

March 5, 2024  
8:00 am

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

**ADDITIONS, DELETIONS, & SUBSTITUTIONS**

**MARCH 05, 2024**

<b><u>PAGE</u></b>	<b><u>ITEM</u></b>	
57	4L	* <b>DELETED</b> - Recognizing Tarra Enterprises moved to 5/7/24 (District 4)

**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**

**MARCH 5, 2024**

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

**COMMISSION  
CHAMBERS**

- 1. CALL TO ORDER**
  - A. Roll Call
  - B. Invocation
  - C. Pledge of Allegiance
- 2. AGENDA APPROVAL**
  - A. Additions, Deletions, Substitutions
  - B. Adoption
- 3. CONSENT AGENDA (Pages 10 - 56)**
- 4. SPECIAL PRESENTATIONS (Page 57)**
- 5. REGULAR AGENDA (Page 58 - 60)**
- 6. BOARD APPOINTMENTS (Page 61)**
- 7. STAFF COMMENTS (Page 62)**
- 8. BCC COMMENTS (Page 63)**
- 9. MATTERS BY THE PUBLIC – 2:00 P.M. (Page 64)**
- 10. ADJOURNMENT (Page 65)**

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**MARCH 5, 2024**

**TABLE OF CONTENTS**

**CONSENT AGENDA**

**A. ADMINISTRATION**

Page 10

3A-1 Ratify appointment of members to the Treasure Coast Regional Planning Council.

**B. CLERK & COMPTROLLER**

Page 11

3B-1 Warrant list

3B-2 Minutes

3B-3 Contracts and claims settlements list

3B-4 Change orders, work task orders, minor contracts, final payments, etc.

**C. ENGINEERING & PUBLIC WORKS**

Page 12

3C-1 Drainage Improvements/Repairs and Minor Construction Contract with Johnson-Davis and with Hinterland Group Inc.

3C-2 Lighting agreements with FP&L for various locations within Palm Beach County.

Page 13

3C-3 Adopt-A-Road Agreements with various parties.

3C-4 Work Order with Purdy Lane to mill and resurface from E-3 Canal to Kirk Road with Ranger Construction Industries, Inc.

**D. COUNTY ATTORNEY**

Page 14

3D-1 Settlement Agreement with Karen Sue Cramer.

3D-2 Settlement Agreement with Brandon Johnson.

**E. COMMUNITY SERVICES**

Page 15

3E-1 Amendment No. 2 to the Homeless Resource Center Contract for provision of services with Gulfstream Goodwill Industries, Inc. to increase funding.

**TABLE OF CONTENTS**

**CONSENT AGENDA**

**F. AIRPORTS**

Page 16

3F-1 Amendment No. 1 to the Public Transportation Grant Agreement with FDOT for the development of aircraft storage hangers and associated infrastructure, and a Budget Amendment.

Page 17

3F-2 Public Transportation Grant Agreement with FDOT for the design and construction of a holding apron between Taxiways A and C at PBI, and a Budget Amendment.

Page 18

3F-3 Public Transportation Grant Agreement with FDOT for the rehabilitation and repair of Runway 9R/27L at North Palm Beach County General Aviation Airport, and a Budget Amendment.

3F-4 Change Order No. 2 with All Florida Contracting Services, LLC for the Fuel Farm Emergency Generator Project.

Page 19

3F-5 Amendment No. 4 with HDR Engineering, Inc. for consulting/professional services for planning and design services related to PBI Capital Improvement Program, and a Budget Transfer.

Page 20

3F-6 Amendment No. 2 with HDR Engineering, Inc. for consulting/professional services for continued performance services related to the Central Airfield Improvements at PBI, and a Budget Transfer.

Page 21

3F-7 Change Order No. 2 with Ranger Construction Industries, Inc. for an increase and time extension for Central Airfield Improvements at PBI, and a Budget Transfer.

**G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET**

Page 22

3G-1 Financial Statements for Fiscal Year from the Town of Lake Park Community Redevelopment Agency.

3G-2 Village of Palm Springs Community Redevelopment Agency's Adopted Annual Budget.

3G-3 Quarter Ending 12/31/23 information from Children's Services Council of Palm Beach County.

3G-4 Settlement offer for the full satisfaction of code enforcement lien against Austin P. and Norma A. Wiggan.

**TABLE OF CONTENTS**

**CONSENT AGENDA**

**G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET**

Page 23

3G-5 Settlement offer for the full satisfaction of two code enforcement liens against Dylan J. and Alexa Harrison.

**H. FACILITIES DEVELOPMENT & OPERATIONS**

Page 23

3H-1 Utility Easement Agreement with FP&L for underground electrical service in Carlin Park.

Page 24

3H-2 Increase the maximum cumulative value for the sole source annual contract with Big Cypress Tiki Huts, Inc. for the repair and replacement of Chickee Huts.

Page 25

3H-3 Zero-dollar Change Order No. 4 with Robling Architecture Construction, Inc. for increase in time and decrease of amount.

Page 26 - 27

3H-4 Zero-dollar Change Order No. 2 and Change Order No. 15 with Kast Construction Company LLC for decrease in the amount on the Supervisor of Election facility.

Page 28

3H-5 Zero-dollar Change Order No. 4 with Lebolo Construction Management, Inc. for the Lantana/Lake Worth Health Center-Customer Service Counter project to increase the amount and decrease the duration.

Page 29

3H-6 Annual contract with MBCS Company, L.L.C. for flooring services on an as-needed basis.

Page 30

3H-7 Annual contract with NYC Development & Construction Group Inc. and T&G Corporation for general minor construction services on an as-needed basis.

Page 31

3H-8 Roger Dean Chevrolet Stadium Renovation Project development period report No. 4.

Page 32 - 33

3H-9 Assignment of the annual Heating, Ventilation and Air Conditioning contract with Precision Air Systems, Inc., and a Work Order for the Jupiter Library-Chiller Replacement project.

TABLE OF CONTENTS

CONSENT AGENDA

**H. FACILITIES DEVELOPMENT & OPERATIONS**

Page 34

3H-10 First Amendment with Bethesda Hospital, Inc. to extend the term of the agreement for interoperable communications through the countywide emergency medical services.

3H-11 Agreement with Box Studio, LLC to host The Origami in the Garden Exhibition at Mounts Botanical Gardens.

Page 35

3H-12 Agreement with City of Delray Beach for the Use of County-Owned Property for event parking at the South County Courthouse Parking Garage.

3H-13 CSA No. 3 with Colome & Associates, Inc. for the Medical Respite and Lewis Center Buildout project.

Page 36

3H-14 CSA No. 5 with Williamson Dacar Associates Inc. for the Palm Tran Bus Stop Improvements project.

Page 37

3H-15 Installation of plaque in remembrance of Noah Klein at West Boynton Park.

**J. PLANNING, ZONING & BUILDING**

Page 38

3J-1 Hazard Mitigation Grant extension with FDEM for a modified extension, and a Master Research Agreement with FAU for a modified extension.

**K. WATER UTILITIES**

Page 39

3K-1 2024 Pipeline Wet Tap and Line Stops Continuing Construction Contract with Rangeline Tapping Services, Inc.

Page 40

3K-2 Work Order No. 5 with Johnson-Davis Incorporated for the Force Main Replacement at FL Turnpike North of West Palm Beach Service Plaza.

Page 41

3K-3 Resolution supporting the Continued Operation of the Solid Waste Authority of Palm Beach County's Biosolids Processing Facility.

**TABLE OF CONTENTS**

**CONSENT AGENDA**

**L. ENVIRONMENTAL RESOURCES MANAGEMENT**

Page 42

3L-1 FDEP Office of Greenways and Trails Application for Designation of Public Lands or Waterways for approval, and authorize delegated authority to County Administrator or designee.

**Q. CRIMINAL JUSTICE COMMISSION**

Page 43 - 44

3Q-1 Certificate of Participation on the annual FDLE Edward Byrne Memorial Justice Assistance Grant; three (3) grant applications for the FDLE JAG program, and authorize delegation to County Administrator and/or designee.

Page 44

3Q-2 Third Amendment with Southeast Florida Behavioral Health Network, Inc. to extend the term and increase the amount.

Page 45

3Q-3 Board appointment for the Criminal Justice Commission.

**S. FIRE RESCUE**

Page 45

3S-1 Municipal Ordinance of the Town of Jupiter providing the Town's annual consent to continue its participation in the Jupiter Municipal Services Taxing Unit.

Page 46

3S-2 Letter terminating the Agreement Relating to Clinical Field Experience with HCI College LLC.

**X. PUBLIC SAFETY**

Page 46

3X-1 Agreement with FSU to collaborate as partners for the placement of social work student interns.

Page 47

3X-2 Amendment No. 1 with DOH to expand the qualifications of the Forensic Nurse Manager position.

Page 48

3X-3 Board appointments of two (2) to the Emergency Medical Services Advisory Council.

**TABLE OF CONTENTS**

**CONSENT AGENDA**

**CC. CAREERSOURCE**

Page 49

3CC-1 Board appointment of one to the CareerSource Palm Beach County, Inc. Board of Directors.

**DD. SHERIFF**

Page 50

3DD-1 Subgrant Agreement from the State of Florida Department of Transportation for Speed and Aggressive Driving Strategy project, and a Budget Amendment.

3DD-2 Grant Award for the Coach Aaron Feis Guardian Program from FDOE, and a Budget Amendment.

Page 51

3DD-3 Financial Assistance Agreement with FDLE for Fentanyl Eradication in the Florida program, and a Budget Amendment.

Page 52

3DD-4 Amendment #2 with University of North Florida Training and Services Institute, Inc. to provide supplemental funding for the High Visibility Enforcement project, and a Budget Amendment.

Page 53

3DD-5 First Amendment with the City of Boynton Beach to provide supplemental funding for Fentanyl Eradication in the Florida program, and a Budget Amendment.

**EE. WATER RESOURCES**

Page 53

3EE-1 Amendment No. 1 with FDEP to change the project title and update several attachments.

**FF. TOURIST DEVELOPMENT COUNCIL**

Page 54

3FF-1 Category G Grant Agreement with The Maureen Connolly Brinker Tennis Foundation, Inc. for the promotion of the Little Mo Internationals in Florida.

3FF-2 Two (2) Category G Grant Agreements with Youth National Championship, LLC and Palm Beaches Marathon, LLC.

Page 55

3FF-3 Cultural Capital Fund Grant Agreement with FAU to construct improvements to the recital and lecture hall on the Boca Raton campus.



**TABLE OF CONTENTS**

**CONSENT AGENDA**

**GG. OFFICE OF RESILIENCE**

Page 56

3GG-1 Indemnification agreement with PACE Equity as an Administrator of Florida Resiliency and Energy District.

**HH. OFFICE OF EQUAL OPPORTUNITY**

Page 56

3HH-1 Award Contract with EEOC as payment for processing and resolving employment discrimination complaints, and a Budget Amendment.

**SPECIAL PRESENTATIONS - 9:30 A.M.**

Page 57

- 4A Carey Haughwout Day
- 4B International Grant Professionals Day
- 4C Ethics Awareness Month
- 4D 40<sup>th</sup> Anniversary of Education Foundation
- 4E Irish American Month
- 4F Government Finance Professionals Week
- 4G Let's Move
- 4H Frank DeMario for 25 Years at PBSO
- 4I Literacy AmeriCorps Week
- 4J Recognizing Alexandria Ayala and Susy Diaz
- 4K National Women and Girls HIV/AIDS Awareness Day
- ~~4L Tarra Enterprises Inc. for 40 Years Commitment to Palm Beach County~~
- 4M Women's History Month

**MARCH 5, 2024**

**TABLE OF CONTENTS**

**REGULAR AGENDA**

**A. COUNTY ATTORNEY**

Page 58

5A-1 Resolution to initiate the conflict resolution procedures over the Village of Wellington's involuntary annexation.

**B. ENVIRONMENTAL RESOURCES MANAGEMENT**

Page 59

3L-1 Coral Cove Emergency Dune Restoration with Eastman Aggregate Enterprises, LLC to provide dune restoration services.

Page 60

3L-2 Amendment No. 1 to the Singer Island Emergency Dune Restoration Contract due to severe weather conditions made original construction access site inaccessible.

**BOARD APPOINTMENTS** (Page 61)

**STAFF COMMENTS** (Page 62)

**BCC COMMENTS** (Page 63)

**MATTERS BY THE PUBLIC – 2:00 P.M.** (Page 64)

**ADJOURNMENT** (Page 65)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to ratify: the following Palm Beach County League of Cities (League) representatives to the Treasure Coast Regional Planning Council (TCRPC), beginning March 5, 2024 to December 31, 2024:

<u>Nominees</u>	<u>Seat No.</u>	<u>Representing</u>
<b><u>Regular appointments:</u></b>		
Anne Gerwig, Mayor	4	Village of Wellington
Jeff Hmara, Councilman	5	Village of Royal Palm Beach
Yvette Drucker, Councilmember	6	City of Boca Raton
Christopher McVoy, Vice Mayor	7	City of Lake Worth Beach
Chelsea Reed, Mayor	8	City of Palm Beach Gardens
<b><u>Alternate appointments:</u></b>		
Greg Langowski, Vice Mayor	4A	City of Westlake
Joseph Peduzzi, Commissioner	5A	City of West Palm Beach
Judith Thomas, Commissioner	7A	Town of Lake Park
Deborah Searcy, Mayor	8A	Village of North Palm Beach

**SUMMARY:** TCRPC discusses local government comprehensive plans, developments of regional impact and other regional planning activities. In accordance with the TCRPC Rules of Order, the Board of County Commissioners (BCC) appointed its members and alternates for the coming year. The TCRPC Rules of Order also require the League to appoint municipal representatives and for the BCC to ratify them. The League appointed the above municipal representatives. There is currently one (1) alternate seat that is vacant. Countywide (DL)

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>
January 23, 2024	Regular
January 25, 2024	Zoning
January 31, 2024	Comp Plan

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 2024. Countywide

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve:

- A) a Drainage Improvements/Repairs and Minor Construction Continuing Services Contract with Johnson-Davis Incorporated (JDI) in an amount not to exceed \$12,000,000 to be in effect for 18 months from the date of approval by the Board of County Commissioners (BCC), with an option to renew for a total of 36 months; and
- B) a Drainage Improvements/Repairs and Minor Construction Continuing Services Contract with Hinterland Group Inc. (HGI) in an amount not to exceed \$12,000,000 to be in effect for 18 months from the date of approval by the BCC, with an option to renew for a total of 36 months.

**SUMMARY:** Approval of these contracts will authorize the services necessary to facilitate drainage improvements, repairs and minor construction on an as needed basis throughout Palm Beach County (County). On August 16, 2023, the Goal Setting Committee applied an Affirmative Procurement Initiative of a 15% minimum mandatory Small Business Enterprise (SBE) participation. JDI agreed to 15.1% SBE participation. HGI agreed to 19.06% SBE participation. Bids for the contract were received by the Engineering & Public Works Department (EPW) on October 10, 2023. JDI and HGI were the only responsive bidders. JDI and HGI each have an office located in the County. The above contract amounts are based upon the estimated amount to be expended for drainage improvements, repairs and minor construction projects throughout the County over an 18 month period. Countywide (YBH)

2. Staff recommends motion to receive and file: nine (9) fully executed lighting agreements with Florida Power & Light Company (FP&L) for various locations within Palm Beach County. **SUMMARY:** In accordance with Countywide PPM CW-O-051, all delegated contracts, agreements, and grants must be submitted by the initiating Department as a receive and file agenda item. These agreements were executed by the County Engineer, as reflected in Attachment 1. FP&L agreements are based on the type of street lighting fixture and/or pole is being installed and/or removed. "Street Lighting Agreements" are utilized for installation and/or removal of High Pressure Sodium street lights and poles. "Premium Lighting Agreements" are utilized for the installation and/or removal of Light-emitting Diode (LED) street lights and poles submitted to FP&L prior to December 31, 2021. "LED Lighting Agreements" or "Lighting Agreements" (new name in effect as of January 1, 2022) are utilized for the installation and/or removal of LED street lights and poles submitted to FP&L after December 31, 2021. Countywide (YBH)

3. CONSENT AGENDA APPROVAL

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

3. Staff recommends motion to receive and file: three (3) fully executed Adopt-A-Road Agreements with various parties (Group). **SUMMARY:** In accordance with Countywide PPM CW-O-051, all delegated contracts, agreements, and grants must be submitted by the initiating Department as a receive and file agenda item. These agreements were executed by the County Engineer in 2023, as reflected in Attachment 1. The Adopt-A-Road Program allows a Group to perform litter removal along Palm Beach County (County) maintained road rights-of-way. Each Group is expected to conduct litter removal activities at least four times a year. The County provides recognition signs for each Group at the beginning and end of the adopted road segment, and picks up the litter bags. Each Group must pay a fee to offset the County's costs to install the signs and remove the collected litter bags. The fee is waived for non-profit groups. Countywide (YBH)
  
4. Staff recommends motion to approve: Work Order 2021050-73 in the amount of \$295,000 to mill and resurface Purdy Lane from the E-3 Canal to Kirk Road utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2021-0984 (Contract) with Ranger Construction Industries, Inc. (Ranger). **SUMMARY:** Per County PPM CW-F-050, this work order exceeds the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners (BCC). Approval of this work order will allow the contractual services necessary to mill and resurface approximately 1.5 miles of Purdy Lane's two lanes. This Contract is one of three contracts with an available cumulative total of \$50 million for the annual asphalt milling and resurfacing program. Prior to this meeting date, approximately \$24 million of the \$50 million Ranger Contract that was approved on August 17, 2021, by the BCC, has been spent or encumbered. The Affirmative Procurement Initiative selected for this Contract on September 16, 2020 by the Goal Setting Committee is a 15% minimum mandatory Small Business Enterprise (SBE) participation. Ranger agreed to 15% SBE participation for the Contract and 13.42% SBE participation for this work order. Their cumulative SBE participation, including this work order is 13%. **This project is funded by the infrastructure sales tax.** District 3 (YBH)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. Staff recommends motion to approve: a Settlement Agreement, inclusive of attorney's fees and costs, in the total amount of \$65,000 in the personal injury action styled Karen Sue Cramer v. Palm Beach County, Case No. 502019CA011971XXXXMBAG. **SUMMARY:** This is a personal injury lawsuit arising from a trip and fall accident that occurred on Westgate Avenue in West Palm Beach. On August 24, 2016, the then-57-year-old Plaintiff, Karen Sue Cramer, was walking near 3863 Westgate Avenue to work around 6:15 A.M. It was not daylight and she had never walked in this location before. Plaintiff tripped and fell on the uneven sidewalk, falling hard to the ground. This accident resulted in personal injuries to Ms. Cramer and medical bills of approximately \$74,584. Countywide (AMP)
  
2. Staff recommends motion to approve: a Settlement Agreement, inclusive of attorney's fees and costs, in the total amount of \$190,000 in the personal injury action styled Brandon Johnson v. Palm Beach County, Case No. 502020CA013409XXXXMBAE. **SUMMARY:** This is a personal injury lawsuit for damages arising from an automobile accident at 405 Pike Road, near Palm Beach County Fire Rescue headquarters, in West Palm Beach. Plaintiff, Brandon Johnson was the driver of the vehicle heading southbound, when he was struck from the side by a county vehicle moving onto Pike Road. This incident resulted in severe permanent injuries to Plaintiff. Palm Beach County has entered into an agreement to settle the lawsuit with Plaintiff in the total amount of \$190,000, inclusive of attorney's fees and costs, subject to the Board of County Commissioner's approval. Countywide (DO)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. **Staff recommends motion to approve:** Amendment No. 2 to the Homeless Resource Center (HRC) Contract for Provision of Services with Gulfstream Goodwill Industries, Inc. (GGI) (R2021-1468), to increase funding by \$1,591,029, for a new total contract amount not-to-exceed \$8,491,761, for the period October 1, 2021 through September 30, 2024, retroactive to November 15, 2023, to incorporate homelessness services in the Western Communities. **SUMMARY:** Amendment No. 2 to HRC Contract for Provision of Services (R2021-1468) is necessary to amend the original funding amount to allow GGI to continue providing case management, navigation, employment counseling, and engagement to individuals and families experiencing homelessness in the western communities. Previously, the County and GGI had a separate contract for the HRC and the Western Shelters. This amendment combines the shelter contracts into one contract in order to reduce the administrative burden of managing separate contracts. GGI will provide a maximum of 36 transition shelter beds in Belle Glade and 58 supportive housing beds in Pahokee. GGI will be open 365 days a year on a 24-hour basis. GGI will serve up to 48 seniors and/or individuals and up to 24 families per year (approximately 96 persons). From October 1, 2022 through September 30, 2023, GGI served 438 individuals through the non-congregate shelter; 80 persons served by the Belle Glade Transition Shelter and 358 persons served by the Pahokee Shelter. (Division of Human Services and Community Action Program) Countywide (HH)



3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. Staff recommends motion to:

**A) receive and file** Amendment No. 1 to the Public Transportation Grant Agreement (PTGA) (Amendment) with the Florida Department of Transportation (FDOT) in the amount of \$2,000,000 for the development of aircraft storage hangars and associated infrastructure at the North Palm Beach County General Aviation Airport (F45). Delegation of authority for execution of this Amendment was approved by the Board of County Commissioners (BCC) on August 25, 2020; and

**B) approve** a Budget Amendment of \$2,000,000 in the Airport's Improvement and Development Fund.

**SUMMARY:** The original PTGA with the FDOT (CSFA No. 55.004) (R2023-0390) provided grant funding in the amount of \$2,000,000 or 80% of the eligible project costs, whichever is less, for the development of a single corporate hangar and associated infrastructure at F45. The original project cost was estimated to be \$2,500,000, requiring a \$500,000 local match. This Amendment modified the project description to allow the funding to be used to construct multiple aircraft storage hangars instead of a single corporate hangar. This Amendment also increases the available grant funding by \$2,000,000. The FDOT's total funding commitment, including this Amendment, is \$4,000,000, or 80% of the eligible project costs, whichever is less, with an estimated project cost of \$5,000,000. **There is an additional required local match of \$500,000** for this Amendment. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

2. 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 \$534,426 for the design and construction of a holding apron between Taxiways A and C at Palm Beach International Airport (PBI). Delegation of authority for execution of this PTGA was approved by the Board of County Commissioners (BCC) on August 25, 2020 (R2020-1017). This PTGA is effective as of December 20, 2023, with an expiration date of July 31, 2027; and

**B) approve** a Budget Amendment of \$534,426 in the Airport's Improvement and Development Fund to recognize the receipt of a grant from the FDOT and the local match of \$534,426, which is in the current budget. Total project costs are \$1,068,852.

**SUMMARY:** The FDOT has issued a PTGA (CSFA No. 55.004) reflecting its commitment to provide funding in the amount of \$534,426 or 50% of the eligible project costs, whichever is less, for the design and construction of a holding apron between Taxiways A and C at PBI at the approach end of Runway 10L. A holding apron is an area where aircraft can perform final pre-flight checks or wait to receive clearance from air traffic control to depart on the runway. Holding aprons improve operational efficiency by allowing aircraft that have received clearance or completed pre-flight checks to move ahead of aircraft that have not. The grant funds will initially be used for project design. The Department of Airports anticipates a future amendment to the PTGA to provide additional funding from the FDOT for construction of the project. **The required local match for this PTGA is \$534,426.** Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

3. 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 \$601,470 for the rehabilitation and repair of Runway 9R/27L at North Palm Beach County General Aviation Airport (F45). Delegation of authority for execution of this PTGA was approved by the Board of County Commissioners (BCC) on August 25, 2020 (R2020-1017). This PTGA is effective as of December 19, 2023 with an expiration date of January 31, 2026; and

**B) approve** a Budget Amendment of \$601,470 in the Airport's Improvement and Development Fund to recognize the receipt of a grant from the FDOT.

**SUMMARY:** The FDOT issued a PTGA (CSFA No. 55.004) reflecting its commitment of funding in the amount of \$601,470 or 5% of the eligible project costs, whichever is less, for the rehabilitation and repair of Runway 9R/27L at F45. The total estimated project cost is \$12,029,400. Additional funding in the amount of approximately \$10,826,460 is anticipated from the Federal Aviation Administration. **The required local match for this PTGA is \$601,470.** Countywide (AH)

4. Staff recommends motion to approve: Change Order No. 2 (Change Order) to the Contract with All Florida Contracting Services, LLC (AFCS), for the Fuel Farm Emergency Generator Project (Contract) at the Palm Beach County Glades (PHK) Airport, providing for a time extension of 142 calendar days. **SUMMARY:** The Contract (R2022-1030) provides for the installation of a generator to support the aviation fuel farm at PHK. The Contract was approved on September 13, 2022 in the amount of \$395,500 for a period of 185 calendar days from the notice to proceed. Change Order No. 1 provided a time extension of 277 calendar days, which was approved on March 14, 2023 (R2023-0284). The manufacturer of the generator notified AFCS that it will not be delivered until March 29, 2024, due to a continuing shortage in components. Approval of this Change Order provides for a time extension of 142 calendar days based on manufacturer delays. There is no change in cost associated with this Change Order. A Disadvantaged Business Enterprise (DBE) goal of 8.22% was established for this project. AFCS committed to a minimum of 8.23% DBE participation. There is no DBE participation to date due to project delays. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

5. Staff recommends motion to approve:

- A) Amendment No. 4 (Amendment) to the General Consulting Agreement with HDR Engineering, Inc. (HDR) for Consulting/Professional Services (R2019-1157) in the amount of \$194,486.47 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 \$99,549 in the Airport's Improvement and Development Fund to provide budget for Amendment No. 4, including a transfer from Reserves in the amount of \$99,549.

**SUMMARY:** The Consulting Agreement (Agreement) with HDR for general airport planning and design was approved by the Board of County Commissioners (Board) on August 20, 2019 (R2019-1157) in the amount of \$960,107 in order to carry out the approved Capital Improvement Program for the County's Airport System. Amendment No. 1 was approved by the Board on August 17, 2021 (R2021-1024), exercising the first one-year renewal option. Amendment No. 2 was approved by the Board on June 7, 2022 (R2022-0574), increasing the amount of the Agreement by \$541,180.72 and exercising the second one-year renewal option. Amendment No. 3 was approved by the Board on August 23, 2022 (R2022-0887), increasing the amount of the Agreement by \$339,430.44. Approval of this Amendment will increase the amount of the Agreement by \$194,486.47, resulting in a total cumulative contract value of \$2,035,204.63. This Amendment includes the following tasks: Task I Services – North Palm Beach County General Aviation Airport (F45) Terminal Ramp Value Engineer Design and F45 Runway 9R-27L Design Update. This Amendment provides for supplemental design services associated with tasks previously assigned to HDR under the Agreement. HDR is an Omaha, Nebraska based firm; however, the majority of the work is managed from its West Palm Beach office. A Disadvantaged Business Enterprise (DBE) goal of 20% was established for the Agreement. HDR committed to 20% DBE participation. The DBE participation for this Amendment is 10%. The cumulative DBE participation, including this Amendment, is 20%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

6. Staff recommends motion to approve:

A) Amendment No. 2 (Amendment) to the Professional Services Agreement (R2017-0409) with HDR Engineering, Inc. (HDR), in the amount of \$205,322.23 for the continued performance of professional services related to the Central Airfield Improvements (CAI) Project at Palm Beach International Airport (PBI); and

B) a Budget Transfer of \$205,323 in the Airport's Improvement and Development Fund.

**SUMMARY:** The Professional Services Agreement (Agreement) with HDR for professional airfield design and engineering services was approved by the Board of County Commissioners (Board) on April 4, 2017 (R2017-0409) in the amount of \$1,229,026.38. Consultant Services Authorizations 1 through 4 in the aggregate amount of \$204,939.97, were approved pursuant to the delegated authority provided in PPM CW-F-050. Amendment No. 1 was approved by the Board on July 11, 2023 (R2023-0977) in the amount of \$2,255,641.56. Approval of this Amendment in the amount of \$205,322.23 will provide additional design services for the CAI Project currently under construction at PBI, which will increase the total cumulative contract value to \$3,894,930.14. The CAI Project included a base bid and two additive bid alternates. Three construction bids were received; however, insufficient funding was available to award one of the two bid alternates (Alternate 1). This Amendment will provide value engineering design services to ensure the critical rehabilitation and geometry improvements to the taxiways included in Alternate 1 can be completed to enhance safety and extend the life of the pavement within the remaining budget available. Quantum Electrical Engineering, Inc. (Quantum) is a Disadvantaged Business Enterprise (DBE) subcontractor and will be providing services as a part of this Amendment. This Amendment also includes an increase to the approved hourly billing rates for Quantum, which have not been modified since 2017. HDR is headquartered in Omaha, Nebraska; however, the work will be completed from its West Palm Beach office. A DBE goal of 16% was established for the Agreement. HDR committed to 26% DBE participation. The DBE participation for this Amendment is 6%. The cumulative participation, including this Amendment, is 33%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

7. Staff recommends motion to approve:

- A) Change Order No. 2 (Change Order) to the Contract (R2023-0701) with Ranger Construction Industries, Inc. (RCI), providing for an increase in the amount of \$376,524.04 and a time extension of 61 calendar days for Central Airfield Improvements at the Palm Beach International Airport (PBI); and
- B) a Budget Transfer of \$376,525 in the Airport's Improvement and Development Fund.

**SUMMARY:** A Contract with RCI for Central Airfield Improvements (CAI Project) at PBI in the amount of \$20,228,016.90 for a period of 516 calendar days from the notice to proceed was approved by the Board of County Commissioners on May 16, 2023 (R2023-0701). Change Order No. 1 reduced the contract value by \$79,093.16 and provided an extension of 14 calendar days, which was approved pursuant to the delegated authority provided in PPM CW-F-050. Approval of this Change Order in the amount of \$376,524.04 will increase the total cumulative contract value to \$20,528,447.78. This Change Order is needed to complete regrading within the Runway 14/32 safety area south of Taxiway C to ensure compliance with Federal Aviation Administration (FAA) standards and enhance safety of aircraft operations. A time extension of 61 calendar days is needed due to delays caused by inclement weather and to complete the regrading of the runway safety area. During demolition of the existing drainage structures, it was determined that the existing drainage pipes northwest of Taxiway A have a 36-inch diameter instead of a 42-inch diameter as shown in the contract documents. This Change Order also includes a credit to the County based on the size adjustment, resulting in a reduction of the final amount of this Change Order. A Disadvantaged Business Enterprise (DBE) goal of 22% was established for the CAI Project. The DBE participation for this Change Order is 65.7%. The cumulative DBE participation, including this Change Order, is 22.7% Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to receive and file: Financial Statements for the Fiscal Year ending September 30, 2022 from the Town of Lake Park Community Redevelopment Agency (TLP CRA). **SUMMARY:** The TLP CRA has submitted its Annual Report for the Fiscal Year ending September 30, 2022 as per section number 163.356(3)(d), Florida Statutes. Countywide (DB)
2. Staff recommends motion to receive and file: The Village of Palm Springs Community Redevelopment Agency's (VPS CRA) Adopted Annual Budget for Fiscal Year 2023-2024. **SUMMARY:** The VPS CRA has submitted their Adopted Budget for Fiscal Year 2023-2024 as per section numbers 163.356(3)(d) and 163.387(8), Florida Statutes. Countywide (DB)
3. Staff recommends motion to receive and file: The Quarter Ending 12-31-2023 information for Children's Services Council of Palm Beach County (CSCPBC). **SUMMARY:** The CSCPBC has submitted their Quarter Ending 12-31-2023 information as per section number 125.901(3)(f), Florida Statutes. The statement reflects only expenditures and receipts during the quarter. Countywide (DB)
4. Staff recommends motion to approve: a negotiated settlement offer in the amount of \$11,695 for the full satisfaction of a code enforcement lien entered against Austin P. & Norma A. Wiggan on May 12, 2021. **SUMMARY:** On March 5, 2020 a Code Enforcement Special Magistrate (CESM) issued an order giving Mr. & Mrs. Wiggan until August 31, 2020 to bring their property located at 4941 Vilma Lane, West Palm Beach, FL into full code compliance. The violations imposed against the property were for construction of accessory, demolition of a building on the property without a valid building permit, and construction of a chain link barbed wire fence without a building permit. Compliance with the CESM's order was not timely achieved, and a fine of \$50 per day was imposed. The CESM executed an order imposing a code lien against the Wiggans on May 12, 2021. The Code Enforcement Division (Code Enforcement) issued an affidavit of compliance for the property on November 13, 2023. The total fine amount on November 29, 2023 amounted to \$58,474.30, the date on which settlement discussions began. The Wiggans have agreed to pay Palm Beach County \$11,695 (20%) for full settlement of their outstanding code enforcement lien. District 2 (SF)

3. CONSENT AGENDA APPROVAL

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

5. **Staff recommends motion to approve:** a negotiated settlement offer in the amount of \$9,500 for the full satisfaction of two code enforcement liens entered against Dylan J. and Elexa Harrison on January 21, 2021 and April 21, 2021, respectively. **SUMMARY:** On November 6, 2019, a Code Enforcement Special Magistrate (CESM) entered an order giving Mr. and Mrs. Harrison 30 days to remove openly stored construction material covering the sidewalk and right-of-way located at 18320 Loxahatchee River Rd, Jupiter, FL (the "Property") in Case 2019-03040016 (A). The CESM also entered an order giving the Harrisons until May 4, 2020 to obtain a permit for construction of a brick paver extension and reactivation of an expired permit at the Property in Case 2019-03040016 (B). Compliance with the CESM's orders were not timely achieved, resulting in the imposition of fines of \$100 per day for the first case and \$50 per day for the second case. The Code Enforcement Division (Code Enforcement) issued the affidavits of compliance for both cases on January 7, 2022. Settlement discussions began on October 5, 2023, when the total accrued fines amounted to \$94,935.04. The Harrisons have agreed to pay Palm Beach County \$9,500 (10%) for full satisfaction of their outstanding code enforcement liens. District 1 (SF)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:** a Utility Easement Agreement (Easement) in favor of Florida Power & Light Company (FPL) for underground electrical service in Carlin Park. **SUMMARY:** FPL is improving the reliability of service to customers on the west side of Carlin Park (Park) located at 750 South A1A, just east of US Highway 1 in Jupiter. Underground conduit/cables were installed on the west side of the Park strengthening the level of redundancy to the area. The non-exclusive easement is being granted at no charge as the electrical improvements provide service to the Park. The easement area varies in length and is approximately 10 feet in width, containing approximately 9,508.30 square feet (0.22 acre). There is no fiscal impact associated with the approval of this agenda item. (Property and Real Estate Management) District 1 (HJF)



3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to approve: an increase to the maximum cumulative value for the sole source annual contract with Big Cypress Tiki Huts, Inc. (Big Cypress) in the amount of \$100,000 for the repair and replacement of Chickee Huts on an as-needed basis through October 7, 2024. **SUMMARY:** On October 8, 2019, the Board of County Commissioners (Board) approved the sole source annual contract with Big Cypress (R2019-1505) to repair and/or replace chickee huts. The chickee huts are the only product that meets the requirements for an open sided wooden hut with attached roof of palm and other traditional materials, and which does not incorporate electrical, plumbing, or non-wooden features. In addition, the style and design is consistent with traditional Seminole Indian customs and practices, which brings a historical and educational element to the County parks. Big Cypress is owned and operated by Seminole Indians and manufactures, installs and repairs the chickee huts. To date, the County has awarded work orders in the amount of \$409,876.95. In order to accommodate additional anticipated new projects required to be accomplished before this contract expires on October 7, 2024, staff is requesting to increase the maximum cumulative value for this contract in the amount of \$100,000. This increase will bring the maximum cumulative value of the sole source annual contract to \$600,000. In accordance with the Equal Business Opportunity (EBO) ordinance, sole source procurements are exempt from EBO requirements. The funding source will be identified on each work order, with the majority of the funding coming from the Parks and Recreation Fund. (Capital Improvements) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

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

3. Staff recommends motion to receive and file: zero-dollar (\$0) Change Order No. 4 Contingency Use Directive (CUD) No. 2 documenting an increase to the project duration by 30 calendar days and a decrease in the amount of \$12,066.85 to the contingency fund of Amendment No. 4 (R2021-1606) for the continuing Construction Manager (CM) at Risk Services contract (R2020-1690) with Robling Architecture Construction, Inc. for the Water Utilities Department (WUD) Central Regional Operations Center (CROC) Variable Air Volume (VAV) Box and Air Handling Unit (AHU) Replacement project. **SUMMARY:** On November 2, 2021, the Board of County Commissioners (Board) approved Amendment No. 4 (R2021-1606) to the continuing CM at Risk Services contract (R2020-1690) with Robling Architecture Construction, Inc. in the amount of \$1,629,616, establishing a Guaranteed Maximum Price (GMP) for the replacement of the VAV boxes and AHUs at the WUD CROC Facility. Change Order No. 4 to Amendment No. 4 (Change Order No. 4) authorizes the use of contingency funds for unforeseen field conditions requiring additional services for the WUD CROC VAV Box and AHU Replacement project, as allowed by the contract provisions. Change Order No. 4 also increases the project duration by 30 calendar days as a result of the additional services for unforeseen field conditions. In accordance with Policy and Procedure Memorandum (PPM) CW-F-050, Lead Departments are authorized to approve \$0 Change Orders associated with a CUD (CUD Change Orders), then an agenda item notifying the Board of such \$0 Change Orders must be presented as a receive and file. Change Order No. 4 is a \$0 CUD Change Order. This agenda item is being submitted to notify the Board of a \$0 CUD Change Order established by PPM CW-F-050. This continuing CM at Risk Services contract was solicited pursuant to the requirements of the Equal Business Opportunity (EBO) Ordinance. This continuing CM at Risk Services contract was presented to the Goal Setting Committee on December 4, 2019 and the Committee established Affirmative Procurement Initiatives (APIs) of a small business enterprise (SBE) evaluation preference of 10 points for the selection and a mandatory 20% SBE subcontracting goal on the contract. The SBE participation for this Change Order is 8.15%. To date, the overall SBE participation for this contract is 43.24%. Robling Architecture Construction, Inc. is a Palm Beach County business. The funding source for this project is the WUD Operations & Maintenance Fund. (Capital Improvements Division) District 3 (MWJ)

**MARCH 5, 2024**

**3. CONSENT AGENDA APPROVAL**

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

**4. Staff recommends motion to receive and file:**

- A)** zero-dollar (\$0) Change Order No. 2, Contingency Use Directive (CUD) No. 1, documenting a decrease in the amount of \$1,394,920 to the project contingency fund of Amendment No. 1 (R2021-1793) for the Construction Manager (CM) at Risk Services contract (R2019-1751) with Kast Construction Company LLC for the Supervisor of Election (SOE) Production Facility project; and
- B)** zero-dollar (\$0) Change Order No. 15, CUD No. 2, documenting a decrease in the amount of \$11,700 to the project contingency fund of Amendment No. 1 (R2021-1793) for the CM at Risk Services contract (R2019-1751) with Kast Construction Company LLC for the SOE Production Facility project.

3. CONSENT AGENDA APPROVAL

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

4. **SUMMARY:** On December 7, 2021, the Board of County Commissioners (Board) approved Amendment No. 1 (R2019-1793) to the CM at Risk Services contract (R2019-1751) with Kast Construction Company LLC establishing a Guaranteed Maximum Price (GMP) in the amount of \$53,206,963 for construction management services for the SOE Production Facility project. Change Order No. 2 to Amendment No. 1 (Change Order No. 2) authorizes the use of contingency funds for subcontractor buyout reconciliation for the SOE Production Facility project, as allowed by the contract provisions. In practical terms, within the first 60 days of project commencement, Change Order No. 2 essentially depleted the available contingency funds. Change Order No. 15 to Amendment No. 1 (Change Order No. 15) authorizes the use of contingency funds for subcontractor's scope gap requiring additional services for the SOE Production Facility project, as allowed by the contract provisions. In accordance with Policy and Procedure Memorandum (PPM) CW-F-050, Lead Departments are authorized to approve \$0 Change Orders associated with a CUD (CUD Change Orders), then an agenda item notifying the Board of such \$0 CUD Change Orders must be presented as a receive and file. Change Orders No. 2 and No. 15 are \$0 CUD Change Orders. This agenda item is being submitted to notify the Board of a \$0 CUD Change Order established by PPM CW-F-050. The solicitation for a CM was advertised on July 21, 2019 according to the requirements of the Equal Business Opportunity (EBO) ordinance. On July 21, 2021, the Goal Setting Committee established an Affirmative Procurement Initiative (API) of 20% Small Business Enterprise (SBE) participation for the construction phase of the project, of which 8% must be African American or Hispanic American firms. The SBE participation for Change Order No. 2 is 34.10%. There is no African American or Hispanic American participation for Change Order No. 2. There is no SBE participation for Change Order No. 15. To date, the overall SBE participation for this contract is 23.37% SBE participation, of which 9.32% is African American or Hispanic American participation. Funding for this project is from the 51.05M NAV Pub Imp Rev Bonds, 21A, CP, SOE Bldg. Fund. (Capital Improvements Division) District 7 (MWJ)

3. CONSENT AGENDA APPROVAL

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

5. **Staff recommends motion to receive and file:** zero-dollar (\$0) Change Order No. 4 Contingency Use Directive (CUD) No. 4 documenting an increase to the project duration by 4 calendar days and a decrease in the amount of \$1,986.60 to the contingency fund of Amendment No. 9 (R2023-0085) to the continuing Construction Manager (CM) at Risk Services contract (R2018-1161) with Lebolo Construction Management, Inc. for the Lantana/Lake Worth Health Center-Customer Service Counter project. **SUMMARY:** On January 24, 2023, the Board of County Commissioners (Board) approved Amendment No. 9 (R2023-0085) to the continuing CM at Risk Services contract (R2018-1161) with Lebolo Construction Management, Inc. in the amount of \$262,934, establishing a Guaranteed Maximum Price (GMP) for construction management services to remodel the Lantana/Lake Worth Health Center to bring the customer service area into compliance with the Americans with Disabilities Act (ADA). Change Order No. 4 to Amendment No. 9 (Change Order No. 4) authorizes the use of contingency funds for unforeseen field conditions requiring additional services for the Lantana/Lake Worth Health Center-Customer Service Counter project, as allowed by the contract provisions. Change Order No. 4 also increases the project duration by 4 calendar days as a result of the additional services for unforeseen field conditions. In accordance with Policy and Procedure Memorandum (PPM) CW-F-050, Lead Departments are authorized to approve \$0 Change Orders associated with a CUD (CUD Change Orders), then an agenda item notifying the Board of such \$0 Change Orders must be presented as a receive and file. Change Order No. 4 is a \$0 CUD Change Order. This agenda item is being submitted to notify the Board of a \$0 CUD Change Order established by PPM CW-F-050. Amendment No. 9 was competitively solicited by Lebolo Construction Management, Inc. utilizing the federal requirements provided by the Department of Housing and Economic Development (DHED). The County's Equal Business Opportunity Program does not apply to federally funded contracts. Under the federal requirements, this project has an established Equal Employment Opportunity (EEO) minority participation goal of 22.4%, of which 6.9% is female participation. **The funding source for this project is the Infrastructure Sales Tax (IST) Fund and the Public Building Improvement Fund.** (Capital Improvements Division) District 7 (MWJ)

3. CONSENT AGENDA APPROVAL

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

6. Staff recommends motion to approve: an annual contract with the following contractor for flooring services on an as-needed basis through May 17, 2026.

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
" MBCS Company, L.L.C "	Local	S/MBE

**SUMMARY:** On May 18, 2021, the Board of County Commissioners (Board) approved the annual flooring contract (R2021-0633 through R2021-0639). The work consists of new installations, replacement and/or repairs of flooring to County-owned properties on an as needed basis. The Contractor now joins the list of eleven (11) prequalified contractors for a total of twelve (12) prequalified contractors with a contract expiration date of May 17, 2026. The specific requirements of the work will be determined by individual work orders issued against this annual flooring contract. These contracts are five (5) year indefinite-quantity contracts with a maximum cumulative value of \$4,000,000 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 flooring 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 flooring contract was presented to the Goal Setting Committee on January 20, 2021 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 flooring contract is 63.32%. (Capital Improvements) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

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

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

<u>Contractors</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
A) NYC Development & Construction Group Inc.	Local	Non-SBE
B) T & G Corporation dba T&G Constructors	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-owned properties on an as needed basis. The Contractors now join the list of thirty-nine (39) prequalified contractors for a total of forty-one (41) 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 minor construction contract. These contracts are five (5) year indefinite-quantity contracts with a maximum cumulative value of \$25,000,000 across all prequalified contractors. Work will be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors may qualify at any time and be added to this annual minor construction 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 minor construction contract was presented to the Goal Setting Committee on August 21, 2019 and the Committee established three Affirmative Procurement Initiatives (APIs): 1) sheltered market for projects under \$100,000; or 2) a SBE contractor will be given a price preference if its bid is within 10% of the lowest non-small business bid on a single trade project \$100,000 or greater; or 3) a mandatory 25% SBE subcontracting goal for a multi-trade project \$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 minor construction contract is 62.45%. (Capital Improvements) Countywide (MWJ)

MARCH 5, 2024

3. CONSENT AGENDA APPROVAL

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

8. Staff recommends motion to receive and file: the Roger Dean Chevrolet Stadium (RDCS) Renovation Project (Project) development period report No. 4 (Development Report No.4), for the period from October 26, 2023 through January 22, 2024, to the Department of Economic Opportunity (DEO). **SUMMARY:** On August 22, 2023 the Board of County Commissioners (Board) authorized the Mayor (R2023-1105) to execute future Development Reports and annual reports as required under the Spring Training Facility Funding Agreement (R2023-0367) (State Funding Agreement). On March 14, 2023, the Board approved the State Funding Agreement with the DEO for the RDCS Renovation Project. The State Funding Agreement provides \$50,000,000 of State Funding under Section 288.11631, Florida Statutes over a 25 year period for the RDCS Renovation Project. Under the terms of the State Funding Agreement, the County must furnish annual reports, and during the development period, must submit periodic Development Reports every 90 days to the DEO. The Development Reports detail the status of the RDCS Renovation Project and the funds expended to date on the same. For the annual reports and the Development Reports, the Mayor must certify that all information and documentation contained in the reports are true and correct. In accordance with R2023-1105, the Mayor executed the attached Development Report No. 4 on behalf of the Board which was submitted to the DEO. This executed document is now being submitted to the Board to receive and file. (FDO Admin) District 1/Countywide (MWJ)



**MARCH 5, 2024**

**3. CONSENT AGENDA APPROVAL**

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

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

- A)** an Assignment of the annual Heating, Ventilation and Air Conditioning (HVAC) contract (R2020-0022) (HVAC contract) from Precision Air Systems, Inc. to Precision Air Systems, LLC (Contractor); and
- B)** Work Order No. 24-001 to the annual HVAC contract (R2020-0022) with Contractor in the amount of \$216,690 for the Jupiter Library-Chiller Replacement project for a period of 240 calendar days from notice to proceed.

3. CONSENT AGENDA APPROVAL

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

9. **SUMMARY:** Precision Air Systems, Inc., requested that Palm Beach County accept an assignment of the annual HVAC contract to Contractor. Contractor has acquired Precision Air Systems, Inc., and will assume the annual HVAC contract from Precision Air Systems, Inc. Many of the management team and staff of Precision Air Systems, Inc. have joined Contractor. Since HVAC projects being worked on by Precision Air Systems, Inc. are open, the assignment to Contractor will provide for the continuation and completion of these projects. Staff recommends this assignment of the annual HVAC contract from Precision Air Systems, Inc. to Contractor. Work Order 24-001 consists of furnishing all labor, equipment, devices, tools, machinery, transportation, professional services, supervision, drawings, permitting and all miscellaneous requirements necessary to remove and replace one (1) eighty (80) ton chiller including associated water pumps, gauges, insulated piping, HVAC equipment and reconnect the existing building automation system (BAS) at the Jupiter Library Facility. The existing equipment is original to the building construction and has outlived its useful life. The new chiller will be more efficient and provide years of dependable service. This project was competitively advertised and new contractors were invited to bid on the project by submitting prequalification documents prior to the submission of the bid response. The Contractor will have 240 calendar days from notice to proceed to substantially complete the project. Liquidated damages for failure to achieve certification of substantial completion within the contract time or approved time extension thereof are \$120 per day. This work order was solicited pursuant to the annual HVAC contract and the requirements of the Equal Business Opportunity (EBO) Ordinance. 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. Since this project is over \$100,000, the SBE price preference API was applied. The Contractor is a local firm. The SBE participation on this work order is 13.31%. To date, the overall SBE participation on the annual HVAC contract is 27.36%. Funding for this project is from the Public Building Improvement Fund. (Capital Improvements Division) District 1 (MWJ)

3. CONSENT AGENDA APPROVAL

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

10. Staff recommends motion to approve: First Amendment to the Amended and Restated Agreement (R2019-1509) (“Agreement”) with Bethesda Hospital, Inc. (“Hospital”), to extend the term of the Agreement for interoperable communications through the countywide emergency medical services (EMS) and common talk groups of the County’s Public Safety Radio System (“County’s System”) retroactively (due to the Hospital’s delay in executing the amendment) from January 10, 2024 through January 9, 2029. **SUMMARY:** The Agreement, which provides the terms and conditions under which the Hospital can program into its radios and utilize the countywide EMS and common talk groups for certain types of inter-agency communications, expired on January 9, 2024. The Agreement provided for two (2) renewal options, each for a period of five (5) years. The Hospital has approved the amendment to extend the term of the Agreement to January 9, 2029, and the renewal now requires Board approval. The terms of the Agreement are standard and have been offered to all municipalities and local branches of state and federal agencies and ambulance service providers with 800 MHz trunked radio capabilities. There are no charges associated with this Agreement. The Hospital is required to pay all costs associated with the Hospital’s subscriber units and to comply with the established operating procedures for the County’s System. This Agreement may be terminated by either party, with or without cause, upon ten (10) days prior written notice to the other party. The first renewal extends the term of the agreement, and adds the county’s standard E-verify provision. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide (MWJ)
  
11. Staff recommends motion to receive and file: an Agreement with Box Studio, LLC, to host The Origami in the Garden Exhibition at Mounts Botanical Gardens from January 7, 2024 through May 19, 2024. **SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. Pursuant to PPM CW-F-072, Acquisition of Artwork, the attached Agreement, after review and approval by the County Attorney’s office, has been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator or designee, who in this case was the Director of the Facilities Development and Operations Department. The Agreement was for a temporary art exhibit entitled “The Origami in the Garden Exhibition” at Mounts Botanical Garden, which was approved by the Palm Beach County’s Art in Public Places Program. The donation for the Agreement was provided by the Friends of the Mounts Botanical Garden, Inc., and approved by the Board on August 22, 2023 (R2023-1129). This executed document is now being submitted to the Board to receive and file. (FDO Admin) Countywide (YBH)

3. CONSENT AGENDA APPROVAL

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

12. Staff recommends motion to receive and file: Standard License Agreement (Agreement) with the City of Delray Beach (City) for Use of County-Owned Property (South County Courthouse Parking Garage) for event parking from November 28, 2023 to August 28, 2024. **SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The attached standard Agreement has been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator or designee, who in this case was the Director of the Facilities Development and Operations Department (Director). The term of the Agreement is November 28, 2023 to August 28, 2024, with specific dates, uses and operating hours to be determined upon written mutual agreement of the Director and the City Manager. The Standard License Agreement was approved in accordance with R2002-1980. This executed document is being submitted to the Board to receive and file. (FDO Admin) Countywide (YBH)
  
13. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 3 to the continuing consulting services/design professional services contract (R2022-0485) with Colomé & Associates, Inc. (Consultant) in the amount of \$117,563.18 for the Medical Respite and Lewis Center Buildout project. **SUMMARY:** On May 17, 2022, the Board of County Commissioners (Board) approved the continuing consulting services/design professional services contract (R2022-0485) with the Consultant to provide consulting services/design professional services for various federally funded projects on a continuing contract basis. This item will authorize professional services for CSA No. 3 for the Medical Respite and Lewis Center Buildout project. The Community Services Department desires to convert the existing clinic to a medical respite in order to provide medical recuperative services to the homeless. Under CSA No. 3, the Consultant will provide professional services (i.e. design, construction document preparation, cost estimating, bidding and construction administration phase services) necessary for the renovations/buildout of the existing clinic to accommodate the medical respite services and mechanical chiller replacement. The renovations/buildout include, but are not limited to, the reconfiguration of interior partition walls, addition of egress windows with new exterior wall openings, replacement of exterior doors, frames and windows with impact resistant systems, new flooring, wall and ceiling finishes in the renovated areas and modifications to the existing electrical, fire alarm and mechanical systems (which includes the mechanical chiller replacement). 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. Funding for this project is from the Capital Outlay Fund. (Capital Improvements Division) District 7 (MWJ)

3. CONSENT AGENDA APPROVAL

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

14. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 6 to the continuing consulting services/design professional services contract (R2022-0486) with Williamson Dacar Associates Inc. d/b/a/ Williamson Design Associates (Consultant) in the amount of \$235,808 for the Palm Tran Bus Stop Improvements 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 federally funded projects on a continuing contract basis. This item will authorize professional services for CSA No. 6 for the Palm Tran Bus Stop Improvements project. Palm Tran desires to improve forty-nine (49) Palm Tran bus stops at various locations along eastern Palm Beach County to comply with the American with Disabilities Act (ADA). Under CSA No. 6, the Consultant will provide professional services (i.e., design, construction document preparation, bidding and construction administration phase services) necessary for the ADA improvements to forty-nine (49) Palm Tran bus stops. The project includes, but is not limited to, site surveys at each location and the evaluation and design to make the bus stops ADA compliant. 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%. The consultant committed to 50% DBE utilization on this contract. DBE subcontractor participation on this contract is 77.9%. Funding for this project is from the Palm Tran Grants Fund. (Capital Improvements Division) Countywide (MWJ)

MARCH 5, 2024

3. CONSENT AGENDA APPROVAL

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

15. **Staff recommends motion to approve:** installation of a plaque in remembrance of Noah Klein on the southwest wall of the press box building, facing baseball field #4 at West Boynton Park. **SUMMARY:** At the request of Commissioner Gregg K. Weiss and approval of the Board of County Commissioners sitting in session on February 27, 2024, staff was given direction to explore the installation of a plaque at the West Boynton Park in remembrance of Noah Klein in collaboration with the West Boynton Little League (WBLL). Noah Klein was a long-time participant of the WBLL who passed away from pediatric brain cancer on February 17, 2023 at the age of 13. Through the installation of the plaque, WBLL would like to remember Noah and also inspire others to “Play like Noah.” West Boynton Little League has served the West Boynton community since 1994 and has played at West Boynton Park since the park opened its baseball fields in 2004. (FDO/Parks & Recreation) District 2 (MWJ)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to receive and file:

- A) a Hazard Mitigation Grant extension with the Florida Department of Emergency Management (FDEM) for a modification extension. The initial agreement was from December 1, 2022 to December 31, 2023; the modification extension will end on September 30, 2024; and
- B) a Master Research Agreement No. C-23-229 between Palm Beach County and Florida Atlantic University (FAU) for a modification extension. This will be to complete the Hazard Mitigation Grant project and will extend the agreement to September 30, 2024.

**SUMMARY:** On April 7, 2022, the FDEM announced a grant opportunity for Community Rating System (CRS) communities to aid them in the development of a Watershed Master Plan (WMP) to help improve their CRS ratings. On May 17, 2022, the Board of County Commissioners granted delegated authority to submit the grant application and enter into the agreement with FDEM. FDEM executed the agreement on December 1, 2022 for the Hazard Mitigation Grant reflecting their commitment of funding to the above reference project for \$210,000. In collaboration with FAU, the funding will provide for the development of a WMP as a prerequisite for all communities to achieve a Class 4 or higher CRS rating. The CRS program allows participating communities to achieve significant discounts for National Flood Insurance Program (NFIP) policyholders on flood insurance premiums for their properties. CRS ratings rank from 1 (highest rating/discount) to 10 (lowest rating/discount). A Class 5 rating allows policyholders in the County to receive discounts of up to 25% from the standard NFIP premiums. A Class 4 rating (or higher) would achieve discounts of 30% (or more). Working in coordination with the County Emergency Management Division CRS Coordinator, as well as other County Agencies, County staff continuously work to maintain and improve the County's CRS rating and achieve greater discounts for County property owners. Unincorporated (RM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. Staff recommends motion to approve: a 2024 Pipeline Wet Tap and Line Stops Continuing Construction Contract (Contract) with Rangeline Tapping Services, Inc. (Rangeline) for a not to exceed amount of \$7,796,283 for a three (3) year term. **SUMMARY:** On November 29, 2023, the Palm Beach County Water Utilities Department (PBCWUD) received one (1) bid for the Contract. The Contract will be used to expedite utility repair and improvements projects, facilitate the completion of much needed rehabilitation work and reduce response time for corrective action/repairs for any necessary emergency pipe repair projects throughout PBCWUD's service area where timing is critical. The Contract award is for the unit bid prices received and overall bid dollar amount of \$7,796,283 from Rangeline, which was utilized to establish the unit prices for work under this Contract. The Contract does not guarantee or authorize Rangeline to perform any work. Work will be assigned during a three (3) year period by Work Orders drawn against the Contract, subject to approval pursuant to the requirements of PPM CW-F-050. The unit prices contained in the Contract will be used to determine the amount of each Work Order. This Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On October 4, 2023, the Goal Setting Committee applied an Affirmative Procurement Initiative (API) of a Small Business Enterprise (SBE) Price Preference. The Contract provides for 0% SBE participation. Rangeline is a Palm Beach County based company. The Contract is included in the PBCWUD FY24, FY25, and FY26 budget. (PBCWUD Project No. 23-047) Countywide (MWJ)



3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

2. Staff recommends motion to approve: Work Order (WO) No. 5 to the 2022 Pipeline Continuing Construction Contract (Continuing Contract) with Johnson-Davis Incorporated (Contractor) for the Force Main Replacement; FL Turnpike North of West Palm Beach Service Plaza (Project) in the amount of \$233,184.95. **SUMMARY:** On May 16, 2023, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2023-0675) with Contractor. WO No. 5 provides for the replacement of approximately 500 linear feet (LF) of Force Main (FM) serving the Turnpike West Palm Beach Service Plaza (Service Plaza). Project includes the Horizontal Directional Drilling (HDD) of 320 LF of 12-inch casing with 6-inch carrier FM under the Florida Turnpike (Turnpike) north bound lanes, and under the Lake Worth Drainage District (LWDD) E2-E Canal. Project also includes the removal of the existing 6-inch FM pipe and the grouting of the 12-inch casing. This Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On September 7, 2022 the Goal Setting Committee applied an Affirmative Procurement Initiative of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting participation of which 5% shall be among certified African American and/or Hispanic American owned firms. The Contract provides for 20.83% SBE participation, which includes 5.521% MBE participation, 5.38% MBE (H), and 0.13% MBE (B). WO No. 5 includes 0% SBE participation, which includes 0% MBE participation, 0% MBE (H), and 0% MBE (B). The cumulative SBE participation including WO No. 5 is 16.91% SBE participation, which includes 10.90% MBE participation, 0% MBE (H), and 0.51% MBE (B). Contractor is a Palm Beach County based company. The Projects are included in the PBCWUD FY24 budget. (PBCWUD Project No. 24-006) District 3 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

3. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners (BCC) of Palm Beach County, Florida, supporting the Continued Operation of the Solid Waste Authority of Palm Beach County's (SWA) Biosolids Processing Facility beyond August 9, 2029. **SUMMARY:** On May 3, 2005, the Palm Beach County Board of County Commissioners approved an Interlocal Agreement (ILA) for Biosolids Processing and Recycling with SWA (R2005-0897). Under the ILA, the SWA is responsible for the design, construction, operation and maintenance of the regional Biosolids Processing and Recycling Facility (BPF), and, in addition, will market the biosolids pellets to various fertilizer manufacturers. The Facility became operational in 2010. The Palm Beach County Water Utilities Department (PBCWUD), along with the other participating utilities including the South Central Regional Wastewater Treatment and Disposal Board, City of Boca Raton Utilities Department, Loxahatchee River Environmental Control District, Seacoast Utility Authority, and the East Central Regional Wastewater Treatment Facilities Operation Board are responsible for delivering wastewater biosolids to the facility and paying for the pro-rata share of capital and net operating costs. In accordance with the ILA, at least five years prior to the termination of the Operations and Maintenance Agreement (August 2029), the participant utilities are required to jointly determine if the BPF shall continue operation or if the operation shall cease on August 9, 2029. On November 27, 2023, SWA formally requested the participant utilities to vote to either (1) Continue operation of the BPF or (2) Discontinue the BPF operation after August 9, 2029. PBCWUD believes it is in the best interest of the County to continue operation of the BPF. Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

**A) approve** a Florida Department of Environmental Protection (FDEP) Office of Greenways and Trails Application (Application) for Designation of Public Lands or Waterways as part of the Florida Greenways and Trails System (FGTS) for Acreage Pines Natural Area (Natural Area); and

**B) authorize** the County Administrator, or designee, to execute the 20-year term, FDEP Florida Greenways and Trails Program Designation Agreement (Agreement) for the Natural Area, and sign a Resource Certification (Certification) required under the Agreement every five years during the term of the Agreement.

**SUMMARY:** The Application requests that the 124.3-acre County-owned Natural Area be designated as part of the FGTS. If the Application is approved by the State's Greenways and Trail Council, the County will be required to sign a 20-year term Agreement substantially similar to the attached agreement template in order to complete the designation. To maintain the designation, the County will be required to submit a signed Resource Certification form at the request of FDEP every five years following execution of the Agreement. The Certification confirms that the site's natural, recreational, cultural, and/or historic resources are being maintained in a manner consistent with the Agreement. The natural and recreational resources found within the Natural Area are maintained pursuant to the Board-approved Management Plan (Agenda Item 3.L.3, 3/13/18) and the Use Plan that is part of the Application; there are no cultural or historical resources on the Natural Area. Designating the Natural Area as part of the FGTS will help bring public recognition and additional visitors to the Natural Area. It also will give the County additional consideration when applying for grants to help fund the renovation/replacement of existing public use facilities at the Natural Area. Neither the Application nor Agreement are expected to have any fiscal impact. District 6 (SS)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to:

A) **ratify** the Mayor's signature on the following documents:

1. Certificate of Participation for an annual Florida Department of Law Enforcement (FDLE) Edward Byrne Memorial Justice Assistance Formula Grant (JAG);
2. 51% letter required to establish consensus among local governments in the County concerning the expenditure of JAG funds allocated to the jurisdiction;
3. Three grant applications submitted in September 2023 to FDLE for the Federal Fiscal Year 2022 (County Fiscal Year 2023) FDLE JAG Program in the amount of \$322,342 beginning October 1, 2022 through September 30, 2025 as provided below:
  - i) Palm Beach County Reentry Program (City of Riviera Beach) for \$27,695;
  - ii) Palm Beach County Reentry Program (The Lord's Place) for \$212,533; and
  - iii) Equipment for law enforcement for \$82,114.

B) **authorize** the County Administrator or designee to execute the grant award, agreement, amendments, documents, and electronic grant reporting forms, related to the FDLE JAG Grant, on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budget allocations that do not substantially change the scope of work, or terms and conditions of the agreement.

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (cont'd.)

1. **SUMMARY:** On July 10, 2023, the Criminal Justice Commission (CJC) learned that Palm Beach County was allocated \$322,342 (CFDA# 16.738) in Edward Byrne Memorial JAG funds as part of the FDLE JAG Countywide program (FDLE funding is consistently allocated after the County executes subrecipient contracts). The CJC approved allocating these funds to the existing Palm Beach County Reentry Program in the amount of \$240,228, and the remaining balance of \$82,114 to purchase equipment for law enforcement agencies throughout Palm Beach County to address their safety concerns and enhance the work of law enforcement in collaboration with the Palm Beach Sheriff's Office to reduce mass violence. The emergency signature process was utilized because there was not sufficient time to submit the forms through the regular agenda item process to meet the July 31, 2023 deadline. The Countywide Reentry Program provides transitional services for adults and juveniles released from jail and prison to Palm Beach County. In County FY23, approximately 663 adults (358 Sago Palm Reentry Center and 305 post-release) have been served by the County's Reentry Program, which includes 137 pre-release new enrollments at Sago Palm and 182 post-release new enrollments. The program provided linkage to 78% of participants who needed housing assistance and 79% of those who needed assistance with behavioral health services. **No County match is required.** Countywide (HH)
  
2. **Staff recommends motion to receive and file:** Third Amendment to Contract for Consulting/Professional Services (R2022-0988) with Southeast Florida Behavioral Health Network, Inc. (SEFBHN) to extend the term of the contract from January 13, 2024 to December 13, 2024 and to increase the contract amount by \$200,000 for a not to exceed amount of \$450,000. **SUMMARY:** The Third Amendment to the contract with SEFBHN extended the funding period from January 13, 2024 through December 13, 2024, for the Frequent Utilizer "Next Steps" pilot project to provide continued access to behavioral health support services, case management, care coordination, peer support, and assistance applying for various public benefits. There are currently 31 participants in the program as of December 2023 and 251 engagements were made at the jail. On September 13, 2022, R2022-0988 authorized the County Administrator or designee to execute any amendments, reports, or documents relating to this agreement after approval of legal sufficiency by the County Attorney's Office and within budgeted allocations. 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. **No County matching funds are required.** Countywide (HH)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (cont'd.)

3. **Staff recommends motion to approve:** appointment of one (1) new member to the Criminal Justice Commission (CJC) for the period March 5, 2024 to December 31, 2026.

<u>Appoint Nominee</u>	<u>Seat No.</u>	<u>Term to Expire</u>	<u>Nominated By:</u>
Jorge Garrido	20	12/31/2026	Hispanic Chamber of Commerce of Palm Beach County

**SUMMARY:** The mission of the CJC is to study all aspects of the criminal justice and crime prevention systems within the federal, state, county, municipal, and private agencies within the County. The CJC is comprised of 35 members: 18 public sector members representing local, state, and federal criminal justice and governmental agencies; and 17 private sector members representing the Economic Council, Clergy, the Black and Hispanic Chambers of Commerce, youth (17-22 years), returning citizen, crime survivor, and a community member. The Hispanic Chamber position is nominated by the Hispanic Chamber of Commerce and appointed by the Board of County Commissioners. The CJC currently has 27 seats filled and a diversity count of Caucasian: 16 (59%), African-American: 10 (37%), and Hispanic: 1 (4%). The gender ratio (female: male) is 11:16. The nominee is a Hispanic male. Staff is addressing the need to increase diversity within our Board and will continue to encourage this to expand this Board's diversity. Countywide (HH)

S. FIRE RESCUE

1. **Staff recommends motion to receive and file:** a copy of municipal ordinance No. 15-23 of the Town of Jupiter ("Town"), providing the Town's annual consent to continue its participation in the Jupiter Municipal Services Taxing Unit ("MSTU") through December 31, 2024. **SUMMARY:** The County has provided fire rescue services to the Town as part of the Jupiter MSTU since 1997. The Town adopted Ordinance No. 12-22 to extend its participation in the Jupiter MSTU through December 31, 2027 to fund fire-rescue services by the County through 7:30 a.m. on October 1, 2028, subject to annual renewals. Ordinance No.15-23 provides consent through December 31, 2024. Town Ordinance No. 15-23 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.)

2. **Staff recommends motion to approve:** a letter terminating the Agreement Relating to Clinical Field Experience (“Agreement”) with HCI College LLC A/K/A Health Career Institute LLC (“HCI”) dated December 20, 2022 (R2022-1545), effective April 15, 2024. **SUMMARY:** The Agreement allowed Palm Beach County Fire Rescue (“Fire Rescue”) to provide clinical field experience to students enrolled in HCI’s paramedic and emergency medical technician (“EMT”) programs. HCI discontinued its paramedic and EMT program in December of 2023. Terminating the agreement will allow Fire Rescue to offer Clinical Field Experiences to other schools who currently offer paramedic and EMT programs. Countywide (SB)

X. PUBLIC SAFETY

1. **Staff recommends motion to approve:** Agreement with Florida State University (FSU) to collaborate as partners for the placement of social work student interns for the period March 5, 2024 through March 4, 2029 unless terminated earlier, with no financial obligation. **SUMMARY:** In 2019, Palm Beach County’s Public Safety Department (PSD) entered into a five year Agreement with FSU for the placement of student interns (R2019-0662). The parties wish to continue the partnership. This Agreement formalizes the cooperative arrangements between FSU and the PSD for the development and implementation of the practicum and internship program for social work students. It outlines the respective duties, responsibilities, policies, and procedures for FSU and the PSD. FSU will refer students to the PSD that completed the required prerequisites for the internship. The PSD’s Division of Victim Services and Palm Beach County Fire Rescue (PBCFR) already have internship programs in place to train students from local colleges and universities who are seeking degrees in social work. The County will provide a training program and training facilities, designate a supervisor, ensure students receive the required service hours, and evaluate performance by completing evaluations for each semester. The County and FSU are each responsible for their own costs. Countywide (RS)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (cont'd.)

2. Staff recommends motion to receive and file: Amendment 1 to Standard Contract #COHEC (R2023-1263) with the State of Florida, Department of Health (DOH), for the period of January 22, 2024 through June 30, 2026. **SUMMARY:** On September 12, 2023 the Board of County Commissioners ratified the Mayor's signature on a three-year contract with the DOH in the amount of \$846,117 (R2023-1263) for the continuation of advocacy and forensic exam services to victims of sexual assault. Funding is used for rent expenses of the Butterfly House, the forensic exam facility, and personnel to include 2 Victim Advocates, and 1 Forensic Nurse Program Manager. This Amendment was requested by the County in order to expand the qualifications of the Forensic Nurse Manager position in order to attract and retain qualified candidates. Additionally, Amendment 1 to the standard contract deletes and replaces in its entirety Pages 13 to 23, which includes Attachment 1 of the original contract with the revised Attachment I. Revisions include adding the terms forensic nurse, forensic exam and forensic nurse program manager to the definitions; changing task list terms from medical exams to forensic exams; adding that a Forensic Nurse or Forensic Nurse manager host a presentation each quarter to area hospitals or medical providers; and amending deliverables to require supporting documentation be submitted with the quarterly report. On August 11, 2011, R2011-1223 authorized the County Administrator or designee to execute contracts and amendments utilizing funding from the State of Florida, DOH on behalf of the Board of County Commissioners. Over the past contract cycle (July 1, 2020 through June 30, 2023), 1,530 primary and secondary victims were assisted with 11,612 services by the contract funded advocates. Additionally, forensic nurses responded to 646 victims and conducted 620 forensic exams of which 217 were performed at the Butterfly House. Countywide (RS)



3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (cont'd.)

3. Staff recommends motion to approve:

A) One (1) "At Large" Appointment to the Emergency Medical Services Advisory Council (EMS Council) Hospital seat for the term March 5, 2024 through September 30, 2027. **An affirmative vote of 5 is required.**

<u>Nominee</u>	<u>Seat</u>	<u>Designation</u>	<u>Nominated by</u>
Pam Tahan	18	Palm Beach County Hospital Chief Executive Officer (CEO)	Wellington Regional Medical Center

B) One (1) "At Large" Appointment to the EMS Council Private Ambulance Provider seat, to complete the vacant term of the former council member, who resigned April 13, 2023. The new term will be March 5, 2024 to September 30, 2024, including a **waiver** of the prohibition against a conflicting employment or contractual relationship pursuant to Sections 112.313(7)(a) and (12), Florida Statutes. **An affirmative vote of 5 is required.**

<u>Nominee</u>	<u>Seat</u>	<u>Designation</u>	<u>Nominated by</u>
David Gobey	3	Private Ambulance Provider	Private Ambulance Service Provider

**SUMMARY:** The EMS Council advises the Board of County Commissioners (BCC) on matters relating to EMS; in addition to proposing and discussing ideas and projects to improve the quality of EMS in Palm Beach County. Per Resolution R2014-0100, the BCC approved a representative make-up of the EMS Council to include twenty (20) members. Thirteen (13) members are representatives of the various components of the EMS system with specific requirements and seven (7) members are Commission District Consumer appointments. On September 30, 2023, one (1) of the three (3) Hospital CEO seat terms expired. On April 13, 2023, the Private Ambulance Provider seat resigned. Letters were received from each affiliation for a new nominee or reappointment of the current member. Pam Tahan is an employee of Wellington Regional Medical Center and David Gobey is an employee of American Medical Response (AMR). AMR is licensed by Palm Beach County to provide EMS services. This relationship necessitates a waiver approved by an affirmative two-thirds vote of the BCC (5 votes), pursuant to Sections 112.313(7)(a) and (12), Florida Statutes, because this entity is subject to the regulatory authority of the EMS Council. The EMS Council has 16 seats filled, with a diversity count as follows: Caucasian 15 (94%) and African American: 1 (6%). The gender ratio (male: female) is 14:2. Staff is addressing the need to increase diversity within our board and will continue to encourage this to expand this Board's diversity. Countywide (SB)

3. CONSENT AGENDA APPROVAL

CC. CAREERSOURCE

1. Staff recommends motion to approve: the appointment of Elizabeth Rochaine to the CareerSource Palm Beach County, Inc. Board of Directors (Board) for the seat and term indicated below.

Appointment	Seat No.	Term	Area of Representation	Nominated By
Elizabeth Rochaine	1	03/05/24-03/04/31	Private Sector	Wellington Regional Medical Center

**SUMMARY:** The Board is to develop a more efficient system to prepare Floridians for high skill and high wage jobs, and to oversee Welfare Reform, School- to- Work, and Adult/Literacy educational training. On October 5, 2021, the Board of County Commissioners (BCC) approved the Interlocal Agreement Palm Beach Workforce Development Consortium, which replaced Interlocal Agreement R2007-1220; First Amendment to the Interlocal Agreement R2007-1446; Amendment No. 2 to the Interlocal Agreement R2008-1268; and Third Amendment to the Interlocal Agreement R2014-1650. The Agreement states the BCC will appoint private sector board members to assure a minimum 51% private sector majority. The federal Workforce Innovation and Opportunity Act requests that an emphasis be placed on Chief Executive Officers or highest level of management positions for both community and business sector appointments. Elizabeth Rochaine is the Chief Operating Officer at Wellington Regional Medical Center. The CareerSource Palm Beach County, Inc. Board of Directors is comprised of a minimum of 19 members with representation established in Attachment 4. The Board has a maximum of 33 seats, 24 currently filled and a diversity count of Caucasian: 18 (75%), African-American: 3 (13%) and Hispanic: 3 (13%). The gender ratio (female:male) is: 9:15. The nominee is Caucasian female. Staff is addressing the need to increase diversity within our boards and will continue to encourage this to expand this Board’s diversity. Countywide (HH)

3. CONSENT AGENDA APPROVAL

DD. SHERIFF

1. Staff recommends motion to:

**A) accept** on behalf of the Palm Beach County Sheriff's Office, a Subgrant Agreement from the State of Florida Department of Transportation for the Palm Beach County Sheriff's Office, Palm Beach County Speed and Aggressive Driving Strategy project, in the amount of \$200,000, for the period of December 22, 2023 through September 30, 2024; and

**B) approve** a Budget Amendment of \$200,000, increasing the Sheriff's Grants fund.

**SUMMARY:** On December 22, 2023, the Florida Department of Transportation awarded a grant to the Palm Beach County Sheriff's Office in the amount of \$200,000 to support a Speed and Aggressive Driving Strategy project in Palm Beach County. Funds will be used to support overtime costs associated with the project. The Catalog of Federal Domestic Assistance (CFDA) number is 20.600, the project number is SC-2024-00300, and the DOT Contract number is G2P05. There is **no match requirement** associated with this award. Countywide (RS)

2. Staff recommends motion to:

**A) accept** on behalf of the Palm Beach County Sheriff's Office a Grant Award for the FY2023-2024 Coach Aaron Feis Guardian Program from the Florida Department of Education (FDOE) for the period of July 1, 2023 through June 30, 2024; and

**B) approve** a Budget Amendment of \$100,000 in the Sheriff's Grants Fund.

**SUMMARY:** On January 18, 2024, the Palm Beach County Sheriff's Office (PBSO) received a grant award in the amount of \$100,000 for the Coach Aaron Feis Guardian Program to continue the Safe Schools Security Guard Training Program (SSSGTP). The SSSGTP is a partnership with the Palm Beach County School District to ensure all charter schools in Palm Beach County are equipped with a Safe-School Officer in compliance with Section 1006.12, Florida Statutes. These funds will be used for overtime and personnel costs to provide training by qualified sworn deputies/instructors certified by the Criminal Justice Standards and Training Commission (CJSTC) and to provide program supervision/oversight. The contract agreement number is 97K-90210-4D001. The CFSA# is 48.14. There is no match requirement associated with this award. Countywide (RS)

MARCH 5, 2024

3. CONSENT AGENDA APPROVAL

DD. SHERIFF (cont'd.)

3. Staff recommends motion to:

**A) accept** on behalf of the Palm Beach County Sheriff's Office, a Financial Assistance Agreement between the Florida Department of Law Enforcement (FDLE) and the Palm Beach County Sheriff's Office (PBSO) for the FY2023-24 State Assistance for Fentanyl Eradication (SAFE) in Florida Program, for the period of July 1, 2023 through June 30, 2024; and

**B) approve** a Budget Amendment of \$475,000 in the Sheriff's Grant Fund.

**SUMMARY:** On January 25, 2024, the Palm Beach County Sheriff's Office was awarded a FY2023-24 State Assistance for Fentanyl Eradication (SAFE) in Florida Program grant from the Florida Department of Law Enforcement, to conduct joint operations, investigations and other activities as authorized through FDLE's SAFE Program. The period of performance is from July 1, 2023 through June 30, 2024. **There is no match requirement associated with this award.** The Catalog of State Financial Assistance (CSFA) number is 71.002 and the agreement number is 2023-SAFE-SF-046. Countywide (RS)

MARCH 5, 2024

3. CONSENT AGENDA APPROVAL

DD. SHERIFF (cont'd.)

4. Staff recommends motion to:

A) **receive & file** contract amendment #2 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 ("IPTM"), to provide \$5,000 in supplemental funding for the Palm Beach County Sheriff's Office's High Visibility Enforcement (HVE) Project; and

B) **approve** a Budget Amendment of \$5,000 in the Sheriff's Grants Fund.

**SUMMARY:** On September 19, 2023, the Board of County Commissioners (BCC) accepted a grant award on behalf of the Palm Beach County Sheriff's Office (PBSO) from the University of North Florida Training and Services Institute, Inc., d/b/a Institute of Police Technology and Management ("IPTM"), in the amount of \$86,196.06 to pay for overtime costs for PBSO's High Visibility Enforcement Project in support of the Florida Department of Transportation's Bicycle Pedestrian Focused Initiative (R-2023-1352). On December 19, 2023, the BCC approved supplemental funding in the amount of \$35,439.19 to continue the HVE Project. This contract amendment will provide \$5,000 in additional grant funds, bringing the total award to \$126,635.24. **There is no match requirement associated with this award.** The Catalog of Federal Domestic Assistance (CFDA) number is 20.205, the project number is 433144-1-8404, and the FDOT Contract number is G2M61. Countywide (RS)

3. CONSENT AGENDA APPROVAL

DD. SHERIFF (cont'd.)

5. Staff recommends motion to:

A) **receive and file** a First Amendment to the Interlocal Agreement between the Palm Beach County Sheriff's Office and the City of Boynton Beach to provide \$111,000 in supplemental funding through the Florida Department of Law Enforcement (FDLE) FY23-24 State Assistance for Fentanyl Eradication (SAFE) in Florida Program; and

B) **approve** a Budget Amendment of \$111,000 in the Sheriff's Grant Fund.

**SUMMARY:** On November 7, 2023, the Board of County Commissioners (BCC) accepted a grant award in the amount of \$110,000 on behalf of the Palm Beach County Sheriff's Office (PBSO) from the City of Boynton Beach through the FY23-24 State Assistance for Fentanyl Eradication (SAFE) In Florida Program (R2023-1635). This agenda item will provide \$111,000 in additional funding to conduct joint operations, criminal investigations and other activities related to the sale and distribution of fentanyl. **There is no match requirement associated with this award.** The Catalog of State Financial Assistance (CSFA) number is 71.002 and the agreement number is 2023-SAFE-SF-004. Countywide (RS)

EE. WATER RESOURCES

1. Staff recommends motion to receive and file: Amendment No.1 (Amendment) to Agreement Number 22FRP73 with the Florida Department of Environmental Protection (FDEP) that was executed by FDEP on January 18, 2024. The grant provides funding for the construction of a second by-pass culvert for Indian Trail Improvement District M-2 Impoundment to improve drainage. **SUMMARY:** On April 18, 2023 the Board of County Commissioners (BCC) approved the Agreement (22FRP73) with FDEP and authorized the County Administrator, or designee, to execute the grant agreement, to sign all future time extensions, task assignments, certifications, and other forms associated with the agreement, or any necessary minor amendments that do not substantially change the scope of work, or terms and conditions of the agreement. The County Administrator delegated approval authority to the Water Resources Manager on December 5, 2023. The amendment was reviewed and approved by the County Attorney before signing by the Water Resources Manager. The amendment changed the project title and updated several attachments and conditions. In accordance with PPM CW-O-051, all delegated contracts, agreements, and grants must be submitted by the initiating department as a receive and file agenda item. **There is no cost to the County.** District 6 (MJ)

3. CONSENT AGENDA APPROVAL

FF. TOURIST DEVELOPMENT COUNCIL

1. **Staff recommends motion to receive and file:** a fully executed Palm Beach County FY2024, Category “G” Grant Agreement managed by the Palm Beach County Sports Commission, Inc. (Sports Commission), on behalf of the Palm Beach County Tourist Development Council (TDC) with The Maureen Connolly Brinker Tennis Foundation, Inc., for the promotion of the “Little Mo” Internationals in Florida, held from December 1 – 6, 2023, for the term August 1, 2023 – April 6, 2024, 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 (Board) adopted Resolution R94-702, as amended, authorizing the County Administrator and/or the Executive Director of the TDC to enter into grant agreements with Category G (Sports) grantees after they have been approved by the TDC. Room nights generated for The Maureen Connolly Brinker Tennis Foundation, Inc./“Little Mo” Internationals in Florida were 1,819. District 1 (YBH)
  
2. **Staff recommends motion to receive and file:** two (2) fully executed Palm Beach County FY2024, Category “G” Grant Agreements managed by the Palm Beach County Sports Commission, Inc. (Sports Commission), on behalf of the Palm Beach County Tourist Development Council (TDC) with:
  - A) Youth National Championship, LLC, for the promotion of Battle Youth National Championship, held from December 4 – 10, 2023, for the term August 4, 2023 – April 10, 2024. This grantee was approved by the TDC on September 14, 2023, in the amount of \$100,000; and
  - B) Palm Beaches Marathon, LLC, for the promotion of the Garden of Life Palm Beaches Marathon, held from December 9 – 10, 2023, for the term August 9, 2023 – April 10, 2024. This grantee was approved by the TDC on May 11, 2023, in the amount of \$25,000.

**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 (Board) adopted Resolution R94-702, as amended, authorizing the County Administrator and/or the Executive Director of the TDC to enter into grant agreements with Category G (Sports) grantees after they have been approved by the TDC. Room nights generated for Youth National Championship, LLC/Battle Youth National Championship were 13,547, and room nights generated for Palm Beaches Marathon, LLC/ Garden of Life Palm Beaches Marathon were 2,043. District 6 & 7 (YBH)

3. CONSENT AGENDA APPROVAL

FF. TOURIST DEVELOPMENT COUNCIL (cont'd.)

3. Staff recommends motion to approve: a Cultural Capital Fund Grant Agreement (“Agreement”) between Palm Beach County and Florida Atlantic University Board of Trustees in the amount of \$350,000 to construct improvements to the recital and lecture hall within the Kurt and Marilyn Wallach Holocaust and Jewish Studies Building on the Boca Raton campus, retroactively from September 1, 2023 through December 31, 2026. **SUMMARY:** On July 12, 2022, the Board of County Commissioners (Board) approved the allocation of \$4,000,000 of ARPA Response Replacement funds for Cultural activities. The Cultural Council was designated to administer a grant process for \$3,000,000 of the \$4,000,000 funding. These funds will be expended between September 1, 2023 and December 31, 2026, to support cultural infrastructure projects of various local non-profit cultural organizations. The Agreement with the Cultural Council (R2024-0103) requires the Cultural Council to monitor and evaluate the activities of each grantee for compliance with each grant agreement. The grant agreements will fund capital improvements which will expand and improve resident and visitor experiences in Palm Beach County. Eight agreements were approved by the Board on January 23, 2024. The Agreement with Florida Atlantic University Board of Trustees was still in negotiations at that time and is now being brought to the Board for approval. The remaining \$1,000,000 in project(s) will be submitted to the Board at a later date. **These are County ARPA Response Replacement funds that do not require a local match.** District 4 (YBH)



3. CONSENT AGENDA APPROVAL

GG. OFFICE OF RESILIENCE

1. **Staff recommends motion to approve:** an indemnification agreement between PACE Equity, as an Administrator of Florida Resiliency and Energy District, and Palm Beach County, Florida. **SUMMARY:** The Board of County Commissioners (BCC) has authorized a County Property Assessed Clean Energy (PACE) program for third parties to provide funding for energy efficiency, renewable energy, and wind-resistant improvements for residential and commercial properties by levying non-ad valorem assessments on property owner tax bills. The County enters into interlocal agreements (ILAs) with multiple PACE agencies/authorities/districts (Districts) for them to provide the financing for qualifying improvements. Districts are then required to obtain indemnification agreements from all third party administrators whom the Districts use to execute PACE financing. In the ILA between Palm Beach County and the Florida Resiliency and Energy District (FRED) district (R 2017-1098), the BCC authorized the County Administrator or designee to execute such indemnification agreements with subsequent administrators of FRED. The BCC then rescinded such delegated authority at the September 10, 2019 BCC meeting. The Office of Resilience is bringing forth this item because FRED seeks to add PACE Equity as a PACE third party administrator for commercial projects, thus requiring an indemnification agreement. This indemnification agreement acknowledges that PACE Equity is a third party administrator for FRED and that PACE Equity agrees to indemnify and hold the County harmless as PACE Equity assists FRED. Countywide (RM)

HH. OFFICE OF EQUAL OPPORTUNITY

1. **Staff recommends motion to approve:**
  - A) Award/Contract No. 45310024C0083 with the U. S. Equal Employment Opportunity Commission (EEOC) in the total amount of \$49,375 as payment for processing and resolving employment discrimination complaints; and
  - B) an upward Budget Amendment of \$7,375 in the General Fund to adjust the budget to the actual contract amount.

**SUMMARY:** Execution of the document is required so that the Office of Equal Opportunity (OEO) can receive payment for processing and resolving employment discrimination complaints pursuant to the Worksharing Agreement with the EEOC. Contract No. 45310024C0083 is for FY 2024 and is for \$49,375 (\$41,500 for charge processing, \$4,375 for intake services and \$3,500 for a joint EEOC/FEPA enforcement, outreach, or training activity). **No County funds are required.** Countywide (DO)

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**MARCH 5, 2024**

**4. SPECIAL PRESENTATIONS – 9:30 A.M.**

- A)** Proclamation declaring March 5, 2024 as Carey Haughwout Day. (District 5)
- B)** Proclamation declaring March 8, 2024 as International Grant Professionals Day. (District 7)
- C)** Proclamation declaring March 2024 as Ethics Awareness Month. (District 5)
- D)** Proclamation commemorating the 40<sup>th</sup> Anniversary of the Education Foundation of Palm Beach County. (District 1)
- E)** Proclamation declaring March 2024 as Irish American Month. (District 5)
- F)** Proclamation declaring March 18 – 22, 2024 as Government Finance Professionals Week. (District 1)
- G)** Proclamation declaring March 2024 as Let’s Move Palm Beach County Month. (District 2)
- H)** Certificate of recognition presented to Chief Frank DeMario for his 25 years of service to the Palm Beach County Sheriff’s Office. (District 3)
- I)** Proclamation declaring March 10 – 17, 2024 as Literacy AmeriCorps Week. (District 2)
- J)** Certificates of recognition presented to Alexandria Ayala and Susy Diaz in observance of International Women’s Day. (District 3)
- K)** Proclamation declaring March 10, 2024 as National Women and Girls HIV/AIDS Awareness Day. (District 6)
- ~~**L)** Recognizing Tarra Enterprises Inc. for 40 Years of Commitment to Palm Beach County. (District 4)~~
- M)** Proclamation declaring March 2024 as Women’s History Month. (District 6)

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5. REGULAR AGENDA

A. COUNTY ATTORNEY

1. **Staff recommends a motion to adopt:** a Resolution stating that it is the Palm Beach County Board of County Commissioners' ("County") intent to initiate the conflict resolution procedures provided by the Florida Governmental Conflict Resolution Act to resolve a conflict over the Village of Wellington's ("Village") Ordinance No 2023-17 ("Ordinance") adopting involuntary annexation of approximately 257.9 acres of land located generally at the intersection of State Road 80 (Southern Boulevard) and Seminole Pratt Whitney Road. The Village's proposed annexation area does not meet the statutory criteria for annexation and under Section 171.081(2), Florida Statutes the County must initiate and proceed through the conflict resolution procedures before filing a petition for writ of certiorari in the circuit court challenging the Village's annexation ordinance. **SUMMARY:** On January 16 and February 13, 2024, the Village held public hearings and adopted the Ordinance. Effective December 15, 2024, the Village seeks to annex 257.9+/- acres located on the north side of Southern Boulevard adjacent to the western boundary of the Town of Loxahatchee Groves, through a referendum to be held on March 19, 2024. The Village's Ordinance is in violation of Section 171.043, Florida Statutes. County staff has indicated in letters and expert testimony during the two public hearings that: (i) the proposed annexation area is not contiguous to existing Village boundaries; (ii) the area to be annexed is not developed for urban purposes; and (iii) the proposed annexation area does not satisfy the requirements of Section 171.043(3), Florida Statutes, because the undeveloped land does not serve as a bridge to land developed for urban purposes. District 6 (DL)

5. REGULAR AGENDA

B. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to ratify: Coral Cove Emergency Dune Restoration Contract No. 2023ERM06 (Contract) with Eastman Aggregate Enterprises, LLC (Contractor) in the amount of \$2,017,838.74 to provide dune restoration services for the Coral Cove Dune Restoration Project (Project), for a term beginning February 1, 2024 and expiring 90 calendar days from the Notice to Proceed. **SUMMARY:** The Contract provides for emergency dune restoration within the Project area, which suffered exceptional erosion damage in October and November 2023 due to waves generated by a combination of prolonged severe weather and king tides. Restoration of the dune was most recently completed in January 2023, but the area had been eroded to pre-restoration conditions by recent wind and waves, leaving adjacent upland infrastructure and a construction access easement utilized by the County for beach management efforts, vulnerable to direct impacts. Because of this, the need to protect County infrastructure at Coral Cove Park from potential future damage, and the fact that dune and beach construction is not typically authorized during marine turtle nesting season (March 1 through October 31), it became necessary to complete an immediate restoration of the Project on an emergency basis. The Florida Department of Environmental Protection (FDEP) provides funding assistance where critical erosion impacts shore protection projects. In order to qualify for potential FDEP funding, the County inquired about dune construction rates from other local governments with existing competitively bid contracts including federal requirements; the Town of Jupiter Island (Town) has an existing contract for these services where the Contractor is the low bidder and willing to accept additional work at existing rates. Pursuant to Sections 2-53 (f) and 2-54 (f)(4) of the Palm Beach County Purchasing Code, and based on these emergency circumstances where approval by the Board of County Commissioners could not be obtained in a timely manner, the Environmental Resources Management Department Director executed the Contract on February 1, 2024. The Contract allowed an immediate start to emergency restoration work. The Project will utilize a combination of available project-specific and emergency response budget within the Beach Improvement Fund, and will be submitted for consideration of supplemental funding through the FDEP Beach Management Funding Assistance Program. District 1 (YBH)

5. REGULAR AGENDA

B. ENVIRONMENTAL RESOURCES MANAGEMENT (cont'd.)

2. Staff recommends motion to ratify: Amendment No. 1 to the Singer Island Emergency Dune Restoration Contract No. 2023ERM05 (Contract) providing dune restoration services for the Singer Island Dune Restoration Project (Project). **SUMMARY:** On January 23, 2024, the Board of County Commissioners ratified the \$2,530,586.50 Contract (R2024-0074) to restore approximately 1.2 miles of eroded dunes along Singer Island. Due to severe weather conditions, the original construction access site became inaccessible. As a result, modifications to the original Contract were deemed necessary. Amendment No. 1 modifies the Contract's technical specifications, Figure 2 (Exhibit 1) and the Schedule of Payments (Exhibit 2) to incorporate new equipment and a new construction access site for the transportation of sand. The total Contract amount is increased by \$43,550, making the new total Contract amount \$2,574,136.50. All other Contract terms remain unchanged. District 1 (YBH)

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**MARCH 5, 2024**

**6. BOARD APPOINTMENTS**

**A. COMMISSION DISTRICT APPOINTMENTS**

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**MARCH 5, 2024**

**7. STAFF COMMENTS**

**A. ADMINISTRATION COMMENTS**

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

**B. COUNTY ATTORNEY**

**MARCH 5, 2024**

**8. COMMISSIONER COMMENTS**

**District 1 – COMMISSIONER MARIA G. MARINO**

**District 2 – COMMISSIONER GREGG K. WEISS**

**District 3 – COMMISSIONER MICHAEL A. BARNETT**

**District 4 – COMMISSIONER MARCI WOODWARD**

**District 5 - COMMISSIONER MARIA SACHS**

**District 6 - COMMISSIONER SARA BAXTER**

**District 7 – COMMISSIONER MACK BERNARD**



**MARCH 5, 2024**

**9. MATTERS BY THE PUBLIC – 2:00 P.M.**

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**MARCH 5, 2024**

**10. ADJOURNMENT**

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