County Administrator or designee to execute forms, certifications, funding agreements, amendments thereto, and all other documents necessary for implementation of the Action Plan, CDBG, HOME and ESG activities. County PPM CW-O-051, provides that all delegated contracts, agreements and grants must be submitted by the initiating department as a receive and file agenda item. CEO received \$80,000 in CDBG funds during Fiscal Year 2022-2023 and is in the process of successfully completing their deliverables. **These are Federal CDBG funds which do not require a local match.** Countywide (HJF)

OCTOBER 3, 2023

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 10 to the Contract for Consulting/Professional Services Water Treatment and Water Resources Engineering Services (Contract) with CDM Smith Inc., (Consultant) for the Western Region Consumptive Use Permit Renewal (Project) for a not to exceed amount of \$284,660.60. **SUMMARY:** On November 17, 2020, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2020-1719) with Consultant. CSA No. 10 provides for professional engineering services relating to the renewal of the Consumptive Use Permit (CUP). These services include data collection, groundwater modeling, meetings, research regarding regulatory policy and public water supply availability, preparing a conservation plan and submitting the permit application. This Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On September 18, 2019 the Goal Setting Committee applied an Affirmative Procurement Initiative (API) of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting goal and an evaluation preference for up to 15 points based upon the relative level of dollar participation by certified African American owned firms. The Contract provides for 21% SBE participation which includes 19% MBE participation, 19% MBE (B). CSA No. 10 includes 45.96% SBE participation, which includes 0% MBE participation, 0% MBE (B). The cumulative SBE participation including CSA No. 10 is 38.95% SBE participation, which includes 15.90% MBE participation, 12.41% MBE (B) and 3.49% MBE (A). Consultant is headquartered in Boston, Massachusetts, but maintains an office in Palm Beach County from which the majority of the work will be performed. The Project is included in the PBCWUD FY24 budget. (PBCWUD Project No. 23-040) District 6 (MWJ)

OCTOBER 3, 2023

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

2. **Staff recommends motion to:**

- A) **ratify** the Mayor’s signature on the Florida Department of Environmental Protection (FDEP) Resilient Florida Program grant application on August 30, 2023 requesting \$3,407,500 to fund the hardening and adaptation of 16 lift stations to address the risk of flooding in Palm Beach County, in neighborhoods already experiencing significant flooding impacts which would begin upon grant contract execution and end after four (4) years; and
- B) **delegate** the County Administrator, or designee, the signatory authority on additional forms, certifications, contracts/agreements and amendments thereto, and any other necessary documents related to the FDEP Resilient Florida Program grant that do not substantially change the scope of work, terms or conditions of the agreement.

SUMMARY: FDEP Resilient Florida Program aims to effectively address the impacts of flooding and sea level rise that the state faces. The Palm Beach County Water Utilities Department (PBCWUD) has applied for the FDEP Resilient Florida Program grant to fund the hardening and adaptation of 16 lift stations to address the risk of flooding in Palm Beach County, in neighborhoods already experiencing significant flooding impacts. To meet the grant application deadline, the emergency signature process was utilized because there was insufficient time to submit this application through the regular agenda process. In addition, the County Administrator delegated signing authority to the Deputy Director of PBCWUD. Due to future grant-related items requiring timely execution by the County, staff is requesting Board of County Commissioners approval for the County Administrator or designee to approve grant documents and to act as the designee and liaison for this project. There is a 50% match required for this grant in the amount of \$3,407,500 which will be funded from a one-time expenditure from Water Utilities user fees, connection fees and balance brought forward. Countywide (MWJ)

OCTOBER 3, 2023

3. **CONSENT AGENDA APPROVAL**

L. **ENVIRONMENTAL RESOURCES MANAGEMENT**

- 1. **Staff recommends motion to approve:** Appointments of two At-Large members to the Natural Areas Management Advisory Committee (NAMAC). Seat Nos. 1 and 2 are for a term of three years beginning October 3, 2023 through September 30, 2026.

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Term Ending</u>	<u>Nominated By</u>
1	Andrew Flanner	Experience in Management of Natural Areas	09/30/2026	Mayor Weiss Comm. Marino Comm. Woodward Comm. Bernard Comm. Barnett
2	David Gillings	Biological Scientist	09/30/2026	Mayor Weiss Comm. Marino Comm. Woodward Comm. Bernard Comm. Barnett

SUMMARY: The Committee shall review and comment on initial and revised

management plans developed by staff for natural areas and conservation lands managed by ERM; conduct Public Hearings, and review public comment and/or recommendations. Resolution No. R2013-1328 provides for a seven-member NAMAC. Membership consists of one member with experience in the management of natural areas, one biological scientist, one professional educator with knowledge of South Florida ecosystems, one representative of a local municipal government parks and recreation program, one member of the Palm Beach County Parks and Recreation Department staff, and two citizens having an interest in preservation and conservation of natural areas. With this appointment, all seven seats will be filled and diversity count of Caucasian: 6 (86%), and African American: 1 (14%). The gender ratio (female:male) is 4:3. Seat Nos. 1 and 2 nominees are Caucasian male. Staff continues to address the need for increased diversity within our boards and will encourage expansion of this Board's diversity. Countywide (SS)

OCTOBER 3, 2023

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (cont'd.)

2. Staff recommends motion to:

- A) **approve** Contract for Consulting/Professional Services (Contract) with the Florida Fish and Wildlife Conservation Commission (FWC), Fish and Wildlife Research Institute to provide oyster monitoring in the Lake Worth Lagoon (LWL) in an amount not to exceed \$208,000, commencing upon execution and expiring on April 30, 2027; and
- B) **authorize** the County Administrator, or designee, to sign all future time extensions, task assignments, certifications, and other forms associated with the Contract, and any necessary minor amendments that do not substantially change the scope of work, terms or conditions of the Contract.

SUMMARY: The Contract authorizes FWC to provide continued oyster monitoring in the LWL and compares oyster abundance, recruitment, and health between three natural reefs and three man-made reefs at County restoration sites as part of monitoring efforts described in the LWL Management Plan. Oyster monitoring within the current FWC Contract (R2020-0686) will be completed on June 30, 2023, with final report due on October 30, 2023, and contract expiration on December 30, 2023. The new Contract will begin prior to expiration of the current contract in order to ensure there is no gap in oyster monitoring. Oyster monitoring under the new Contract will begin in October, 2023. The monitoring project is funded by the Pollution Recovery Trust Fund and the Manatee Protection Fund. District 2, 7 (SS)

OCTOBER 3, 2023

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (cont'd.)

3. Staff recommends motion to:

- A) **approve** Contract for Consulting/Professional Services between Palm Beach County and Inwater Research Group (IRG) (Contract) for sea turtle monitoring in an amount not-to-exceed \$44,308, commencing upon execution and terminating January 5, 2025; and
- B) **authorize** the County Administrator, or designee, to sign all future time extensions, task assignments, certifications and other forms associated with the Contract, and any necessary minor amendments that do not substantially change the scope of work, terms or conditions of the Contract.

SUMMARY: This Contract provides for a continuation of monitoring and assessment of sea turtle populations in the Lake Worth Lagoon (LWL) and Jupiter Inlet sites by IRG, a not-for-profit corporation based in Martin County. IRG is an organization that focuses on conservation efforts of key coastal species through unique in-water sampling and data collection techniques. IRG conducted the first ever in-water assessment of sea turtles in the LWL in 2005, and has continued to assess populations and collect data utilized for management strategies related to restoration and enhancement efforts within the lagoon and adjacent waterways. The LWL Management Plan recommends assessing sea turtle populations as a means of evaluating the success of environmental restoration efforts and overall lagoon health. The monitoring is funded by the Manatee Protection Fund. District 1 (SS)

- 4. Staff recommends motion to: authorize the Mayor to sign Certificates of Appreciation for landowners who sell their environmentally sensitive lands to the County for environmental preservation purposes. **SUMMARY:** On November 2, 2021, the Board of County Commissioners (BCC) approved a fiscal strategy for the spending of American Rescue Plan Act (ARPA) funds, which included an allocation of \$4,000,000 for the acquisition of environmentally sensitive lands. The resulting willing seller program focuses on the acquisition of environmentally sensitive lands within Palm Beach Heights (part of the Pal-Mar Ecosite). Willing seller offers will continue to be made to the owners of environmentally sensitive lands within Palm Beach Heights, as well as other portions of the County. To date, the owners of twenty-five properties have accepted the County's offer to purchase their environmentally sensitive property through this program. Authorizing the Mayor to sign Certificates of Appreciation would allow the BCC to recognize and further convey its gratitude to landowners who chose to make environmental preservation part of their legacy by selling their property to the County. **There is no cost to the County.** District 1 (SS)

OCTOBER 3, 2023

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. **Staff recommends motion to receive and file:** an executed Promoter Amphitheater Rental Agreement with DEUTERMANPRODUCTIONS.COM.LLC., for the Dirty Heads Concert at Sunset Cove Amphitheater, for the period August 9, 2023 through August 11, 2023. This concert generated \$18,797 in revenue, with \$5,191 in direct expenses; thus providing a net fiscal impact of \$13,606. **SUMMARY:** This Standard Promoter Amphitheater Rental Agreement has been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution 2023-0423. The Department is now submitting this Agreement in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a receive and file agenda item. District 5 (AH)

2. **Staff recommends motion to receive and file:** an executed Sound and Light Production Service Contractor Agreement with Sanderford Sound, Inc., in an amount not to exceed \$1,200 for the Dirty Heads Concert at Sunset Cove Amphitheater, on August 9, 2023 through August 11, 2023. **SUMMARY:** This Sound and Light Production Service Contractor Agreement has been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution 2009-0592, amended by Resolutions 2010-0645, 2014-0167, 2017-1368 and 2018-0179. The Department is now submitting this Agreement in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a Receive and File agenda item. District 5 (AH)

OCTOBER 3, 2023

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (cont'd.)

3. **Staff recommends motion to: receive and file** a fully executed Project Agreement Amendment with the Florida Inland Navigation District (FIND) Waterways Assistance Program Grant Number PB-21-214 for the redevelopment of the Ocean Inlet Park Marina Phase IIB-to extend the completion date from September 30, 2023 until September 30, 2024. **SUMMARY:** On May 4, 2021, the Board of County Commissioners (BCC) authorized submission of a Waterways Assistance Program grant application, R2021-0593, to fund a portion of the construction costs associated with the redevelopment of Ocean Inlet Park Marina. The BCC also granted the County Administrator or designee the authority to execute the project Agreement, as well as task assignments, certifications, standard forms, or amendments to the agreement that do not change the scope of work by more than 10% or change the terms and conditions of the Agreement. On November 1, 2021, the County was awarded a \$1.5 million FIND grant to fund a portion of the Ocean Inlet Park Marina Phase IIB Redevelopment

Project. The term of the grant agreement, R2021-1936 was from November 1, 2021 until September 30, 2023. Due to construction delays of Phase IIA, the County was awarded a one-year project time extension of Phase IIB, extending the completion date from September 30, 2023 until September 30, 2024. There are no other changes to the terms of the Agreement as a result of this Amendment. The Project Agreement Amendment was executed by the Director of Parks and Recreation serving as the County Administrator's designee and is now being submitted to the (BCC) to receive and file. District 4 (AH)

OCTOBER 3, 2023

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (cont'd.)

4. Staff recommends motion to approve: First Amendment to Infrastructure Surtax Funding Agreement R2023-0225 ("Funding Agreement") with Indian Trail Improvement District ("ITID") for the Acreage Community Park South Expansion Project ("Project") in the amount of \$3,000,000 from the Infrastructure Surtax (IST) Fund to change the location of the installation of artificial turf from Multi-Purpose Field B to Multi-Purpose Field A. **SUMMARY:** Acreage Community Park is located at 140th Avenue North in unincorporated Palm Beach County and is managed and maintained by ITID. This 45-acre park features athletic fields, multipurpose fields, a track, amphitheater, playground, picnic facilities, walking paths and restrooms. The park is adjacent to the County's 124-acre Acreage Pines Natural Area. ITID currently leases approximately 28-acres of Acreage Community Park (Acreage Community Park South) from the County. On April 4, 2017, the County adopted a project plan to implement the Surtax funded projects and included an allocation of \$3,000,000 towards the construction of a recreation center at Acreage Community Park. On April 27, 2022, the ITID Board approved Resolution No. 2022-010 requesting that the funding assigned for the recreation center be reallocated to additional outdoor recreation amenities such as Multipurpose Field B, skate park, and associated infrastructure. On July 25, 2023 the ITID Board approved Resolution No. 2023-012 requesting the reallocation of funding set aside for the installation of artificial turf from the new Multi-Purpose Field B to the existing Multi-Purpose Field A. ITID has determined that this reallocation will improve park operations, maintenance, safety, accessibility and enjoyment by users. The Amendment replaces the Conceptual Site Plan depicted in Exhibit "A" of the Funding Agreement with this proposed modification in Exhibit "A-1". The proposed change will involve no change in the estimated cost of construction or affect the allocation to the ITID of the not to exceed amount of \$3,000,000 approved in the Funding Agreement. **This project is funded through the infrastructure sales tax.** District 6 (AH)

OCTOBER 3, 2023

3. CONSENT AGENDA APPROVAL

N. LIBRARY

1. **Staff recommends motion to approve:** a subscription agreement between Palm Beach County and Creativebug, for a (1) year term beginning on October 15, 2023, with renewal options not to exceed five years, in the amount of \$22,000 each year. **SUMMARY:** The Library Department requests a new one (1) year term with four (4) additional one (1) year automatic renewal periods with Creativebug. This agreement would provide residents with all-access, no boundaries pass to explore thousands of classes. People of all skill levels can work alongside instructors to learn craft techniques. Creativebug is an easy to use personalized platform, is simple and intuitive, with features like chapter divisions, note-taking tools, 20-second rewind and more. The Agreement contains liability provisions that differ from that adopted for use by the County under PPM CW-F-049. In accordance with PPM CW0F-049, Risk Management and the County Attorney's Office have reviewed the language and advised the Library Department of the associated risks. Due to business needs and the benefits to be derived from the Agreement, Risk Management and the County Attorney's Office have agreed to allow the Department to move the agreement forward for Board of County Commissioner approval. The Agreement caps Creativebug's liability to \$22,000 and requires Creativebug to indemnify the County for infringement claims only. Countywide (AH)

X. PUBLIC SAFETY

1. **Staff recommends motion to approve:** a Contract for Professional Services in the area of veterinary and medical services with Dr. Linda Gregard, DVM, PLLC, for relief veterinary services at the main shelter in an amount not to exceed \$62,000 for the period of October 3, 2023 through October 2, 2024 with automatic renewals for three (3) additional one (1) year terms. **SUMMARY:** The Animal Care and Control Division is required to provide appropriate and necessary veterinary services for sheltered animals. The relief veterinarian will enable staff to maintain an acceptable number of veterinarians to handle the volume of animals processed, especially during periods of high influx. Countywide (SF)

OCTOBER 3, 2023

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (cont'd.)

2. Staff recommends motion to:

A) receive and file the executed Amendment 11 for subcontract #16TFGR26 with the Florida Council Against Sexual Violence (FCASV) in the amount of \$267,024 to define tasks and deliverables for the period retroactive to July 1, 2023 through June 30, 2024, to provide sexual assault recovery services for a total of \$1,471,835 for the period of July 1, 2016 through June 30, 2026; and

B) approve Budget Amendment of \$227,691 in the Public Safety Grants Fund to adjust the budget to the actual grant awards.

SUMMARY: FCASV provides funding to Palm Beach County Department of Public Safety Division of Victim Services (DVS) through the award of annual grants to support and enhance sexual assault recovery services to primary and secondary victims. Amendment 11 to subcontract #16TFGR26 (R2016-1195, CSFA 64.061 and CSFA 64.069), revises the contract amount from \$1,204,811 to \$1,471,835 which is inclusive of the \$1,204,811 allocation received in the previous grant periods and \$267,024 allocated for the current grant period. Amendment 11 defines tasks/deliverables such as client eligibility, services including a 24-hour helpline, information and referral, crisis intervention, advocacy, accompaniment, community awareness, system coordination, support/personal growth groups, therapy, sexual violence-specific outreach activities and documentation thereof. These contracts will continue to fund two Victim Advocates and one Victim Services Project Coordinator. The Project Coordinator specializes in follow up care for victims of sexual assault and provides services such as organizing comprehensive medical follow up and other supportive services as needed. From July 1, 2022 to June 30, 2023, the DVS assisted 1,035 new and ongoing primary and secondary victims with 13,298 units of service. If grant funding ceases, the positions associated with this contract will be deleted from the DVS complement. R2006-0095 authorized the County Administrator or designee to execute FCASV grant contracts on behalf of the County. **No County matching funds are required.** Countywide (RS)

OCTOBER 3, 2023

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (cont'd.)

3. Staff recommends motion to:

A) accept Urban Area Security Initiative (UASI) GY 2022 – Award Letter;

B) receive and file Memorandum of Agreement (MOA) UASI FY 2022 agreement number R0588 with the City of Miami to receive \$610,726 in reimbursable grant funding for the period July 26, 2023 through June 30, 2024; and

C) approve Budget Amendment of \$566,697 in the (UASI) Grant Fund to adjust the budget to the actual grant award.

SUMMARY: This MOA (CFDA # 97.067) provides a means of funding various

domestic security activities within the County using Federal UASI funds through the City of Miami as the UASI's fiscal agent. UASI awarded \$610,726 to the County's Public Safety Department Division of Emergency Management for planning, training and exercise, logistics/deployable equipment, equipment for All Hazards Incident Management Team, and regional Citizen Corps/CERT planning, training, exercise and equipment. R2013-0622 gave authority to the County Administrator or designee, to execute these agreements on behalf of the Board of County Commissioners; that do not substantially change the scope of work, terms or conditions of the MOA. **No County matching funds are required.** Countywide (DB

OCTOBER 3, 2023

3. CONSENT AGENDA APPROVAL

Z. RISK MANAGEMENT

1. **Staff recommends motion to approve:** The purchase of airport liability insurance, for the period October 10, 2023 through October 10, 2024; to be purchased through the County's contracted broker, Risk Management Associates, Inc., a wholly owned subsidiary of Brown and Brown, for a total not-to-exceed cost of \$152,322. **SUMMARY:** The renewal premium of \$152,322 for airport liability through American International Group (AIG) represents an 11.47% increase over the expiring premium. While the renewal rate for airport liability remains stable, we have seen an 11% overall increase in foot traffic in our airports in 2023. That change is reflected as a liability to our carrier as our policy has a \$0 deductible. The overall policy limit of liability will remain at \$200,000,000 with several sub-limits for miscellaneous coverages. Countywide (HH)

2. **Staff recommends motion to approve:**
 - A) the actuarial rates per coverage tier for the County's self-funded medical CHOICE, HMO, and POS health plans for plan year 2024; and

 - B) employee wellness participation cash incentives in the amount of \$25 per employee for completion of the online Health Risk Assessment (HRA) and \$25 per employee for participation in a biometric screening that meets the requirements of the County's wellness program.

SUMMARY: Staff recommends Board approval of the 2024 plan rates for the Employee Self-Funded Medical Benefits Plan (Contract No. 22-076/MD) with UHC for the period January 1, 2024 through December 31, 2024 on behalf of the employees of the Board of County Commissioners, Supervisor of Elections, and Palm Tran, Inc. (collectively participating in the plan through the provisions of Inter-local Agreement

R2002-2287, as amended). The total conservative projected costs for plan year 2024 are \$79,183,726. These projections include claims, fixed administrative, access, utilization and disease management fees, as well as stop loss insurance costs and other ancillary costs and fees, less any pharmacy rebates. In order to ensure the continued financial stability of our fund, staff is recommending a 10% increase to maintain a margin for the Office of Insurance Regulation ("OIR") safe harbor 60 day surplus threshold. This increase has been contemplated in the 2024 budget. Sufficient funds have been budgeted to fund the program. Countywide (HH)

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4. SPECIAL PRESENTATIONS – 9:30 A.M.

- A)** Welcome/Introduction of Michele Mistò Consul General of Italy in Miami. (District 5)
- B)** Proclamation declaring October 2023 as Italian American Heritage Month. (District 5)
- C)** Proclamation declaring October 27 – November 4, 2023 as Mobility Week. (District 2)
- D)** Proclamation recognizing Dr. Heidi Schaeffer for receiving the 2022 Spirit of Community Award. (District 6)
- E)** Proclamation declaring October 15, 2023 as National Latinx HIV/AIDS Awareness Day. (District 2)
- F)** Proclamation declaring October 1 – 7, 2023 as National 4-H Week. (District 6)
- G)** Proclamation declaring October 28, 2023 as International Creole Day. (District 7)
- H)** Proclamation declaring October 3, 2023 as Wellington Chamber of Commerce Day. (District 6)
- I)** Proclamation declaring October 2023 as Poverty Awareness Month. (District 7)
- J)** Proclamation declaring October 2023 as National Energy Awareness Month. (District 1)

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OCTOBER 3, 2023

5. REGULAR AGENDA

A. ADMINISTRATION

1. [Staff recommends motion to adopt:](#) The proposed 2024 State Legislative Agenda. **SUMMARY:** The 2024 State Legislative Agenda outlines issues that the County's Legislative Affairs and Intergovernmental Affairs Offices, in conjunction with the County's contract state lobbyists, will advocate for, and work to oppose during the upcoming 2024 state legislative session. The 2024 State Legislative Agenda includes general government and environmental & natural resources issues with a focus on items related to Glades economic development, substance use and mental health, affordable housing, homelessness, protection of county ordinances, transportation and water and environmental restoration. Topics covered will include, but are not limited to: BCC policy priorities; Palm Beach County appropriations; statewide legislation affecting Palm Beach County; and Local Bills affecting Palm Beach County. Countywide (SS)

B. AIRPORTS

1. [Staff recommends motion to:](#)
 - A) **receive and file** Federal Aviation Administration (FAA) Grant Agreement Number 3-12-0085- 073-2023 in the amount of \$4,476,583 for construction services for the Replacement of Point-of- Use (POU) Pre-Conditioned (PC) Air (14 Units) 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 12, 2023 with an expiration date of July 11, 2027;
 - B) **receive and file** FAA Grant Agreement Number 3-12-0085-074-2023 in the amount of \$5,116,095 for construction services for the Replacement of POU PC Air System (16 Units) at 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 September 7, 2023 with an expiration date of September 6, 2027;
 - C) **approve** Amendment No. 11 to the Construction Manager (CM) at Risk Contract (Contract) with The Morganti Group, Inc. (MGI) for CM at Risk Services for Airport Improvements for Palm Beach County Department of Airports (Department) in the amount of \$13,662,600 and 676 Calendar Days for Work Order MC 21: Pre-Conditioned (PC) Air Point of Use (POU) Replacement Project at PBI; and
 - D) **approve** a Budget Amendment of \$9,592,678 in the Airport's Improvement and Development Fund, which includes a transfer from Reserves in the amount of \$4,069,922 to recognize the receipt of grant funding from the FAA.

OCTOBER 3, 2023

5. REGULAR AGENDA

B. AIRPORTS (cont'd.)

1. **SUMMARY:** The FAA has issued a Grant Offer (Assistance Listings Number 20.106) reflecting its commitment of funding in the amount of \$4,476,583 for the Replacement of POU PC Air at PBI. The FAA also issued a Grant Offer (Assistance Listings Number 20.106) reflecting its commitment of funding in the amount of \$5,116,095 for the same project at PBI. This project includes local funds in the amount of \$4,069,922 which includes a local match totaling \$3,197,559 required by the grants. The Contract with MGI for CM at Risk Services for Airport Improvements for the Department was approved by the Board on January 15, 2019 (R2019-0042). The Contract is for 2 years with 3 one (1) year renewal options and is a task/work

order based contract for CM at Risk services. The MGI, is a Danbury, Connecticut, based firm; however, the work will be directly managed by their southeast regional office in Palm Beach County. The Contract value to date is \$26,080,064.49. Approval of Amendment No. 11 in the amount of \$13,662,600 and 676 Calendar Days will enable MGI to complete Work Order MC 21: PC Air POU Replacement Project at PBI. The conditioned air to the passenger boarding bridges at PBI is provided by an existing central glycol chiller plant that is nearing the end of useful life. This project will include replacing the existing, cooling towers, piping and air handlers with a new POU system of PC Air units at each existing boarding bridge. It will also include a new automated control system to monitor and optimize operation of PC Air and 400 Hertz ground power units and new electrical infrastructure to support the new PC Air equipment. This project is partially funded with FAA grant funds. A Disadvantaged Business Enterprise (DBE) goal of 12% was established for this Contract. Due to the specialized scope, the DBE participation for this Work Order is 8%. DBE participation for this Contract to date is 22%. Pursuant to changes to Chapter 332, Florida Statutes, effective July 1, 2023, a governing body of a medium hub commercial service airport may not approve purchases of contractual services in excess of \$1,000,000 on a consent agenda. This Amendment exceeds the threshold amount and must be approved on the regular agenda. Countywide (AH)

OCTOBER 3, 2023

5. REGULAR AGENDA

C. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to approve: The 2023 update of the Management Plan (Plan) for Pine Glades Natural Area. **SUMMARY:** The initial Plan was approved by the Board of County Commissioners on May 6, 2008. The Plan identifies natural resources present on the natural area and provides for the preservation, restoration, management and passive recreational use of those resources. The Natural Areas Management Advisory Committee (NAMAC) unanimously recommended the updated Plan for approval at its July 21, 2023 meeting. Initial invasive/nonnative vegetation removal, fence and regulatory sign installation, and public use facilities have been completed since the original Plan in 2008. Annual management and operating costs, including prescribed burns/mechanical vegetation reduction, ongoing invasive/nonnative animal and plant control, repair and replacement of facilities, and biological monitoring and reporting are estimated to be \$1,315,932. This cost is for the current fiscal year and is expected to increase as described in the Summary of Fiscal Impact. Funds for capital improvements, and annual management and operation of the site are expected to come from the Natural Areas Fund, Natural Areas Stewardship Endowment Fund, Ag Reserve Land Management Fund, and/or ad valorem funding sources. District 1 (SS)

OCTOBER 3, 2023

5. REGULAR AGENDA

D. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to receive and file: the “HOUSING FOR ALL; A Countywide Housing Action Plan for Palm Beach County” (Plan) prepared by the Housing Leadership Council of Palm Beach County (HLC). **SUMMARY:** The HLC is a non-for-profit organization founded in 2006 by community and business leaders to address workforce/affordable housing issues. The HLC led a Countywide effort to study the housing crisis in Palm Beach County and to develop a Plan to serve as a blueprint to achieve a significant increase in workforce and affordable housing. The goal of the HLC’s Plan is to produce, rehabilitate and preserve 20,000 units of workforce and affordable housing by 2032. The Plan focused on four areas of opportunity: Funding & Financing, Planning & Regulatory Reform, Neighborhood Revitalization & Community Development, and Racial Equity. County Departments including the Housing & Economic Development, Planning Zoning & Building, Community Services and Office of Community Revitalization worked with the HLC to provide comments and analysis. On April 25, 2023, HLC presented a draft of the Plan to the Board of County Commissioners (BCC). The BCC requested continued review of the Plan. The Plan is now in its final form and staff has reviewed and commented on each action item. Staff comments which are incorporated in the attached document consider whether the County has implemented the action, the action is under review and additional discussion is needed with the BCC or the action is not applicable to the BCC. Countywide (HJF)

OCTOBER 3, 2023

5. REGULAR AGENDA

D. HOUSING AND ECONOMIC DEVELOPMENT

2. [Staff recommends motion to approve:](#) Palm Beach County Housing Bond Proceeds Allocation Process (Process). **SUMMARY:** On November 8, 2022, the voters of Palm Beach County approved the issuance of Workforce/Affordable Housing General Obligation Bonds (Bonds) in an amount not to exceed \$200M for the purpose of financing all or a portion of newly created workforce and affordable housing within Palm Beach County. The Process includes approved General Guidelines from the Resolution (R2022-0626) calling for the Bond approved by the voters and proposed funding criteria and processes including project requirements, loan terms deed restrictions, project selection, credit underwriting and compliance and monitoring requirements. Numerous meetings and discussions were held with stakeholders including housing developers, financial institutions, the Economic Council, the Housing Leadership Council and municipalities to gather input for the development of the Process. At a future date, staff will request to the Board of County Commissioners, additional positions needed to manage the Process and distribution of the Bond funds. Countywide (HJF)

OCTOBER 3, 2023

5. REGULAR AGENDA

E. FACILITIES DEVELOPMENT AND OPERATIONS

1. [Staff recommends motion to approve:](#)
 - A) an Agreement for Purchase and Sale of a 1.40 acre parcel of vacant land located north of Indiantown Road and east of Bee Line Highway from Jan Huse, as attorney-in-fact for The Estate of Han V. Huse, for \$21,700 plus closing, title

insurance and recording costs estimated to be \$545; and

B) a Memorandum of Agreement with Jan Huse, as attorney-in-fact for The Estate of Han V. Huse, to be recorded in the public records to provide notice of this Agreement.

SUMMARY: On November 2, 2021, the Board of County Commissioners (Board) approved a Fiscal Strategy for the spending of American Rescue Plan Act (ARPA) funds, which included an allocation of \$4,000,000 for the acquisition of environmentally sensitive lands. The parcel owned by the Estate of Han V. Huse (Parcel) is an interior parcel located in an area known as Palm Beach Heights (part of the Pal-Mar Ecosite). The Pal-Mar Ecosite is part of a large ecological greenway that stretches from just west of the Atlantic Ocean to just east of Lake Okeechobee. The area provides habitat for a wide variety of native plants and animals and it is part of a hydrologically significant region that includes the headwaters of the federally designated Wild and Scenic Northwest Fork of the Loxahatchee River. Hence its value as environmentally sensitive land. Appraisals were obtained from Anderson & Carr, Inc. and M.R. Ford & Associates, Inc. who assigned a \$15,000 and \$16,000 per acre value for interior Palm Beach Heights parcels, respectively. Callaway & Price, Inc. reviewed the appraisals and concluded a reasonable aggregate value of \$15,500 per acre for interior Palm Beach Heights parcels, which is the basis of the offer. Jan Huse, an Attorney-in-Fact for The Estate of Han V. Huse, executed the Agreement for Purchase and Sale as the Seller for the Estate. Jan Huse, Britt Huse Trotter, Per Huse and Helge Huse will benefit from the sale of the Parcel, with each having a 25% interest. At closing, the title company is requiring that all four of the individuals execute the deed. The Agreement allows for the County’s due diligence review of the Parcel within 45 days of Board approval. The County will pay title insurance policy premium, closing and recording costs estimated to be \$545 for the Parcel. The Environmental Resources and Management (ERM) Department will perform pre-acquisition environmental assessments for the Parcel prior to closing. A boundary survey will not be obtained for the Parcel due to the remote location. ERM will be responsible for the administration of the Parcel. All costs related to the acquisition will be paid from existing funds received from the ARPA Response Replacement Fund. **These are County ARPA Response Replacement funds that do not require a local match. This acquisition must be approved by a supermajority vote (5 Commissioners). (Property & Real Estate Management) District 1 (HJF)**

OCTOBER 3, 2023

5. REGULAR AGENDA

F. COUNTY ATTORNEY

1. **Staff recommends motion to approve:** a 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 for a period retroactive of three (3) years, beginning to October 31, 2023, and continuing for three (3) years, with two (2) renewal options each for a term of one (1) year at the same annual fixed fee of \$522,650, plus reasonable costs and expenses not to exceed three percent (3%) of the total fees ~~\$15,679.50~~ per fiscal year. **SUMMARY:** Walton Lantaff Schroeder & Carson LLP currently provides workers’ compensation litigation defense services for Palm Beach County, Palm Tran Inc., and Constitutional Officers participating in the County’s Self-Insurance Program. Their current contract expires on September 30, 2023. Following a competitive selection process, staff recommends this Contract for Professional Legal Services be awarded to Walton Lantaff Schroeder & Carson LLP to provide workers’ compensation litigation defense services beginning October 31, 2023. Countywide (DO)

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OCTOBER 3, 2023

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

7. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

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

B. COUNTY ATTORNEY

OCTOBER 3, 2023

8. COMMISSIONER COMMENTS

District 1 – COMMISSIONER MARIA G. MARINO

District 2 – COMMISSIONER GREGG K. WEISS

District 3 – COMMISSIONER MICHAEL A. BARNETT

Requesting approval for off-site Proclamation recognizing Legacy Church Ministries for 50 Years of Service to the Community.

District 4 – COMMISSIONER MARCI WOODWARD

District 5 - COMMISSIONER MARIA SACHS

District 6 - COMMISSIONER SARA BAXTER

District 7 – COMMISSIONER MACK BERNARD

Requesting approval for off-site Proclamation for 112th National Day of the Republic of China (Taiwan)

OCTOBER 3, 2023

9. MATTERS BY THE PUBLIC – 2:00 P.M.

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OCTOBER 3, 2023

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."