

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

MAY 7, 2024

<u>PAGE</u>	<u>ITEM</u>	
16	3C7	* DELETED - staff pulled for further review. (ENG)
60	3AA4	* REVISED MOTION / TITLE / SUMMARY / (PALM TRAN) / Staff recommends motion to: D) adopt Amended Resolution R2022-0133; a Resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, authorizing the signing and submission of the FFY 2023 section 5310 grant application in the amount of \$2,049,194, with a required match of \$227,68 <u>\$227,688</u> in a total project cost of \$2,276,882, supporting documents, and assurances to the Florida Department Of Transportation (FDOT); Summary: On April 9, 2024, FDOT notified Palm Tran that the final award amount for three (3) pending applications had been finalized, and that amended Resolutions are needed to match the actual grant award. The applications, when submitted, included the price of vehicles established at the time of the applications. The State Contract to acquire these vehicles was modified in 2023, and there is price increase for which FDOT is providing additional funding contingent on the receipt of amended Resolutions by May 15, 2024. The resulting grant agreement requires a 10% match, the amended Resolutions reflect the increased amount of this match, which is included in Palm Tran’s adopted FY2024 budget. Resolution R2023-0615 does not have a change in the amount, only in the funding source, as requested by FDOT. Upon receipt of the amended Resolutions, FDOT will issue Public Transportation Grant Agreements (PTGAs) that will fund 90% of the purchase of 42 <u>45</u> Replacement Paratransit vehicles, and will provide \$800,000 toward the operating costs for the Go Glades Service. <u>Countywide</u> (MM)
69	3EE1	* DELETED – (CAREERSOURCE)

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**

MAY 7, 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 12 - 69)**

- 4. SPECIAL PRESENTATIONS (Page 70 - 71)**

- 5. REGULAR AGENDA (Pages 72 - 91)**

- 6. BOARD APPOINTMENTS (Page 92)**

- 7. STAFF COMMENTS (Page 93)**

- 8. BCC COMMENTS (Page 94)**

- 9. MATTERS BY THE PUBLIC – 2:00 P.M. (Page 95)**

- 10. ADJOURNMENT (Page 96)**

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3B-2 Minutes

3B-3 Contracts and claims settlements list

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

3B-5 Clerk & Comptroller Finance Department records revised for State retention schedule.

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SPECIAL PRESENTATIONS - 9:30 A.M.

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- 4A Jewish American Heritage Month
- 4B Nancy G. Brinker Day
- 4C Water Reuse Week
- 4D Hispanic Education Coalition of Palm Beach County Inc.
- 4E National Physical Fitness and Sports Month
- 4F Mental Health Awareness & Trauma-Informed Care Month
- 4G Melanoma Monday and May Skin Cancer
- 4H Building Safety Month
- 4I Restoration Bridge International
- 4J Tarra Enterprises Inc. for 40 Years
- 4K Israel's 76th Anniversary of Independence
- 4L Nurses Week
- 4M National Travel & Tourism Week
- 4N National Water Safety Month
- 4O Emergency Medical Services Week
- 4P Spelling Bee Day
- 4Q Haitian American Heritage Month
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B. HOUSING AND ECONOMIC DEVELOPMENT

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5B-4 General Obligation Housing Bond Loan Program Workforce Multifamily Development awards for three developers to create additional housing units to expand the local inventory of multifamily rental housing units for workforce housing.

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C. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

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MATTERS BY THE PUBLIC – 2:00 P.M. (Page 95)

ADJOURNMENT (Page 96)

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>
March 26, 2024	Workshop
March 28, 2024	Zoning
April 02, 2024	Regular
April 09, 2024	Regular

3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller’s Office. Countywide
4. **Staff recommends motion to receive and file:** change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations Department; Water Utilities Department; Environmental Resources Management Department; and the Department of Airports during March 2024. Countywide
5. **Staff recommends motion to receive and file:** A list of Clerk & Comptroller (Clerk) Finance Department records which have met the revised required State retention schedule and are scheduled for destruction. **SUMMARY:** These records have met the required retention schedule of the Florida Division of Library and Information Services per Sections 28.30, 28.31, 257.36 (6), Florida Statutes.

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve:

- A) Amendment No. 1 to the Annual Small Paving and Minor Construction Contract, dated December 20, 2022 (R2022-1489) with Saffold Paving, Inc. (SPI), to extend the expiration date from June 19, 2024 to December 19, 2025 and increase the contract amount from \$1,150,000 to \$2,300,000; and
- B) Amendment No. 2 to the Annual Small Paving and Minor Construction Contract, dated December 20, 2022 (R2022-1490), with Wynn & Sons Environmental Construction Company, LLC (WSE) to extend the expiration date from June 19, 2024 to December 19, 2025, increase the contract amount from \$1,150,000 to \$2,300,000, and recognize WSE's name change.

SUMMARY: Approval of these amendments will extend the expiration dates from June 19, 2024 to December 19, 2025, increase the contract amounts from \$1,150,000 to \$2,300,000, and recognize WSE's name change. The increased amounts for the contracts are based on updated estimates that exceed the current amounts for the contracts to be expended throughout Palm Beach County by the user departments. Amendment No. 2 for WSE is retroactive to January 20, 2023, which is when WSE filed Articles of Conversion with the State of Florida to convert the firm's name from Wynn & Sons Environmental Construction Company, Inc. to Wynn & Sons Environmental Construction Company, LLC. Section 3 of the special provisions in the contracts allows the parties to amend the contracts, while adhering to all other original terms, conditions and unit prices of the contracts. On May 4, 2022, the Goal Setting Committee applied an Affirmative Procurement Initiative of a 20% minimum mandatory Small Business Enterprise (SBE) participation. SPI agreed to 89% SBE participation and WSE agreed to 86.6% SBE participation. To date, no tasks have been authorized for SPI and tasks in the amount of \$935,879 have been authorized for WSE. The first amendment to the contract, dated December 19, 2023 (R2023-1840) with WSE added two (2) additional line items. SPI and WSE have offices located in the County. SPI is a certified SBE company. These allowable extensions are not to exceed 36 months total contract time, as the contracts provide. Countywide (YBH)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to approve: Work Order 2021050-82 in the amount of \$383,000 to mill and resurface Royal Palm Beach Boulevard from 40th Street North to Persimmon Boulevard utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2021-0985 (Contract) with M&M Asphalt Maintenance, Inc. d/b/a All County Paving (M&M). **SUMMARY:** Per County PPM CW-F-050, this work order exceeds the \$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 one mile of Royal Palm Beach Boulevard's four lanes. This Contract is one of three contracts with an available cumulative total of \$50 million for the annual asphalt milling and resurfacing program. To date, the Engineering and Public Works Department has resurfaced approximately 400 lane miles within the last 2.5 years under the cumulative \$50 million asphalt resurfacing Contract. Prior to this meeting date, approximately \$9 million of the \$50 million M&M 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. On September 8, 2023, the Office of Equal Business Opportunity reduced the mandatory SBE participation from 15% to 11%, based on the findings of the requested waiver and good faith efforts provided by M&M. M&M agreed to 10% SBE participation for this work order. Their cumulative SBE participation, including this work order is 10%. **This project is funded by the infrastructure sales tax.** District 6 (YBH)

3. Staff recommends motion to approve: Consultant Service Authorization No. 7 (CSA) to the Civil Engineering Annual Services Contract (R2022-0464) dated May 17, 2022 (Contract) with Mock, Roos & Associates, Inc. (MRA) in the amount of \$254,972.96 for the Lantana Road Drainage System Study (Project). **SUMMARY:** Approval of this CSA will allow MRA to prepare a report of findings and recommendations for addressing deficiencies in two (2) sections of the existing drainage system on Lantana Road between Military Trail and Congress Avenue. On June 16, 2021, the Goal Setting Committee applied Affirmative Procurement Initiatives of a 20% minimum mandatory Small Business Enterprise (SBE) participation and a Minority Business Enterprise preference for African American owned firms. MRA agreed to 27% SBE participation for the Contract. There is no SBE participation for this CSA. MRA has an office located in Palm Beach County (County). **This Project is included in the Five-Year Road Program.** District 2 (YBH)

3. CONSENT AGENDA APPROVAL

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

4. **Staff recommends motion to approve:** the Sovereignty Submerged Lands Easement Renewal (Easement Renewal) from the Trustees of the Internal Improvement Trust Fund (TIITF) of the State of Florida to Palm Beach County (County) for submerged lands under the West Camino Real bridge over the El Rio Canal (Bridge). **SUMMARY:** Approval of this Easement Renewal from TIITF will extend the use of the 16,553 square feet of the El Rio Canal sovereignty submerged lands, located beneath the Bridge for a period of 50 years. The previous easement with TIITF was approved by the Board of County Commissioners (BCC) on April 28, 1992, recorded in Official Records Book 7282, page 1054, and expired on January 22, 2022. TIITF recently brought this Easement Renewal to our attention. The Easement Renewal contains a liability provision that deviates from what is approved in PPM CW-F-049, pursuant to which, Risk Management and the County Attorney's Office have reviewed the provision and advised the Engineering and Public Works Department (EPW) of the associated risks. The new provision includes liabilities that accrue to the subject parcel for improvements, assessments or taxes. Due to the business needs and benefits to be derived from the Easement Renewal, EPW will move forward the Easement Renewal. District 4 (YBH)

5. **Staff recommends motion to approve:** an Interlocal Agreement (Agreement) with the City of Boynton Beach (City), repealing and replacing Interlocal Agreement R83-1558 that was approved by the Board of County Commissioners on December 6, 1983, and providing for traffic control jurisdiction within the City by Palm Beach County (County). **SUMMARY:** Section 316.006(2) (a), Florida Statutes, vests municipalities with traffic control jurisdiction over all streets and highways located within their boundaries, except state roads, and provides that a municipality may, by Interlocal Agreement with a county, agree to transfer traffic regulatory authority (Authority) over areas within the municipality to the County. On December 6, 1983, the County and the City entered into Interlocal Agreement R83-1558 wherein the City transferred certain traffic control functions and duties to the County over certain signalized intersections and roads. The City now agrees to repeal and replace Interlocal Agreement R83-1558 with the Agreement to transfer Authority over all County maintained thoroughfare roadways and certain signalized intersections within the City's municipal boundaries to the County, as may be amended, and to outline certain operations and maintenance duties retained by the City. Districts 2, 4, and 7 (YBH)

3. CONSENT AGENDA APPROVAL

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

6. Staff recommends motion to receive and file:

A) an Adopt-A-Road Agreement with Tortoise Realty Group, LLC, dated January 25, 2024; and

B) an Adopt-A-Road Agreement with XI Epsilon Chapter of Delta Sigma Theta Sorority, Inc., dated February 20, 2024.

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. The Adopt-A-Road Program allows groups 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)

7. Staff recommends motion to approve: Amendment No. 1 to the Guardrail Continuing Services Construction Contract (R2023-0539), dated April 18, 2023, with Southeast Highway Guardrail & Attenuators, LLC (SGA) to extend the expiration date from October 16, 2024 to April 17, 2026 and increase the contract amount from \$1,500,000 to \$3,000,000. **SUMMARY:** Approval of this amendment will extend the expiration date from October 16, 2024 to April 17, 2026 and increase the contract amount from \$1,500,000 to \$3,000,000. The increased contract amount is based on updated estimates that exceed the current contract amount to be expended throughout Palm Beach County (County) by the user departments. Section 3 of the special provisions in the contract allow for it to be amended while adhering to all other original terms, conditions and unit prices of the contract. On July 6, 2022 the Goal Setting Committee applied an Affirmative Procurement Initiative of a Small Business Enterprise (SBE) price preference. SGA did not agree to any SBE participation. To date, tasks in the amount of \$123,294 have been authorized for SGA. SGA has an office located in the County. This allowable extension is not to exceed 36 months total contract time as the contract provides. Countywide (YBH)

3. CONSENT AGENDA APPROVAL

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

8. **Staff recommends motion to approve:** Amendment No. 2 to the Pathway & Minor Construction Continuing Services Contract (R2023-0255) dated March 14, 2023 with Wynn & Sons Environmental Construction Company, LLC (WSE) to extend the expiration date from September 13, 2024 to March 13, 2026. **SUMMARY:** Approval of this amendment will extend the expiration date from September 13, 2024 to March 13, 2026 and recognize WSE's name change. Amendment No. 2 for WSE is retroactive to January 20, 2023, which is when WSE filed Articles of Conversion with the State of Florida to convert the firm's name from Wynn & Sons Environmental Construction Company, Inc. to Wynn & Sons Environmental Construction Company, LLC. Section 3 of the special provisions in the contract allows the parties to amend the contract while adhering to all other original terms, conditions and unit prices of the contract. On August 3, 2022, the Goal Setting Committee applied an Affirmative Procurement Initiative of a 20% minimum mandatory Small Business Enterprise (SBE) participation of which 5% must be Minority Business Enterprise (MBE) participation for African-American and/or Hispanic American owned firms. WSE agreed to 22.51% SBE and 20.24% MBE participation. To date, tasks in the amount of \$3,499,844 of the contract's \$26,200,000 have been authorized for WSE. The first amendment to the contract (R2023-1839) dated December 19, 2023 modified pay items. WSE has an office located in Palm Beach County. This allowable extension is not to exceed 36 months total contract time as the contract provides. Countywide (YBH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. Staff recommends motion to receive and file:

- A) Non-signatory Airline Agreement (Airline Agreement) with Silver Airways LLC (Silver), providing for the use of terminal facilities at the Palm Beach International Airport (PBI), and the lease of 305 square feet of ticket office space, commencing on February 15, 2024, terminating on September 30, 2024, and automatically renewing on an annual basis each October 1st until terminated;
- B) Airline Service Incentive Program Participation Agreement (Incentive Agreement) with Silver for flights to Nassau, Bahamas (NAS), providing for the waiver of landing, per use ticket counter, common use passenger processing system (CUPPS), and commuter operating fees from February 15, 2024 through February 14, 2026;
- C) Incentive Agreement with Silver for flights to Tallahassee, Florida (TLH), providing for the waiver of landing, per use ticket counter, CUPPS, and commuter operating fees from February 15, 2024 through February 14, 2026;
- D) Incentive Agreement with Silver for flights to Tampa, Florida (TPA), providing for the waiver of landing, per use ticket counter, CUPPS, and commuter operating fees from February 15, 2024 through February 14, 2025; and
- E) Incentive Agreement with Silver for flights to Pensacola, Florida (PNS), providing for the waiver of landing, per use ticket counter, CUPPS, and commuter operating fees from February 15, 2024 through February 14, 2025.

SUMMARY: The Airline Agreement authorizes Silver to operate from the PBI terminal and provides for the lease of 305 square feet of airline ticket office space. The Incentive Agreements provide for the waiver of certain airport fees, including landing, per use ticket counter, CUPPS, and commuter operating fees, to incentivize air service to destinations not currently served by any other airline. The term of the Incentive Agreements for flights to NAS and TLH is two (2) years. The term of the Incentive Agreements for flights to TPA and PNS is one (1) year. In addition to the cities listed in each Incentive Agreement, Silver will serve Marsh Harbour, Bahamas (MHH). No incentives were provided for MHH since the destination is currently served by BahamasAir. Silver commenced operations at PBI on March 5, 2024. Delegation of authority for execution of the standard form Non-signatory Airline Agreement was approved by the Board in R2019-1156. Delegation of authority for execution of the standard form Incentive Agreement was approved by the Board in R2014-0251. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

2. Staff recommends motion to approve: Ground Lease Agreement (Lease) with 3114 Tuxedo, LLC (Tuxedo), for the lease of approximately 74,097 square feet of ground area, consisting of three parcels of land located adjacent to Pine Lake/Stub Canal, east of the Palm Beach International Airport (PBI), together with a non-exclusive, revocable license to a strip of land between Tuxedo's property and Pine Lake/Stub Canal, for ten years, commencing on May 7, 2024 and expiring on May 6, 2034, with two renewal options of five years each, for payment of initial annual rental in the amount of \$62,982.45. **SUMMARY:** The Lease provides for the lease of three small parcels of remnant land lying between Tuxedo's property and Pine Lake/Stub Canal, consisting of a total of approximately 74,097 square feet of ground, for the passive storage of materials and equipment used in connection with Tuxedo's construction contracting business on Tuxedo's adjoining property. Initial annual rental is \$62,982.45, which will be adjusted every three years, commencing on October 1, 2025. The initial term of the Lease is ten years with two renewal options of five years each. The Lease provides for termination for convenience by either party upon 120 days' written notice. The Lease also grants Tuxedo a non-exclusive, revocable license to clear non-native vegetation, trash and debris on a strip of land between Tuxedo's property and Pine Lake/Stub Canal. The license is for the benefit of the County, and the license area may not be used for any other purpose whatsoever. The parcels are small remnants of land that have no aeronautical use based on their location, do not have access to a public roadway and do not comply with minimum lot size requirements to permit independent development. Tuxedo owns the only parcel adjacent to two of the three parcels. The third parcel, consisting of approximately 6,617 square feet of ground area, is bordered by a parcel owned Tuxedo and parcel owned by one other owner. Notice was sent by certified mail to the two property owners requesting letters of interest. Tuxedo was the sole respondent to express interest in leasing the parcel. The Department of Airports recommends approval of the Lease due to the lack of access and inability to develop the parcels for other uses. Countywide (HJF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

3. Staff recommends motion to approve: First Amendment (Amendment) First Amendment (Amendment) to Advertising Concession Agreement at the Palm Beach International Airport (PBI) (R2019-0502) (Agreement) with Clear Channel Airports, Inc., a Pennsylvania corporation (Clear Channel), exercising the option to renew the Agreement to September 30, 2026, for payment of concession fees equal to 57% of advertising gross revenues, but not less than a minimum annual guarantee (MAG) of \$689,254.76. **SUMMARY:** The Agreement provides for the installation, operation, and maintenance of advertisement displays at PBI. The term of the Agreement expires on September 30, 2024, and provides for the option to renew for one additional period of two years. Clear Channel pays concession fees equal to 57% of advertising gross revenues, or a MAG, which is currently \$689,254.76. The MAG adjusts annually based on the greater of the preceding year's MAG or 85% of the preceding year's percentage fee. This Amendment exercises the renewal option, extending the term to September 30, 2026, and adds provisions for liquidated damages for failure to timely submit required reports and audits consistent with provisions added to other similar agreements. An Airports Concession Disadvantaged Business Enterprise (ACDBE) goal of 7.5% was established for this Agreement. The cumulative ACDBE participation to date is 4.3%. Countywide (AH)

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to receive and file: Annual Report for the Fiscal Year ending September 30, 2023 from the Delray Beach Community Redevelopment Agency (DB CRA). **SUMMARY:** The DB CRA has submitted the Annual Report for the Fiscal Year ending September 30, 2023 as per section number 163.356(3)(d) and 163.387(8), Florida Statutes. Countywide (DB)
2. Staff recommends motion to receive and file: Annual Report for the Fiscal Year ending September 30, 2023 from the Town of Lake Park Community Redevelopment Agency (TLP CRA). **SUMMARY:** The TLP CRA has submitted the Annual Report for the Fiscal Year ending September 30, 2023 as per section number 163.356(3)(d) and 163.387(8), Florida Statutes. Countywide (DB)
3. Staff recommends motion to receive and file: The Financial Statements for the Florida Development Finance Corporation (FDFC) for the Fiscal Year ending June 30, 2023. **SUMMARY:** The FDFC has submitted their Financial Statements for Fiscal Year ending June 30, 2023 as per section number 288.9610, Florida Statutes. Countywide (DB)

3. CONSENT AGENDA APPROVAL

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

4. **Staff recommends motion to approve:** a negotiated settlement offer in the amount of \$11,513 for the full satisfaction of a code enforcement lien entered against Donald W. Miller and Prosperity Bay Village Homeowners Association, Inc. on January 15, 2020. **SUMMARY:** On July 10 2019, a Code Enforcement Special Magistrate (CESM) issued an order giving Donald W. Miller and Prosperity Bay Village Homeowners Association, Inc. until November 7, 2019 to bring the property located at 2347 Prosperity Bay Court, Palm Beach Gardens into full code compliance. Violations imposed against the property included exterior structure disrepair to both the pool retaining walls and garage door along with a boat dock, roof structure and boat lift installed without permits. Compliance with the CESM's Order was not timely achieved, and a fine of \$75 per day was imposed. The CESM executed an order imposing a code lien against Donald W. Miller and Prosperity Bay Village Homeowner's Association Inc. on January 15, 2020. The Code Enforcement Division (Code Enforcement) issued an affidavit of compliance for the property on January 19, 2024. Settlement discussions began on March 1, 2024, when the total accrued fines amounted to \$115,121.45. Mr. James Burns, Esq., the legal representative for Mr. Miller's estate, has agreed to pay Palm Beach County \$11,513 (10%) for full settlement of the outstanding code enforcement lien. District 1 (SF)

5. **Staff recommends motion to approve:** a negotiated settlement offer in the amount of \$38,500 for the full satisfaction of a code enforcement lien entered against Chuck J. & Frankie Argentine on October 4, 2006. **SUMMARY:** On February 1, 2006, a Code Enforcement Special Magistrate (CESM) issued an order giving Chuck J. & Frankie Argentine until June 1, 2006 to bring their property located at 106 Northview Drive, Jupiter into full code compliance. Violations imposed against the property included an enclosed garage and shed without permits. 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 Argentines on October 4, 2006. The Code Enforcement Division (Code Enforcement) issued an affidavit of compliance for the property on November 13, 2023. Settlement discussions began on March 1, 2024, when the total accrued fines amounted to \$319,022.52. Mr. James C. Burns, Esq., the legal representative for the Argentines, has agreed to pay Palm Beach County \$38,500 (12%) for full settlement of the outstanding code enforcement lien. District 1 (SF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: Amendment No. 1 with two (2) firms extending the contract term for one (1) year to provide architectural services on a continuing contract basis for federally funded projects through May 16, 2025.

Contractor

- A) Colomé & Associates, Inc.
B) Williamson Dacar Associates Inc.

Resolution #

- R2022-0485
R2022-0486

SUMMARY: On May 17, 2022, the Board of County Commissioners (Board) approved the architectural services continuing contracts for projects funded in whole or in part from federal funds. Amendment No. 1 extends the term of these continuing contracts for architectural services for projects that are federally funded through May 16, 2025. To date, the firms have been awarded a cumulative value of \$951,304.67 in consultant services authorizations. The original contract provided for an initial term of two (2) years with three (3) renewal options each for a period of one (1) year. Additionally, Amendment No. 1 modifies the hourly rate schedule for Williamson Dacar Associates Inc. Work is authorized through individual task assignments when required during the term of these continuing contracts. Projects under these continuing contracts may be funded in whole or in part by federal grants from the United States (US) Department of Transportation, Federal Transit Administration, grants from the Housing and Urban Development (HUD) Community Development Block Grant Program or grants or reimbursements from Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA). This contract is exempt from the Equal Business Opportunity (EBO) Ordinance pursuant to section 2-80.22 thereof. (Capital Improvements) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

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

2. **Staff recommends motion to approve:** a Service Agreement with the Town of Lake Park for the use of approximately 130 square feet of office space within Lake Park Public Library located at 529 Park Avenue in Lake Park for an initial term of five years through May 14, 2029, with automatic one-year renewals, at no cost to the County. **SUMMARY:** This Service Agreement (Agreement) is for approximately 130 square feet of office space to establish a Palm Beach County Community Services (Community Services) satellite office to directly assist the residents of the Town of Lake Park (Town). This satellite office will be used by Community Services staff to provide navigation linkage and customer service to general public at risk of experiencing homelessness, at least one time per week, during business operating hours of the Library. The initial term of this Agreement becomes effective upon execution by the Board of County Commissioners, expires on May 14, 2029, and automatically renews annually unless either party cancels the Agreement upon sixty (60) days prior written notice to the other. There is no cost for the use and occupancy of the premises. The Town is responsible for providing janitorial, water, sewer, waste disposal, electricity and telephone utility services. The Property & Real Estate Management division will have administrative responsibility for this Service Agreement. There is no fiscal impact associated with the approval of this item. (Property & Real Estate Management) District 7 (HJF)
3. **Staff recommends motion to approve:**
 - A) the second option to extend the term of the Lease Agreement (R2014-0711) with Lutheran Services Florida, Inc. (LSF), a Florida not-for-profit corporation, for the continued use of the South Bay Head Start facility located at 990 US Highway 27 North for the period of May 20, 2024 through May 19, 2029 at an annual rental of \$1.00; and
 - B) the second option to extend the term of the Lease Agreement (R2014-0713) with LSF a Florida not-for-profit corporation, for the continued use of the West Palm Beach Head Start facility located at 100 South Chillingworth Drive for the period of May 20, 2024 through May 19, 2029 at an annual rental of \$1.00.

3. CONSENT AGENDA APPROVAL

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

3. **SUMMARY:** On May 20, 2014, the Board of County Commissioners (Board) approved Lease Agreements with LSF for the Head Start facilities in South Bay and West Palm Beach to enable LSF to assume responsibility for the provision of Head Start program services. The initial term of the Leases were for five (5) years expiring on May 19, 2019, with two (2) five (5) year extension options. LSF has provided notice to exercise its second and final five (5) year extension option for the period of May 20, 2024 through May 19, 2029. The annual rent for each Lease will remain at \$1.00. The County has the right to terminate the Leases: 1) immediately if LSF's grant application is not approved or funded on or before June 30 for the upcoming budget period, which runs between October 1 to September 30, or 2) with a 180 days' notice prior to the end of the grant year. LSF may terminate the Leases with 90 days' notice but will remain obligated to fund 50% of the Repair and Replacement (R/R) Projects that have been undertaken by the County in that year. Property & Real Estate Management Division will continue to manage these Leases. (PREM) District 6 & 7 (HJF)

4. **Staff recommends motion to approve:** a Utility Easement Agreement (Easement) in favor of Florida Power & Light Company for the construction, operation and maintenance of electric transmission lines on monopole structures at the Mid-County Senior Center/Central County Housing Resource Center located at 3680 Lake Worth Road in unincorporated Palm Beach County, for \$55,000. **SUMMARY:** Florida Power & Light Company (FPL) is constructing the Cedar-Ranch Transmission Line Project (Project) which will connect the Cedar-Ranch 138 kV transmission line to Greenacres to Osborne line section and the Lake Worth Beach Electric Utility Canal substation in Palm Beach County. During construction of the Project, FPL identified 0.05 acres of County owned property located at the Mid-County Senior Center/Central County Housing Resource Center (MCSC/CCHRC) for which it requires an utility easement (Easement) in order to complete the Project. The proposed Easement will encumber two areas fronting Lake Worth Road; one area containing approximately 219 square feet (.01 acre) and another area containing approximately 2,076 square feet (.04 acre). FPL has offered to pay \$55,000 for the Easement as the Project is for an independent transmission line that does not benefit County property. A non-exclusive easement will be granted for \$55,000 and will be recorded to provide public notice of its existence and location. (Property & Real Estate Management) District 3 (HJF)

3. CONSENT AGENDA APPROVAL

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

5. Staff recommends motion to approve: a Declaration of Easement in favor of Palm Beach County for a storm water management system required for the new County Fire Station No. 40 located at 4700 White Feather Trail in unincorporated Palm Beach County. **SUMMARY:** Fire Station No. 40 (Facility) is located on White Feather Trail east of Military Trail in unincorporated Palm Beach County. The County's Engineering and Public Works Department (Engineering) requires an easement for the installation of a new storm water management system that handles the storm water for the Facility and the road right-of-way for Military Trail. This Easement encompasses an area containing approximately 60,673.7 square feet (1.39 acres). The Easement will be recorded to provide notice of its existence and location. There is no fiscal impact associated with approval of this item. (Property & Real Estate Management) District 2 (HJF)

6. Staff recommends motion to approve:
 - A) the second option to extend the term of the Restated Lease Agreement (R2015-0567) with Lutheran Services Florida, Inc. (LSF), a Florida not-for-profit corporation, for the continued use of the Jupiter Head Start facility located at 6415 W. Indiantown Road for the period of May 20, 2024 through May 19, 2029 at an annual rental of \$1.00;

 - B) the second option to extend the term of the Restated Lease Agreement (R2015-0569) with LSF, a Florida not-for-profit corporation, for the continued use of the Riviera Beach Head Start facility located at 1440 Dr. Martin Luther King Jr. Blvd. for the period of May 20, 2024 through May 19, 2029 at an annual rental of \$1.00; and

 - C) the second option to extend the term of the Restated Lease Agreement (R2015-0571) with LSF, a Florida not-for-profit corporation, for the continued use of the Westgate Head Start facility located at 3691 Oswego Avenue, West Palm Beach for the period of May 20, 2024 through May 19, 2029 at an annual rental of \$1.00.

3. CONSENT AGENDA APPROVAL

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

6. **SUMMARY:** In 2015, the Board of County Commissioners (Board) approved Restated Lease Agreements with LSF for the Jupiter, Riviera Beach, and Westgate Head Start facilities. The initial terms of the Restated Leases were for five (5) years ending on May 19, 2019, and included two (2) five (5) year extension options. LSF has provided timely notice to exercise its second and final five (5) year extension option for the period of May 20, 2024 through May 19, 2029. The Restated Leases require LSF to pay a pro rata share of the County's annual maintenance expenses. The annual rent for each Lease shall remain at \$1.00. The County has the right to terminate the Leases: 1) immediately if LSF's grant application is not approved or funded on or before June 30 for the upcoming budget period, which runs between October 1 to September 30 or 2) with a 180 days' notice prior to the end of the grant year. LSF may terminate the Leases with 90 days' notice prior to the end of a grant year. Property & Real Estate Management Division will continue to have administrative responsibility for this Agreement. (PREM) District 1 & 7 (HJF)

7. **Staff recommends motion to receive and file:** an ATM Operating License Agreement with Guardians Credit Union for the term of February 18, 2024 through February 17, 2027, for automated teller machines placed in the following locations:

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

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

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

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

E) North County Courthouse, 3188 PGA Boulevard, Palm Beach Gardens, FL 33410.

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. This ATM Operating License Agreement (License Agreement) has been executed on behalf of the Board of County Commissioners (Board) by the Director of Facilities Development and Operations in accordance with the delegation of authority approved by the Board. This License Agreement commenced on February 18, 2024 and will extend through February 17, 2027, with two (2) extension options of one (1) year each; has no rent or fees; and may be terminated by either party, for any reason, upon thirty (30) days written notice to the other party. Property & Real Estate Management Division will continue to administer this License Agreement. (Property & Real Estate Management) Districts 1, 3 & 7 (YBH)

3. CONSENT AGENDA APPROVAL

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

8. Staff recommends motion to approve: a Fourth Amendment to Concessionaire Lease Agreement with SW Hospitality Group LLC, a Florida Limited Liability Company, to extend the term of the Agreement from July 25, 2024 to July 24, 2026. **SUMMARY:** On July 25, 2019, the Board of County Commissioners (Board) approved a Concessionaire Lease Agreement (Agreement) with Osprey Point Restaurant Management, LLC (R2019-1060) to provide food and beverage concessions at Osprey Point Golf Course in Burt Aaronson South County Regional Park for a term of three (3) years plus two 2-year options to extend. On August 17, 2021, the Board approved the First Amendment (R2021-1075) approving change in ownership from Osprey Point Restaurant Management, LLC to Thoroughbred Holdings, LLC. On April 18, 2023, the Board approved the Second Amendment (R2023-0496) approving the change of ownership from Thoroughbred Holdings, LLC to SW Hospitality LLC. On August 22, 2023, the Third Amendment (R2023-1107) retroactively extended the Agreement from July 25, 2022 to July 24, 2024. This Fourth Amendment extends the Agreement from July 25, 2024 to July 24, 2026. All other terms and conditions of the Agreement remain unchanged. The Parks and Recreation Department (Parks) will continue to have administrative responsibility for the Agreement. (Property & Real Estate Management) District 5 (HJF)

3. CONSENT AGENDA APPROVAL

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

9. **Staff recommends motion to receive and file:** Change Order No. 11 to the contract (R2021-1072) with The Morganti Group, Inc. for the Fire Station No. 40 project in the amount of \$74,068.15, increasing the project duration by 61 calendar days. **SUMMARY:** On August 17, 2021, the Board of County Commissioners (Board) approved the contract (R2021-1072) with The Morganti Group, Inc. in the amount of \$4,547,000 to construct a two (2) bay single story prototypical fire station that is approximately 6,700 square feet in size with nine (9) bunk rooms, weight room, kitchen, dayroom, detached generator, dumpster building, water retention systems and associated infrastructure. Change Order No. 11 authorizes labor and material for additional general contracting and electrical services for Fire Station No. 40. Change Order No. 11 also increases the project duration by 61 calendar days. In accordance with Policy and Procedure Memorandum (PPM) CW-F-050, when the cumulative value for additional work exceeds the greater of 5% or \$250,000 of the original contract value and/or time extensions to a project totals or exceeds 120 calendar days of the original project completion date (Threshold Amount), then an agenda item notifying the Board of the item that puts the cumulative value in the excess category must be presented as a receive and file. To date, the cumulative value of additive change orders, including Change Order No. 11, totals \$323,952.75 with a cumulative value of time extensions in the amount of 139 calendar days. This agenda item is being submitted to notify the Board that the cumulative value of changes or additional work is in excess of the \$250,000 and the 120 calendar days Threshold Amount established by PPM CW-F-050. This project was competitively advertised on March 7, 2021 in accordance with the Palm Beach County Purchasing Code and pursuant to the requirements of the Equal Business Opportunity (EBO) Ordinance. This project was presented to the Goal Setting Committee on February 3, 2021 and the Committee established an Affirmative Procurement Initiative (API) of a mandatory 20% Small Business Enterprise subcontracting goal of which 5% must be from a Minority Business Enterprise (MBE) – African or Hispanic for the contract. The SBE participation for this change order is 80.83%, of which 80.83% is MBE. To date, the overall SBE participation on this project is 22.70% SBE participation, of which 9.66% is MBE. The Contractor is not a certified SBE. The Contractor is a Palm Beach County business. **This project is funded from the Fire Rescue Improvement Fund. (Capital Improvements Division) District 2 (MWJ)**

3. CONSENT AGENDA APPROVAL

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

10. Staff recommends motion to approve: Supplement #1 to Consultant Services Authorization (CSA) No. 9 to the continuing consulting services/design professional services contract (R2019-1898) with Architecture Green LLC (Consultant) in the amount of \$318,435.89 for the North County Aquatic Complex-Restrooms and Locker Rooms Renovations project. **SUMMARY:** On December 17, 2019, the Board of County Commissioners (Board) approved the continuing consulting services/design professional services contract (R2019-1898) with the Consultant to provide architectural/engineering services for various projects. On February 6, 2024 the Board approved CSA No. 9 (R2024-0153) which authorized professional services necessary to renovate the existing 50 meter pool/dive well and construct a splash pad for the North County Aquatic Complex-Pool Renovation and New Splash Pad project. The Parks and Recreation Department desires additional services to renovate the existing men's and women's restrooms and locker rooms to better serve the users of the North County Aquatic Complex Facility. Under Supplement #1 to CSA No. 9 (Supplement #1), the Consultant will provide the professional services (i.e. design, construction document preparation, permitting and construction administration services) necessary for the North County Aquatic Complex-Restrooms and Locker Rooms Renovations project. The continuing consulting services/design professional services contract was presented to the Goal Setting Committee on August 7, 2019 and the Committee established Affirmative Procurement Initiatives (APIs) of a minimum mandatory 20% Small Business Enterprise (SBE) participation and an SBE evaluation preference for the selection. The Consultant committed to achieving an SBE goal of 100%. The SBE participation on this Supplement is 92.30%. To date, the cumulative SBE participation on the contract is 87.72%. The Consultant is a local and SBE certified firm. **Funding for this project is from the Infrastructure Sales Tax Fund.** (Capital Improvements Division) District 1 (MWJ)

3. CONSENT AGENDA APPROVAL

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

11. Staff recommends motion to receive and file: Emergency Work Order No. 6 to the Construction Manager (CM) at Risk Services contract (R2016-0430) with Hedrick Brothers Construction Co., Inc. (CM), establishing a Guaranteed Maximum Price (GMP) in the amount of \$128,961 for the Detention Facilities Renewal/Replacement (R/R)-Main Detention Center (MDC) South Tower Exterior Insulation Finishing System (EIFS) Repairs project for a period of 30 calendar days from notice to proceed. **SUMMARY:** On April 5, 2016, the Board of County Commissioners (Board) approved the CM at Risk Services contract (R2016-0430) with the CM for construction management services for the Detention Facilities project. The Detention Facilities project includes renewal/replacement of major building systems at the County's detention facilities including the MDC, the Western Detention Center (WDC) and the Central Detention Center (CDC). The project includes the R/R of the following major building systems at these detention facilities: mechanical, including heating ventilation and air conditioning (HVAC); fire protection; plumbing and boilers; electrical; low voltage (including electronic security systems and fire alarm), security doors and hardware; roofing; weatherproofing and other similar improvements. Emergency Work Order No. 6 establishes a GMP in the amount of \$128,961 for construction management services necessary for the Detention Facilities R/R-MDC South Tower EIFS Repairs project. A section of EIFS failed on the 12th floor exterior corner of the South Tower at the MDC Facility requiring repairs. This failure may have been caused by a gradual deterioration of the adhesive combined with rain infiltration and high winds. Other adjacent portions of the EIFS appeared to also be loose and at risk of failure. It was important to effectuate repairs as soon as possible to seal the breach in the exterior envelope in order to minimize damage, minimize moisture migration and stabilize the building envelope prior to hurricane season. The CM at Risk Services contract was awarded pursuant to the Small Business Enterprise (SBE) Ordinance in place at the time however GMP amendments initiated after January 1, 2019, are subject to the requirements of the Equal Business Opportunity (EBO) Ordinance. However, this project was awarded as an emergency work order in accordance with sections 2-52 and 2-54(f)(4) of the County's Purchasing Code. The Director of the Facilities Development and Operations Department (FD&O) executed this emergency work order under its construction authority pursuant to the Purchasing Code Section 2-53(f). Pursuant to section 2-80.22 of the Equal Business Opportunity (EBO) Ordinance and the County PPM CW-O-043, this emergency work order is exempt from the EBO requirements. In accordance with PPM CW-F-050, staff is submitting this emergency work order to the Board of County Commissioners as a receive and file item for transparency and for informational purposes. The CM is a local business. **Funding for this project is from the Infrastructure Sales Tax Fund.** (Capital Improvements Division) District 3 (MWJ)

3. CONSENT AGENDA APPROVAL

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

12. Staff recommends motion to approve: Work Order No. 24-001 to the annual electrical contract (2022-0694) with Zabatt Engine Services, Inc. dba Zabatt Power Systems, Inc. (Contractor) in the amount of \$2,198,176 for the Eagle Academy-Generator (Re-bid) project for a period of 450 calendar days from notice to proceed. **SUMMARY:** The project consists of the replacement of the existing generator with two (2) new generators. The existing generator has outlived its useful life and needs to be replaced. Additionally, the existing generator is unable to accommodate the future needs of the Eagle Academy Facility located at 38673 James Wheeler Way, Belle Glade, which currently support a secondary communications center for the Palm Beach County Sheriff's Office (PBSO). Work Order No. 24-001 authorizes the construction services necessary to furnish all labor, equipment, devices, tools, materials, transportation, professional services, supervision, drawings, permitting and all miscellaneous requirements necessary to remove the existing 1250 Kilowatt (KW) generator and replace it with two (2) new 800 KW generators and associated above ground fuel tank for the Eagle Academy Facility. The new generators will better serve the users of the facility and will also facilitate the future expanding needs of the facility. This project was competitively advertised and new contractors were invited to bid on the project by submitting prequalification documents prior to the submission of the bid response. The Contractor will have 450 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 \$235 per day. This Work Order was solicited pursuant to the annual electrical contract and the requirements of the Equal Business Opportunity (EBO) Ordinance. The electrical annual contract was presented to the Goal Setting Committee on June 5, 2019 and the Committee established Affirmative Procurement Initiatives (APIs) of sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or an SBE contractor will be given a price preference if its bid is within 10% of the lowest non-small business bid for projects \$100,000 or greater. Since this project is greater than \$100,000, the SBE price preference API was applied. The SBE participation on this Work Order is 0.46%. Cumulative SBE participation on the annual electrical contract is 52.79%. **Funding for this project is from the Public Building Improvement Fund and 47.315M NAV Pub Imp Rev Bonds, 23C, CP, Var Fac Proj Fund.** (Capital Improvements Division) District 6 (MWJ)

3. CONSENT AGENDA APPROVAL

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

13. Staff recommends motion to approve: Work Order No. 24-012 to the annual minor construction services contract (R2020-0143) with Andrea Construction, Inc. (Contractor) in the amount of \$285,000 for the Guardian Ad Litem-Renovations project for a period of 730 calendar days from notice to proceed. **SUMMARY:** The project consists of the renovation of the Guardian Ad Litem space on the second floor of the Main County Courthouse building. Work Order 24-012 authorizes the construction services necessary to furnish all labor, equipment, devices, tools, materials, transportation, professional services, supervision, drawings, permitting and all miscellaneous requirements necessary for the Guardian Ad Litem-Renovations project. This project was competitively advertised and new contractors were invited to bid by submitting prequalification documents prior to the submission of the bid response. The Contractor will have 730 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 minor construction services contract and the requirements of the Equal Business Opportunity (EBO) Ordinance. The annual minor construction services contract was presented to the Goal Setting Committee on August 21, 2019. The Committee applied the following three Affirmative Procurement Initiatives (APIs): 1) sheltered market for projects under \$100,000; or 2) a small business enterprise (SBE) contractor will be given a price preference if its bid is within 10% of the lowest non-small business bid 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. Since this is a multi-trade project over \$100,000, the mandatory 25% SBE subcontracting goal API was applied. SBE participation for this Work Order is 74.60%. Cumulative SBE participation on the annual minor construction services contract is 64.32%. The Contractor is a certified SBE company and a Palm Beach County business. **Funding for this project will be from the Public Building Improvement Fund.** (Capital Improvements Division) District 7 (MWJ)

3. CONSENT AGENDA APPROVAL

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

14. Staff recommends motion to approve: A contract with Saltz Michelson Architects, Inc. (Consultant) in the amount of \$314,122.94 to provide professional architectural/engineering (A/E) design, programming, structural assessment, design, permitting and construction administration services for the West County Administration Building Modifications/Renovations project. **SUMMARY:** The existing West County Administration Building is located at 2976 State Road 15, Belle Glade. The West County Administration Building is in need of modifications/renovations in order to bring the building into compliance with current Americans with Disabilities Act (ADA) and County standards. The modifications/renovations to be implemented will additionally better serve the current needs of the public and users of the West County Administration Building. Professional services for this contract include A/E design, programming, structural assessment, design, permitting and construction administration services for approximately 10,000 square feet of renovations to the first and second floor, south wing of the building; office renovations to the second floor, north wing of the building to accommodate the District Commissioner's offices, and interior renovations which include, but are not limited to, upgrades and replacement to select existing building mechanical systems, lighting systems, fire alarm systems, access control systems, restrooms, and elevator equipment/controls in order to bring the existing building into compliance with current ADA and County standards. Work also includes, but is not limited to, exterior improvements to the building which includes repair/replacement to select existing adjacent concrete walkways, replacement of exterior doors and entrance storefronts, replacement of exterior windows, replacement of perimeter site lighting, and reconfiguration/modernization of interior spaces. The solicitation for design professionals was advertised on June 18, 2023 according to the Equal Business Opportunity (EBO) Ordinance, with final selection taking place on October 26, 2023. The project was presented to the Goal Setting Committee on June 7, 2023. The Committee established Affirmative Procurement Initiatives (APIs) of a mandatory minimum Small Business Enterprise (SBE) goal of 20% participation and a Minority Business Enterprise (MBE) evaluation preference for African American firms. The Consultant committed to a 25% SBE participation goal, of which 18% is MBE participation from African American businesses for this contract. The SBE participation on this contract is 25.02% of which 22.35% is MBE participation from African American businesses. **Funding for this project is from the Public Building Improvement Fund.** (Capital Improvements Division) District 6 (MWJ)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to receive and file: Amendment 002 to Agreement (R2022-0707) with the City of South Bay, dated October 1, 2021, in the amount of \$492,708 funded under various Fiscal Years for the Community Development Block Grant (CDBG) program, to extend the Agreement expiration date from January 31, 2024 to May 31, 2024. **SUMMARY:** The 2021 Agreement (R2022-0707) provided \$368,680 in funding for various improvements at the Cox Park, including paving of parking lot, new concrete pathway, railings, gate, lighting and ADA compliant bathroom fixtures. Amendment 001 provided additional funding in the amount of \$124,028 for a total of \$492,708 in CDBG funds. Amendment 002 to the Agreement is necessary to allow the City additional time to complete final invoicing, project close-out and request 100% reimbursement of CDBG funds from the County, hereby extending the Agreement expiration date to May 31, 2024. The original Agreement (R2022-0707) was received and filed by the Board of County Commissioners (BCC) on July 12, 2022. Amendment 001 (R2023-0499) was received and filed by the BCC on April 18, 2023. Amendment 002 has been executed on behalf of the BCC by the Director of the Department of Housing and Economic Development in accordance with R2021-0948; dated July 13, 2021 that delegated authority to the County Administrator or designee to execute forms, certifications, funding agreements, amendments thereto, and all other documents necessary for implementation of the Consolidated Plan, Action Plan, CDBG, HOME and ESG activities. County PPM CW-O-051 provides that all contracts, agreements and grants signed with delegated authority must be submitted by the initiating department as a receive and file agenda item. **These are Federal CDBG funds which do not require a local match.** District 6 (HJF)

3. CONSENT AGENDA APPROVAL

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

2. **Staff recommends motion to receive and file:** Amendment 005 to Loan Agreement R2021-1076 with Habitat Housing Solutions for \$315,672, for the construction of three (3), for-sale, single family homes, to extend the certificate of occupancy issue date from September 30, 2023 to May 31, 2024 and to extend the date by which the units are to be sold by and placed into service from December 31, 2023 to July 31, 2024. **SUMMARY:** The Loan Agreement (R2021-1076) with Habitat Housing Solutions, Inc., provided \$315,672 in HOME funding toward the construction of three (3) single family affordable housing units located at 540 SW 8th Street in Belle Glade, 205 S. Barfield Highway in Pahokee, and 290 Cypress Avenue in Pahokee. Amendment 005 modified the Loan Agreement to extend the certificate of occupancy issue date to May 31, 2024, and to extend the date by which the units are to be sold by and placed into service to July 31, 2024., Amendment 005 has been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development (DHED) in accordance with Agenda Item R2018-1061 as approved by the BCC on July 10, 2018 that delegated authority to the County Administrator or designee to execute standard forms, certifications, funding agreement, amendments thereto, and all other documents necessary for implementation of the Action Plan, CDBG, HOME and ESG activities. County PPM CW-O-051 provides that all contracts, agreements and grants signed with delegated authority must be submitted by the initiating department as a receive and file agenda item. **HOME Program grant funds are Federal funds which require a 25% local match provided by SHIP funds.**
District 6 (HJF)

3. CONSENT AGENDA APPROVAL

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

3. **Staff recommends motion to receive and file:** Amendment 004 to Loan Agreement R2021-1078 with Habitat Housing Solutions for \$625,000 in HOME funding and a \$65,000 HOME/CHDO grant, for the construction of five (5), for-sale, single family homes, to extend the certificate of occupancy issue date from September 30, 2023 to February 28, 2024 and to extend the date by which the units are to be sold by and placed into service from December 31, 2023 to May 31, 2024. **SUMMARY:** The Loan Agreement (R2021-1078) with Habitat Housing Solutions, Inc., provided \$625,000 in HOME funding and a \$65,000 HOME/CHDO grant, toward the construction of five (5) single family affordable housing units located at 641 SW Ave D, Belle Glade, 135 SW 10th Ave, South Bay, 275 Begonia Drive, Pahokee, 109 NW 6th Ave, Belle Glade, and 322 N E Street, Lake Worth Beach. Amendment 004 modified the Loan Agreement to extend the certificate of occupancy issue date to February 28, 2024, and to extend the date by which the units are to be sold by and placed into service to May 31, 2024. Amendment 004 has been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development (DHED) in accordance with Agenda Item 6D-1 as approved by the BCC on July 14, 2020 that delegated authority to the County Administrator or designee to execute standard forms, certifications, funding agreements, amendments thereto, and all other documents necessary for implementation of the Consolidated Plan, Action Plan, CDBG, HOME and ESG activities. County PPM CW-O-051 provides that all contracts, agreements and grants signed with delegated authority must be submitted by the initiating department as a receive and file agenda item. **HOME Program grant funds are Federal funds which require a 25% local match provided by SHIP funds.**
District 3 & 6 (HJF)

3. CONSENT AGENDA APPROVAL

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

4. **Staff recommends motion to receive and file:** a Loan Agreement with ME-ST, LLC, for ARPA Response Replacement Funds in the amount of \$600,000. **SUMMARY:** The Loan Agreement with ME-ST, LLC, provided \$600,000 (the "Loan") in ARPA Response Replacement Fund toward the construction of a 14-unit multifamily rental development located at 4825 Maine Street in Lake Worth Beach. All County assisted units will be provided to persons with incomes at 80% of the Area Median Income or below for no less than 30 years. The Loan will be secured by a mortgage at a rate of one and one-half percent 1.5% per annum amortized over a period of thirty (30) years. Total development cost is \$1,959,985. The County-assisted per unit cost is \$42,857. The document has been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development (DHED) in accordance with Agenda Item 5B-1, as approved by the BCC on June 13, 2023 that delegated authority to the County Administrator or designee to execute agreements, amendments thereto, and all other related documents necessary for project implementation. Agenda Item 5B-1 dated June 13, 2023, awarded ARPA funds to successful respondents to Request for Proposal HES.2023.2. County PPM CW-O-051 provides that all contracts, agreements and grants signed with delegated authority must be submitted by the initiating department as a receive and file agenda item. **These are County ARPA Response Replacement Fund that do not require a local match.**
District 3 (HJF)

5. **Staff recommends motion to receive and file:** Amendment 1 which renews an Interlocal Agreement (R2019-0625) with the Boynton Beach Community Redevelopment Agency (CRA) to provide assistance related but not limited to economic development impact estimates for an additional five (5) year period commencing May 7, 2024 through May 7, 2029. **SUMMARY:** Amendment 1 to the Interlocal Agreement with the CRA is intended to provide services based on a written scope of services requested and provided by the CRA on an as needed basis. Based on the CRA's requested scope of services, the County will provide a good faith estimate of the cost to perform the scope of services. The written scope of services combined with the good faith estimate, shall be approved by the County Administrator, or designee, and the CRA's Executive Director. Amendment 1 has been executed on behalf of the BCC by the Director of the Department of Housing and Economic Development in accordance with R2019-0625; dated May 7, 2019 that delegated authority to the County Administrator or designee to execute future amendments or modifications to the Interlocal Agreement with the CRA. County PPM CW-O-051 provides that all contracts, agreements and grants signed with delegated authority must be submitted by the initiating department as a receive and file agenda item.
District 7 (DB)

3. CONSENT AGENDA APPROVAL

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

6. Staff recommends motion to receive and file: a Loan Agreement with Community Land Trust of Palm Beach County and the Treasure Coast, Inc. (CLT of PBCTC) for ARPA Response Replacement Funds in the amount of \$287,709. **SUMMARY:** The Loan Agreement with CLT of PBCTC provided \$287,709 (the "Loan") in ARPA Response Replacement Fund toward the construction of the North "E" Street Cottage Homes project in Lake Worth Beach. The project is comprised of three (3) affordable single-family homes on three sites donated by the Lake Worth Beach CRA. Each home will consist of three (3) bedroom/two (2) baths. While these for sale homes can be sold to families with incomes between 60% - 120% of the Area Median Income (AMI), priority is given to those whose income does not exceed 100% AMI and the homes will be affordable in perpetuity. This is a forgivable zero interest loan. Total development cost is \$847,708.50. The County-assisted per unit cost is \$95,903. The ribbon cutting took place on April 24, 2024. The homes are being sold for \$205,000. The document has been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development (DHED) in accordance with Agenda Item 6B-3, as approved by the BCC on February 7, 2023 that delegated authority to the County Administrator or designee to execute agreements, amendments thereto, and all other related documents necessary for project implementation. County PPM CW-O-051 provides that all contracts, agreements and grants signed with delegated authority must be submitted by the initiating department as a receive and file agenda item. **These are County ARPA Response Replacement Fund that do not require a local match.** District 3 (HJF)

3. CONSENT AGENDA APPROVAL

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

7. Staff recommends motion to receive and file: a Loan Agreement with Diverse Housing Services, Inc. for State Housing Initiatives Partnership (SHIP) Program funds in the amount of \$1,262,000. **SUMMARY:** The Loan Agreement with Diverse Housing Services, Inc., provided \$1,262,000 (the "Loan") in SHIP funding Fund toward the rehabilitation of a 44-unit multifamily rental housing project known as Amaryllis Gardens located at 362 J. Malone Drive, Pahokee. All County assisted units will be provided to persons with incomes at no more than 100% of the Area Median Income for no less than 50 years. This is an interest-free loan over a period of 50 years with annual payment of principal made out of available Net Cash Flow. Total development cost is \$2,470,000. The County-assisted per unit cost is \$28,682. The project will entail rehabilitation of 16 - two (2) bedrooms/one (1) bathroom; 24 - three (3) bedrooms/one (1) bathroom, and 4 - four (4) bedrooms/two (2) bathrooms units. The document has been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development (DHED) in accordance with Agenda Item 5B-3, as approved by the BCC on December 19, 2023 that delegated authority to the County Administrator or designee to execute agreements, amendments thereto, and all other related documents necessary for project implementation. County PPM CW-O-051 provides that all contracts, agreements and grants signed with delegated authority must be submitted by the initiating department as a receive and file agenda item. **These are SHIP Program grant funds which require no local match.** District 6 (HJF)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to approve: reappointment of one (1) member to the Building Code Advisory Board (BCAB).

<u>Reappointment</u>	<u>Seat</u>	<u>Requirement</u>	<u>Recommended By</u>	<u>Term</u>
Gary W. Kozan	8	Plumbing	Florida Assoc. Plumbing Gas & Mechanical Inspectors, (FAPGMI) Palm Beach Chapter	5/7/24 – 5/6/27

SUMMARY: BCAB is authorized to advise local governments regarding adoption of administrative or technical amendments to the Florida Building Code based on local conditions. BCAB was established by a Special Act of the Florida Legislature in 1974, and amended in 2001. The term of office for board members is three (3) years with no limit to the number of terms a member may serve. The Board is comprised of 16 members; one registered architect appointed from nominees submitted by the Palm Beach Chapter of the American Institute of Architects (AIA); one professional engineer appointed from nominees submitted by the Palm Beach Chapter of the Florida Engineering Society (FES); seven members appointed from nominees submitted by any recognized regional industry trade association; and seven Building Officials, one from each commission district, appointed from nominees submitted by the Building Officials Association of Palm Beach County (BOAPBC). This Advisory Board has 16 seats, 13 currently filled and 3 vacancies, and a diversity count of Caucasian: 11 (85%), African-American: 1 (7.5%) and Asian-American: 1 (7.5%). The gender ratio (male: female) is 12:1. The nominee is a Caucasian male. Staff has addressed the need to increase diversity within our board and will continue to encourage this in an effort to expand the Boards diversity. Countywide (RM)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING (cont'd.)

2. Staff recommends motion to approve: appointment of one (1) applicant to the Construction Board of Adjustments and Appeals (CBAA).

<u>Reappointment</u>	<u>Seat</u>	<u>Requirement</u>	<u>Term</u>	<u>Nominated by</u>
Michael J. Riemer	5	Engineer	5/07/24 5/06/27	– CBuck Engineering, Inc.

SUMMARY: The CBAA hears appeals of decisions and interpretations of the Building Official, and consider variances of the technical codes. The CBAA was established by Palm Beach County Ordinance 89-31 and amended in 2002. The term of office for Board members is three (3) years, with a limit of three (3) consecutive three-year terms. The Board is comprised of nine regular members: one architect; one engineer; two Division 1 contractors (general, building, or residential); one electrical contractor; one HVAC contractor; one plumbing contractor; a member at large from the public; and any other contractors licensed category. In addition to these members, there should be two alternate members; one member with the qualifications referenced above; and one member at large from the public. The Board has 11 seats, 7 currently filled and 4 vacancies, and a diversity count of Caucasian: 5 (71%), African-American: 1(14.5%) and Hispanic: 1(14.5%). The gender ratio (male: female) is 6:1. The nominee is a Caucasian male. Staff has addressed the need to increase diversity within our board and will continue to encourage this in an effort to expand the Boards diversity. Countywide (RM)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING (cont'd.)

- 3. **Staff recommends motion to approve:** New appointment of one (1) member to the Historic Resources Review Board (HRRB).

<u>Appointment</u>	<u>Seat</u>	<u>Requirement</u>	<u>Recommended By</u>	<u>Term</u>
Steven G. Rappaport	9	Attorney	Mayor Sachs Commissioner Weiss	5/7/2024 – 5/7/2027

SUMMARY: The HRRB was established by the Historic Preservation Ordinance adopted on February 2, 1993, to make recommendations to the Board of County Commissioners (BCC) regarding historic designations and related matters. The Unified Land Development Code (ULDC) Article 2.G.3.H specifies the membership of the HRRB. The term of office of each member is for three (3) years. HRRB seats are at-large positions appointed by the BCC. The Planning Division forwarded a memo (dated February 9, 2024) to the BCC notifying the BCC of the vacancies, and requesting nominations. The advisory board has nine seats, seven currently filled, and two vacancies, and a diversity count of Caucasian: 7 (100%). The gender ratio (male: female) is 1:6. The nominee is Steven G. Rappaport, who is a Caucasian male. Staff has addressed the need to increase diversity within our boards and will continue to encourage this in an effort to expand the Board's diversity. Unincorporated (DL)

K. WATER UTILITIES

- 1. **Staff recommends motion to approve:** the Interlocal Agreement (ILA) between Palm Beach County (County) and the Village of Palm Springs (Village) Regarding Congress Avenue Sanitary Sewer Improvements. **SUMMARY:** The ILA includes the extension/improvements of the sewer infrastructure along Congress Avenue between Forest Hill Boulevard and Summit Boulevard located in unincorporated Palm Beach County, contiguous and adjacent to the corporate limits of the Village of Palm Springs. The Village and the County desire to work cooperatively to provide the infrastructure improvements necessary to extend sanitary sewer service to the area by constructing a force main along Congress Avenue (Project). Per the ILA, the Village and the County will share equally in the Project design and construction costs up to \$3 million after which the Village will be responsible for all Project costs subject to the budget and appropriation provision as set forth in the ILA. The Village will procure contracts for the design and construction of the Project. This Agreement shall terminate upon completion of the Project and all related close-out requirements of the Project and this Agreement and the County's reimbursement of its share of the design and construction costs to the Village. Village shall provide a bill of sale and easements for the completed Project to the County, and any other reasonably necessary Project close-out documentation required by the County, in a form reasonably acceptable to the County and the Village. **These are County ARPA Response Replacement funds that do not require a local match.** District 3 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

2. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 6 to the Consulting/Professional Services Pressure Pipeline Engineering Services (Contract) with Mock, Roos & Associates, Inc. (Consultant) for the Regional Transfer Pump Station Location Evaluation (Project) for a not to exceed amount of \$199,507. **SUMMARY:** On April 20, 2021, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2021-0505) with Consultant. CSA No. 6 provides professional engineering services to evaluate the feasibility of constructing a transfer pump station along with the proposed route and size of force main pipes to divert flow from the northern portion of the PBCWUD wastewater service area to the Southern Region Water Reclamation Facility (SRWRF). This Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On July 1, 2020, the Goal Setting Committee applied an Affirmative Procurement Initiative (API) of a mandatory 20% Small Business Enterprise (SBE) subcontracting goal and an evaluation preference for up to 15 points based upon the relative level of dollar participation by certified African American owned firms. The Contract provides for 34% SBE participation, which includes 34% MBE participation, 34% MBE (B). CSA No. 6 includes 39.54% SBE participation, which includes 39.54% MBE, 39.54% MBE (B). The cumulative SBE participation, including CSA No. 6, is 32.03%, which includes 32.03% MBE, 32.03% MBE (B). Consultant is a Palm Beach County based company. The Project is included in the PBCWUD FY24 budget. (PBCWUD Project No. 23-057) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

3. Staff recommends motion to receive and file: Two (2) Standard Reclaimed Water Development Agreements, two (2) Standard Reclaimed Water Service Agreements Lake Discharge System, and one (1) Memorandum of Understanding Regarding Water and Wastewater Service, for the months of November and December 2023, and January 2024.

A) Standard Reclaimed Water Development Agreement with SHP VI/Holden Delray LLC, SDA #09-90020-000 (District 5), Recorded in OR BK 34680 PG 20.

B) Standard Reclaimed Water Service Agreement Lake Discharge System with SHP VI/Holden Delray LLC, RWSA #09-90020-000 (District 5), Recorded in OR BK 34680 PG 31.

C) Standard Reclaimed Water Development Agreement with Boca Raton Associates IX, LLLP, SDA #09-90021-000 (District 5), Recorded in OR BK 34787 PG 1144.

D) Standard Reclaimed Water Service Agreement Lake Discharge System with Boca Raton Associates IX, LLLP, RWSA #09-90021-000 (District 5), Recorded in OR BK 34787 PG 1152.

E) Memorandum of Understanding Regarding Water and Wastewater Service with Palm Beach County Facilities Development and Operations Department, MOU #01-01281-000 (District 3).

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

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to approve: a continuing proxy appointing Vice Mayor Maria G. Marino as Palm Beach County's (County) representative for the purpose of voting at the June 17, 2024 Landowners' Annual Meeting and any subsequent landowner's meetings of the Pal-Mar Water Control District. **SUMMARY:** This proxy authorizes Vice Mayor Maria G. Marino to vote on behalf of the County at the Pal-Mar Water Control District's annual landowner's meeting on June 17, 2024, and thereafter until revoked. The County currently owns just under 359.39 acres within the Pal-Mar Water Control District (PMWCD). The County's 359.39 acres constitute just over 50% of the total 715+ acres in the County portion of Palm Beach Heights (part of PMWCD). **There is no cost to the County.** District 1 (DL)

2. Staff recommends motion to:

A) adopt a Resolution for Assistance in support of a Waterways Assistance Program (WAP) Grant Application to the Florida Inland Navigation District (FIND) to fund up to \$917,950 or approximately 14% of the costs for the South Lake Worth Inlet (SLWI) Sand Trap and Boat Channel Dredging Project (Project) in the Lake Worth Lagoon; and

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

SUMMARY: The County will submit the grant application to FIND requesting \$917,950 in funding for the dredging and expansion of the SLWI Sand Trap and Harvey E. Oyer Jr. Park Boat Channel. The total estimated cost of the Project is \$6,674,850. If awarded, the County will provide a match in the amount of \$5,756,900 representing an 86% cost-share for the design and construction of the Project. Matching funds include \$3,614,397 within existing Florida Department of Environmental Protection (FDEP) Grant Agreement No. 23PB5 (R2023-0519), with the remaining \$2,142,503 provided by the County. If the grant application is approved, the County will be required to enter into a Grant Project Agreement with FIND. **At this time, there is no cost to the County.** District 4 (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (cont'd.)

3. **Staff recommends motion to approve:** Consultant Services Authorization No. 0090-07 (CSA) to Contract (R2023-0090) (Contract) approved on January 24, 2023 with Olsen Associates, Inc. (Olsen) in the amount of \$195,326.24 to provide professional engineering, environmental surveys, reporting, and documentation to be used in permit required monitoring. **SUMMARY:** The Board of County Commissioners approved the Contract with Olsen, a Jacksonville company, on January 24, 2023. The CSA authorizes Olsen to conduct yearly topographic and hydrographic surveys required by project permits. The CSA also contains optional tasks for post-hurricane surveys and damage assessment reports to aid in securing disaster assistance funding. Costs will be paid from the Beach Improvement Fund. On April 6, 2022, the Goal Setting Committee established a 20% mandatory Small Business Enterprise (SBE) subcontracting goal and an SBE Evaluation Preference for Prime Respondents or Bidders (up to 15 points) as the Affirmative Procurement Initiatives. Olsen committed to an overall 48% SBE participation in the Contract. SBE participation for this CSA is 67.4%. **The cost to the County is \$195,326.24.** Districts 1 and 4 (YBH)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (cont'd.)

4. 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 a 54.6-acre portion (Designation Area) of Lake Park Scrub 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 Designation Area, and sign a Resource Certification (Certification) required under the Agreement every five (5) years during the term of the Agreement, that do not substantially change the scope of work, or terms and conditions of the Agreement, if the ~~grant~~ application is approved.

SUMMARY: The Application requests that a 54.6-acre portion of the 54.78-acre County-owned Lake Park Scrub Natural Area be designated as part of the FGTS; the remaining 0.18-acres of the Natural Area contains multiple encroachments and is excluded from this designation application. If the Application is approved by the State's Greenways and Trails 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 (5) 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 historical resources found within the Designation Area are maintained pursuant to the Board-approved Management Plan (Agenda Item 6.E.1, 8/17/2004) and the Use Plan that is part of the Application. Public use facilities proposed for the site are described in the Use Plan. Designating the 54.6-acre Designation 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 construction of the proposed public use facilities at the Natural Area. Neither the Application nor Agreement are expected to have any fiscal impact. District 7 (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (cont'd.)

5. Staff recommends motion to:

A) adopt a Resolution for Assistance in support of a Waterways Assistance Program (WAP) Grant Application to the Florida Inland Navigation District (FIND) to fund up to \$57,750 or approximately 21% of the construction costs for the Old Bridge Park Dock Replacement Project (Project) in the City of Lake Worth Beach; and

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

SUMMARY: The County will submit the grant application to FIND requesting \$57,750 in funding for the construction of a fixed dock to replace a floating dock that was damaged and subsequently removed in 2021. The total cost of the Project is \$275,654.98. If awarded, the County will provide a match in the amount of \$17,905.98, representing a 6% cost-share for the design of the Project. The County is also seeking \$199,999 in grant funding from FWC, approximately 73% of the total Project cost. If the grant application is approved, the County will be required to enter into a Grant Project Agreement with FIND. District 7 (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (cont'd.)

6. Staff recommends motion to:

- A) **approve** State Mosquito Control Memorandum of Understanding (MOU) Contract No. 30506 with the Florida Department of Agriculture and Consumer Services (FDACS) for mosquito control activities performed during contract period upon execution to September 30, 2024; and
- B) **authorize** the County Administrator, or designee, to sign all future time extensions, task assignments, certifications, and other forms associated with the MOU, and any necessary minor amendments that do not substantially change the scope of work, terms or conditions of the MOU.

SUMMARY: Each year, the County applies to FDACS for state aid for mosquito control activities. On July 11, 2023, the BCC approved the Detailed Work Plan Budget (R2023-0943) required by FDACS as part of the re-application process for state aid for FY2024. No grant assistance was awarded for FY2024. Although this loss of revenue will reduce the amount of chemical acquired for mosquito control operations, the Mosquito Control Division maintains a sufficient supply for normal operations and can continue to meet the necessary level of service for the County. Moreover, although there was no grant assistance awarded this year, the Mosquito Control Division is still responsible for the completion of monthly deliverables as stated in the MOU. An MOU is required by Florida Administrative Code (F.A.C) Rule 5E-13.022 for counties that are not eligible to receive state aid for control of arthropods, but want to remain in the state-approved program. The benefit to the County staying in the state-approved program is maintaining the status of Palm Beach County's Mosquito Control Division as "state-approved", providing legitimacy and guidance of the FDACS while servicing Palm Beach County residents. Countywide (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (cont'd.)

7. Staff recommends motion to:

A) approve State of Florida Department of Environmental Protection (FDEP) Standard Grant Agreement No. 24PB1 (Agreement) for an amount not to exceed \$200,000 providing for design of the North County Comprehensive Shore Protection Project Segment 1 (Project) beginning July 1, 2023 and expiring December 31, 2026;

B) approve State of Florida Department of Environmental Protection (FDEP) Standard Grant Agreement No. 24PB3 (Agreement) for an amount not to exceed \$190,097 providing for design of the North County Comprehensive Shore Protection Project Segment 2 (Project) beginning November 1, 2021 and expiring December 31, 2026;

C) approve State of Florida Department of Environmental Protection (FDEP) Standard Grant Agreement No. 24PB4 (Agreement) for an amount not to exceed \$175,000 providing for design of the North County Comprehensive Shore Protection Project Segment 3 (Project) beginning July 1, 2023 and expiring December 31, 2026;

D) approve a Budget Amendment/Transfer of \$565,097 in the Beach Improvement Fund to recognize the revenue award from FDEP; and

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

SUMMARY: The Agreements reimburse the County up to a total of \$565,097 for eligible design and permitting costs associated with the Projects. The County provides a 50% match for the Projects, up to \$565,097, using available funds in the Beach Improvement Fund. FDEP provides funding for eligible projects through approved Local Government Funding Requests for up to three (3) years after work is completed. The Agreements are retroactive to July 1, 2023, November 1, 2021 and July 1, 2023 respectively. The Agreements contain an indemnification and termination provision that differs from that adopted for use by the County under PPM CW-F-049. In accordance with PPM CW-F-049, the Risk Management Department and the County Attorney's Office have reviewed the terms and agreed to the deviations, taking into consideration the County's need to conduct design and permitting work for the Projects, the amount of the grant award, County's current performance of such work and liability for its acts, and the non-waiver of sovereign immunity beyond the statutory caps of 768.28, Florida Statutes. **The County cost share is \$565,097.** District 1 (SS)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to:

A) ratify the signature of the Mayor on a Florida Inland Navigation District (FIND) Waterway Assistance Program (WAP) grant application submitted on March 21, 2024, requesting \$750,000 with a 50% match from the Florida Boating Improvement Program (FBIP) Fund, for construction costs associated with the Peanut Island Park Dock Renovation Project;

B) adopt a Resolution for Assistance under the FIND WAP for grant funding for costs associated with the Peanut Island Park Dock Renovation Project in the amount of \$750,000; and,

C) authorize the County Administrator or designee to execute the Grant Project Agreement, as well as task assignments, certifications, standard forms, or amendments to the Agreement that do not substantially change the scope of work or terms and conditions of the Agreement, if the grant is approved.

SUMMARY: The total cost of the project identified in the FIND WAP grant application is \$1,500,000. This grant application requests \$750,000 to fund up to (50%) of the construction costs associated with the renovation/replacement of the Peanut Island former U.S. Coast Guard Facility docks. If grant funding is awarded, the County will provide matching funds from the Florida Boating Improvement Program (FBIP). Due to grant-related items requiring timely execution by the County, staff is requesting Board of County Commissioners (BCC) approval for the County Administrator or designee to approve grant documents and for the Parks and Recreation Director to act as the designee and liaison agent for this project. In order to meet the grant application deadline, Mayor Sachs signed the application on behalf of the BCC as authorized by Palm Beach County Administrative Code, Section 309.00. The code requires the grant application be presented to the BCC for approval at their next available meeting after signature by the Mayor. If awarded, the grant will run from October 1, 2024 until September 30, 2026, with a possible one-year time extension. Districts 1 & 7 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (cont'd.)

2. Staff recommends motion to:

- A) **ratify** the signature of the Mayor on a Florida Inland Navigation District (FIND) Waterways Assistance Program (WAP) grant application submitted on March 21, 2024, requesting \$250,000 with a 50% match from Department's ad valorem funds, for the planning, design and permitting costs associated with the South Inlet Park Seawall Replacement Project;
- B) **adopt** a Resolution for Assistance under the FIND WAP for grant funding for costs associated with the South Inlet Park Seawall Replacement Project in the amount of \$250,000; and
- C) **authorize** the County Administrator or designee to execute the Grant Project Agreement, as well as task assignments, certifications, standard forms, or amendments to the Agreement that do not substantially change the scope of work or terms and conditions of the Agreement, if the grant is approved.

SUMMARY: The total cost of the project identified in the FIND WAP grant application is \$500,000. This grant application requests \$250,000 to fund up to (50%) of the planning, design, and permitting for the replacement of the South Inlet Park seawall. If grant funding is awarded, the County will provide matching funds from the Department's ad-valorem funds. Due to grant-related items requiring timely execution by the County, staff is requesting Board of County Commissioners (BCC) approval for the County Administrator or designee to approve grant documents and for the Parks and Recreation Director to act as the designee and liaison agent for this project, if this grant is awarded by FIND. In order to meet the grant application deadline, Mayor Sachs signed the application on behalf of the BCC as authorized by Palm Beach County Administrative Code, Section 309.00. The code requires the grant application be presented to the BCC for approval at their next available meeting after signature by the Mayor. If awarded, the grant will run from October 1, 2024 until September 30, 2026, with a possible one-year time extension. District 4 (AH)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

1. Staff recommends motion to:

- A) **ratify** a FY 2023 Assistance to Firefighters Grant (AFG) application electronically submitted to the U.S. Department of Homeland Security's (DHS) Federal Emergency Management Agency (FEMA) on March 8, 2024, requesting \$492,251 to fund 90% of the purchase of 9 bunker gear washer/extractor machines and 18 dryers, for a term beginning 24 months from the date of award;
- B) **ratify** the designation of the County Administrator, or designee, to act as the County's representative for the purpose of electronically signing and submitting the FY 2023 AFG grant application, including Assurances and Certifications via the DHS FEMA website; and
- C) **authorize** the County Administrator, or designee, to accept, approve, execute and submit, electronically or otherwise, on County's behalf the grant award, representations, certifications, acknowledgments, assurances, standard forms and documents, reimbursement requests, amendments, time frame changes, and other necessary documents, that do not materially change the general scope of terms and conditions of the grant.

SUMMARY: This grant application requests \$492,251 from DHS FEMA for the purchase of 9 bunker gear washer/extractor machines and 18 dryers. The total project cost identified in the grant application is \$541,476. The required match for this grant is \$49,225 (10% of the federal share), which will be funded from Fire Rescue's contingency reserve. If awarded, the grant will provide funding for the cost of the washers/extractors and dryers, which will provide immeasurable benefits to the health and safety of our firefighters, as it helps reduce the risk of cancer and other adverse effects caused by exposure to products of combustion. Due to the preparation time, submittal deadlines, and BCC meeting dates, the grant application had to be submitted prior to full Board approval. Countywide (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (cont'd.)

2. Staff recommends motion to:

- A) **ratify** a FY 2023 Staffing for Adequate Fire and Emergency Response (SAFER) Grant application, electronically submitted to the U.S. Department of Homeland Security's (DHS) Federal Emergency Management Agency (FEMA) on April 11, 2024, requesting \$6,223,626 to fund 18 new firefighters, for a term of three (3) years from the date of award;
- B) **ratify** the designation of the County Administrator, or designee, to act as the County's representative for the purpose of electronically signing and submitting the FY 2023 SAFER grant application, including Assurances and Certifications via the DHS FEMA website; and
- C) **authorize** the County Administrator, or designee, to accept, approve, execute and submit, electronically or otherwise, on County's behalf the grant award, representations, certifications, acknowledgments, assurances, standard forms and documents, reimbursement requests, amendments, time frame changes, and other necessary documents, that do not materially change the general scope of terms and conditions of the grant.

SUMMARY: This grant application requests \$6,223,626 from DHS FEMA to fund 18 new firefighters to staff a four (4) person engine at the new Fire Station 49. The total project cost identified in the grant application is \$6,223,626. There is no required match for this grant for all three (3) years. If awarded the requested positions will provide funding to staff a four (4) person engine at new Fire Station 49. The density and call volume has increased dramatically supporting the need for an additional fire station in that area. This award will allow Fire Rescue staff an engine with four (4) people over each of the three (3) shifts. Due to the personnel coverage factor, the total number of firefighters required is 18. These 18 positions will be eliminated at the end of the grant and submitted as a supplemental request through the budget process prior to the expiration of the grant. Due to the preparation time, submittal deadlines, and BCC meeting dates, the grant application had to be submitted prior to full Board approval. Countywide (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (cont'd.)

3. Staff recommends motion to approve: an Interlocal Agreement for Fire Protection and Emergency Medical Services (“Agreement”) with the Town of Manalapan (“Town”) for a period from October 1, 2024 to October 1, 2034. **SUMMARY:** On September 9, 2014, the County entered into an Interlocal Agreement with the Town, to provide Fire Protection and Emergency Medical Services (R2014-1336), which said agreement is set to expire on October 1, 2024. Under this new Interlocal Agreement the County will continue to provide said services for an additional 10 years. The contract price for services under this new Agreement is a continuation of the methodology used in the previous agreement, which shall be the lesser of two (2) methodologies: calculated by multiplying the Town of South Palm Beach’s property values times the millage rate for the Fire Rescue MSTU; or one-half of the full-cost methodology, which reflects half the costs of the station 38 response zone, which serves both the Town and the Town of South Palm Beach. Countywide (SB)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. Staff recommends motion to:

A) receive and file the electronically executed Florida Department of Transportation (FDOT) Public Transportation Grant Agreement (PTGA) G2T44, awarding the Palm Beach County Board of County Commissioners (BCC) \$794,030 in FY2022 Section 5311 (CFDA 20.509) funds, the PTGA has an effective date of March 5, 2024 with an expiration date of September 30, 2025;

B) receive and file the electronically executed Florida Department of Transportation (FDOT) Public Transportation Grant Agreement (PTGA) G2T71, awarding the Palm Beach County Board of County Commissioners (BCC) \$317,612 in FY2023 Section 5311 (CFDA 20.509) funds, the PTGA has an effective date of March 5, 2024 with an expiration date of September 30, 2025; and

C) approve an upward Budget Amendment of \$1,111,642 in Palm Tran Vehicle Replacement Fund 1341 to recognize the grant award and increase the capital expenditures.

SUMMARY: The electronic documents have been fully executed on behalf of the BCC by the Assistant County Administrator through the County Administrator in accordance with R2022-0260, which delegated authority to sign and accept a grant award on behalf of the BCC. In accordance with County PPM CW-F-003 and CW-O-051, a signed copy of agreements executed under delegated authority must be placed on the BCC's agenda as a Receive and File. The executed documents are now being submitted to the BCC to allow the Clerk's Office to receive and file. The PTGAs provide funding for the replacement of Go Glades Service vehicles, **no County match is required**. The PTGAs requires broader indemnification by the County than that approved by PPM CW-F-049. They require the County and its officers, agents, or employees to indemnify, defend, and hold harmless FDOT and all of its officers, agents, and employees from any claim, loss, damage, cost, charge, or expense arising out of the County's non-compliance or performance of this agreement. The indemnification obligation must also be passed on to contractors and/or consultants. The Risk Management Department and County Attorney's Office have reviewed the indemnification requirements of the PTGAs. Given that liability is limited to County's non-compliance or performance of this agreement and the statutory caps of Section 768.28, Florida Statutes, staff recommends Board approval. Countywide (MM)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (cont'd.)

2. Staff recommends motion to approve: a purchase order from the Florida Department of Transportation (FDOT) Transit Research Inspection Procurement Services (TRIPS) contract with ABC Bus, Inc. in the amount of \$2,454,070, to purchase 16 paratransit cutaway buses to be used in the provision of Paratransit and Go Glades services. **SUMMARY:** On January 24, 2023 (R2023-0101) the Board of County Commissioners approved Palm Tran to purchase vehicles from FDOT TRIPS Contract and authorized the County Administrator or Designee to submit the Order Form for the FDOT TRIPS Contract to request purchase of the vehicles. This contract is required to replace paratransit vehicles that have reached useful life in accordance with Palm Tran's level fleet replacement plan. This ensures that the Paratransit fleet remains in a state of good repair and that Palm Tran Connection can continue to provide efficient and reliable paratransit and Go Glades service for the eligible riders. Of the total contract amount, \$1,170,382 is provided from grant funding. This contract incorporates the terms and conditions of the FDOT Contract #TRIPS-22-CA-MB-LF-ABC. The TRIPS contract has established a statewide Purchasing Agreement with ABC Bus, Inc. (contractor) and Turtle Top (manufacturer) for the manufacture and delivery of Cutaway vehicles that are traditionally used by Palm Tran Connection. Countywide (MM)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (cont'd.)

3. Staff recommends motion to:

- A) **adopt** a Resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, approving Public Transportation Grant Agreement (PTGA) G2T29, in Public Transit Service Development funding (CSFA 55.012) with the State of Florida Department of Transportation (FDOT), providing a grant in the amount of \$375,000 to facilitate access to bus passes for individuals returning from incarceration. This PTGA will become effective upon FDOT execution with an expiration date of December 31, 2027;
- B) **approve** Budget Amendment of \$375,000 in Palm Tran's Grant Fund 1341 to recognize the grant award;
- C) **approve** Budget Transfer of \$375,000 to increase transfer to Palm Tran's Operating Fund 1340 from Palm Tran's Grant Fund 1341 and to reduce the transfer from the General Fund 0001; and
- D) **approve** Budget Transfer of \$375,000 to increase the General Fund 0001 Contingency Reserves and to reduce the transfer to the Palm Tran's Operating Fund 1340.

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (cont'd.)

3. **SUMMARY:** Palm Tran requested grant funding to provide long-term access to public transportation to those returning from incarceration. Palm Beach County agencies currently provide these individuals with one (1) day passes to assist them at the time of their release; Palm Tran wants to extend this assistance to provide monthly passes for one (1) year. Individuals returning from incarceration face a variety of difficulties related to accessing services, and meeting conditions of release, all of which can be exacerbated by insufficient access to transportation. Research indicates that transportation barriers can demonstrably increase a person's vulnerability to other challenges, such as unemployment, food insecurity, homelessness, and more. Palm Tran's development of the Re-Entry program, seeks to develop cross-agency collaboration to reduce barriers by making public transportation accessible for the first year after release. **This PTGA G2T29, in the amount of \$750,000 requires a match of 50% or \$375,000** and provides a grant in the amount of \$375,000. **The match is included in Palm Tran's operating budget.** The grant requires broader indemnification by the County than that approved by PPM CW-F-049. The grant requires the County and its officers, agents, or employees to indemnify, defend, and hold harmless FDOT and all of its officers, agents, and employees from any claim, loss, damage, cost, charge, or expense arising out of the County's non-compliance or performance of this agreement. The indemnification obligation must also be passed on to contractors and/or consultants. The Risk Management Department and County Attorney's Office have reviewed the indemnification requirements for this grant. Given that liability is limited to County's non-compliance or performance of this agreement and the statutory caps of Section 768.28, Florida Statutes, staff recommends Board approval. Countywide (MM)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (cont'd.)

4. Staff recommends motion to:

- A) **approve** the amendment of Resolutions R2020-1923; R-2021-0141; R2022-0133; and R2023-0615, approving the submission of four different grant applications to the Florida Department of Transportation (FDOT), three (3) of the applications will fund the purchase of 45 paratransit vehicles and one (1) will provide operating funding for the Go Glades service. FDOT has requested the resolutions be amended to reflect the actual grant awards which are higher than the initially approved resolutions;
- B) **adopt** Amended Resolution R2020-1923; a Resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, authorizing the signing and submission of the FFY2021 section 5310 grant application, in the amount of \$2,054,621 with a required match of \$228,291 for a total project cost of \$2,282,912, supporting documents and assurances to the Florida Department Of Transportation (FDOT);
- C) **adopt** Amended Resolution R2021-0141; a Resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, authorizing the signing and submission of the FFY2022 section 5310 grant application, in the amount of \$2,051,784 with a required match of \$227,976 for a total project cost of \$2,279,760, supporting documents and assurances to the Florida Department Of Transportation (FDOT);
- D) **adopt** Amended Resolution R2022-0133; a Resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, authorizing the signing and submission of the FFY 2023 section 5310 grant application in the amount of \$2,049,194, with a required match of \$227,68 for a total project cost of \$2,276,882, supporting documents, and assurances to the Florida Department Of Transportation (FDOT); and
- E) **adopt** Amended Resolution R2023-0615; a Resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, approving the submission of the off-cycle FY2023_SF2024 FTA section 5311 formula grants for rural areas program (CFDA 20.509) grant application in the amount of \$800,000, with a required match of \$800,000 to partially offset the operational costs for the Go Glades service in the Glades Region, as administered by the Florida Department Of Transportation (FDOT).

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (cont'd.)

4. **SUMMARY:** On April 9, 2024, FDOT notified Palm Tran that the final award amount for three (3) pending applications had been finalized, and that amended Resolutions are needed to match the actual grant award. The applications, when submitted, included the price of vehicles established at the time of the applications. The State Contract to acquire these vehicles was modified in 2023, and there is price increase for which FDOT is providing additional funding contingent on the receipt of amended Resolutions by May 15, 2024. The resulting grant agreement requires a 10% match, the amended Resolutions reflect the increased amount of this match, which is included in Palm Tran's adopted FY2024 budget. Resolution R2023-0615 does not have a change in the amount, only in the funding source, as requested by FDOT. Upon receipt of the amended Resolutions, FDOT will issue Public Transportation Grant Agreements (PTGAs) that will fund 90% of the purchase of 42 Replacement Paratransit vehicles, and will provide \$800,000 toward the operating costs for the Go Glades Service. Countywide (MM)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (cont'd.)

5. Staff recommends a motion to approve: One (1) Appointment of a member to the Palm Tran Service Board (PTSB) for the following terms:

<u>Nominee</u>	<u>Category, Seat Number</u>	<u>Term to Expire</u>	<u>Nominated By</u>
Carolyn Hmara	Senior Citizen Representative Seat 7	Sept. 30, 2027	Mayor Sachs Vice Mayor Marino Commissioner Weiss Commissioner Baxter Commissioner Barnett

SUMMARY: The PTSB is delegated the authority to approve fixed route service adjustments and serve as an advisory board in all other aspects of the County’s public transportation system. The PTSB is composed of thirteen (13) At-Large members with specific seat categories. A memo dated March 25, 2024 was circulated to the Board of County Commissioners (BCC) requesting support of one (1) applicant seeking appointment. The ethnic and gender composition of the current 12 members include: Caucasian: 4 (33.3%), African-American: 5 (41.8%), Hispanic-American: 1 (8.3%), Multicultural: 1 (8.3%), Asian American 1 (8.3%) Gender ratio (male: female) 7:5. Staff has addressed the need to increase diversity within our Board and will continue to encourage this to expand this Board’s diversity. Countywide (MM)

3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES

1. Staff recommends motion to receive and file: An Agency Affiliation Agreement (Agreement) with Florida Atlantic University Board of Trustees (FAU) for one (1) year, effective upon approval of the parties, with three (3) automatic one-year renewal options, for its students to complete planned and supervised clinical experiences required for a Master's or Doctoral degree, at various Youth Services Department facilities, with no additional cost to the County. **SUMMARY:** The Youth Services Department's Residential Treatment and Family Counseling Division continues to be an authorized counselor training facility for many state colleges and universities offering degrees in graduate programs of psychology, social work or other related fields of educational study. Master's/Doctoral Degree programs require field education experience to meet degree and licensing requirements. The County will continue to offer its services and programs as a means for students to obtain the necessary training and experience to earn their respective degree. There are no costs associated with this Agreement. On March 17, 2020, Agenda Item 3BB-1 authorized the County Administrator, or designee, to execute future Agreements/minor amendments with the University, for supervised clinical field educational experience. Pursuant to PPM# CW-F-049, the Board is notified that standard indemnification provisions are not included in this Agreement as both FAU and the County are protected by sovereign immunity and FAU students will be covered by the negotiated contractual insurance provision, and there is limited risk of loss. This alternate language has been approved by both the County Attorney and Risk Management. Countywide (HH)

3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES (cont'd.)

2. **Staff recommends motion to receive and file:** Three (3) Contracts for Professional Services (Contracts) with the following Postdoctoral Psychology Fellows (Fellows), to complete a requirement of 2,000 hours of clinical work that will provide training and experience in family and youth counseling, for the period August 5, 2024 through July 31, 2025:

A) Sarah Barr in the amount of \$42,880;

B) Brittany Grimshaw in the amount of \$42,880; and

C) Amber Snedden in the amount of \$42,880.

SUMMARY: The Youth Services Department's Residential Treatment and Family Counseling Division (Division) is an authorized counselor training facility for many state colleges and universities offering degrees in psychology, social work, and other related fields. Postdoctoral programs require 2,000 hours of supervised services in order to meet state licensing requirements. The Division is offering its program as a location to obtain this training. Each Fellow, at a minimum, is assigned and completes the workload equivalent to a Licensed Therapist. The base hourly rate of a Licensed Therapist is \$30.11 versus the hourly fellowship contract rate of \$21.19. Additionally, each Fellow will receive a \$500 stipend for health insurance. On October 3, 2006, Agenda Item 3X-2 authorized the County Administrator, or designee, to execute future postdoctoral psychology resident (n/k/a Fellow) contracts on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations. There is no substantial change to the scope of work, terms, or conditions of the agreement. The Contracts span two fiscal years. Sufficient funding is included in the current budget and in the proposed FY 2025 budget to meet county obligations. The Contracts were executed early to allow the selected Fellows to make necessary plans following graduation. Countywide (HH)

MAY 7, 2024

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

1. Staff recommends motion to receive and file: a Modification #1 to the Sub-Grant Agreement between the State of Florida, Division of Emergency Management and the Palm Beach County Sheriff's Office, to extend the period of performance of the FY22 Operation Stonegarden Grant Program (OPSG) from March 31, 2024 to September 30, 2024. **SUMMARY:** On July 11, 2023, the Board of County Commissioners (BCC) accepted a FY22 Operation Stonegarden Grant award in the amount of \$346,500 from the State of Florida, Division of Emergency Management for the period May 10, 2023 through March 31, 2024 to support the United States Border Patrol's (U.S.B.P) mission to secure the Nation's coastline through an all-threats layered integrated approach in collaboration with local law enforcement agencies and the U.S. Border Patrol (R2023-0965). This agenda item will extend the period of performance through September 30, 2024 to allow more time to continue OPSG operations. There is **no match requirement** associated with this award. The Catalog of Federal Domestic Assistance (CFDA) Number for this program is 97.067 and the contract number is R0563. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (cont'd.)

2. **Staff recommends motion to receive and file:** a Modification #1 to the Sub-Grant Agreement between the State of Florida, Division of Emergency Management and the Palm Beach County Sheriff's Office, to extend the period of performance of the FY22 State Homeland Security Grant Program (SHSGP) from March 31, 2024 to September 30, 2024. **SUMMARY:** On March 14, 2023, the Board of County Commissioners (BCC) accepted a FY22 State Homeland Security Grant Program award in the amount of \$916,000 from the State of Florida, Division of Emergency Management for the period February 1, 2023 through March 31, 2024 (R2023-0349). This agenda item will extend the period of performance through September 30, 2024 to allow more time to complete our domestic and regional homeland security projects. There is no match associated with this award. The Catalog of Federal Domestic Assistance (CFDA) Number for this program is 97.067 and the contract number is R0569. Countywide (RS)

3. **Staff recommends motion to receive and file:** Modification #5 to the FY21 Urban Security Area Initiative (UASI) Memorandum of Agreement between the City of Miami and the Palm Beach County Sheriff's Office, which extends the grant period from March 15, 2024 through May 30, 2024. **SUMMARY:** On September 13, 2022, the Board of County Commissioners (BCC) accepted a grant award for the FY21 Urban Area Security Initiative Grant Program in the amount of \$1,909,519, for the period of August 2, 2022 through June 30, 2023 (R2022-1008). On April 18, 2023, the BCC accepted \$30,000 in supplemental funds (R2023-0526). On July 11, 2023, the BCC approved an extension through October 31, 2023 (R2023-0966). On August 22, 2023, the BCC approved an extension through December 31, 2023 (R2023-1152). On December 5, 2023, the BCC approved an extension through March 15, 2024 (R2023-1815). This agenda item will extend the grant performance period through May 30, 2024. **There is no match requirement associated with this award.** The Catalog of Federal Domestic Assistance (CFDA) number is 97.067 and the contract number is R0521. Countywide (RS)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (cont'd.)

4. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office an Award Agreement between the Florida Department of Law Enforcement and the Palm Beach County Sheriff's Office for the FY23 Paul Coverdell Forensic Sciences Improvement Act Formula Grant in the amount of \$97,274.97 for the period of October 1, 2023 through September 30, 2025; and

B) approve a Budget Amendment of \$97,275 in the Sheriff's Grant Fund.

SUMMARY: On March 25, 2024, the Florida Department of Law Enforcement (FDLE) awarded \$97,274.97 in grant funding to the Palm Beach County Sheriff's Office (PBSO) under the FY23 Paul Coverdell Forensic Sciences Improvement Grant Program. The grant funds will be used to improve forensic science services at the Palm Beach County Crime Laboratory through the acquisition of equipment/instruments, lab supplies and support the training of Forensic Scientists. The Catalog of Federal Domestic Assistance (CFDA) number is 16.742 and the grant number is 15PBJA-23-GG-00945-COVE. There is **no match requirement** associated with this award. Countywide (RS)

3. CONSENT AGENDA APPROVAL

DD. OFFICE OF RESILIENCE

1. Staff recommends motion to:

- A) **approve** a Memorandum of Agreement with Broward County, Miami-Dade County, and Monroe County for an Environmental Protection Agency (EPA) Climate Pollution Reduction Grant (CPRG) implementation grant application, which would begin upon grant execution and end after five (5) years, and includes a \$72,859,120 sub-award to Palm Beach County (PBC) to fund energy-efficiency housing retrofits, solar photovoltaic rebates, and electric vehicle charger rebates, and 10 staff positions, which would be requested upon the grant being awarded and eliminated when grant funding is discontinued; and
- B) **delegate to** the County Administrator, or designee, the signatory authority on additional forms, certifications, contracts/agreements and amendments thereto, and any other necessary documents related to the CPRG implementation grant application that do not substantially change the scope of work, terms or conditions of the Memorandum of Agreement.

SUMMARY: Broward County is applying for \$268,648,142 on behalf of the Southeast Florida Regional Climate Change Compact (Compact) through the EPA CPRG program to reduce Greenhouse Gas (GHG) emissions in Palm Beach, Broward, Miami-Dade, and Monroe Counties. Southeast Florida is one of the most vulnerable U.S. regions to climate change impacts. The project will reduce GHG emissions and increase economic development through the following measures in low-income and disadvantaged communities (LIDACs): energy-efficiency housing retrofits (~\$200M), solar photovoltaic rebates (~\$52M), and electric vehicle charging rebates (~\$17M). If awarded, PBC will receive \$72,859,120 of the total award to implement the projects in PBC LIDACs. The PBC Department of Housing and Economic Development and the Office of Resilience will collaborate to implement these measures. **No match is required.** Countywide (RM)

3. CONSENT AGENDA APPROVAL

EE. CAREERSOURCE

- 1. Staff recommends motion to approve: one (1) appointment 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
Andrea Augst	8	05/07/24 – 05/06/31	Private Sector	HCA Florida JFK North Hospital

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 R2021-1457, which replaced prior agreements. 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. Andrea Augst is the Vice President of Human Resources at HCA Florida JFK North, West Palm Beach. 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, 23 currently filled and a diversity count of Caucasian: 19 (83%), African-American: 2 (9%) and Hispanic: 2 (9%). The gender ratio (female:male) is: 8:15. 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)

* * * * *

MAY 7, 2024

4. SPECIAL PRESENTATIONS – 9:30 A.M.

- A)** Proclamation declaring May 2024 as Jewish American Heritage Month. (District 2)
- B)** Proclamation declaring August 4, 2024 as Nancy G. Brinker Day. (District 3)
- C)** Proclamation declaring May 19 – 25, 2024 as Water Reuse Week. (District 1)
- D)** Proclamation recognizing the Hispanic Education Coalition of Palm Beach County Inc. for Promoting and Advocating for Educational Equity in the School District of Palm Beach County. (District 3)
- E)** Proclamation declaring May 2024 as National Physical Fitness and Sports Month. (District 1)
- F)** Proclamation declaring May 2024 as Mental Health Awareness and Trauma-Informed Care Month. (District 3)
- G)** Proclamation declaring May 6, 2024 as Melanoma Monday and May 2024 as Skin Cancer Awareness Month. (District 1)
- H)** Proclamation declaring May 2024 as Building Safety Month. (District 4)
- I)** Proclamation recognizing Restoration Bridge International for Filling the Gap Between Available Food and Those Who Are in Need. (District 3)
- J)** Proclamation recognizing Tarra Enterprises Inc. for 40 Years of Commitment to Palm Beach County. (District 4)
- K)** Proclamation recognizing Israel's 76th Anniversary of Independence. (District 5)
- L)** Proclamation declaring May 6 – 12, 2024 as Nurses Week. (District 6)
- M)** Proclamation declaring May 19 – 25, 2024 as National Travel and Tourism Week. (District 5)
- N)** Proclamation declaring May 2024 as National Water Safety Month. (District 6)
- O)** Proclamation declaring May 19 – 25, 2024 as Emergency Medical Services Week. (District 5)
- P)** Proclamation declaring May 7, 2024 as Spelling Bee Day. (District 6)
- Q)** Proclamation declaring May 2024 as Haitian American Heritage Month. (District 7)

MAY 7, 2024

4. SPECIAL PRESENTATIONS – 9:30 A.M.

- R)** Proclamation declaring May 29, 2024 as Palm Beach County Senior Health and Fitness Day. (District 6)

- S)** Proclamation recognizing June 1, 2024 as the 75th Charter Day Anniversary of Zeta Phi Beta Sorority Inc., Delta Epsilon Zeta Chapter. (District 7)

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MAY 7, 2024

5. REGULAR AGENDA

A. ADMINISTRATION

1. **Staff recommends motion to receive and file:** 2024 Legislative Session Report. **SUMMARY:** County staff will present the 2024 Legislative Session Report for the Board of County Commissioners, including a review of the County's 2024 legislative and appropriation based priorities. Members of the county's professional contract lobbying team will also be present to review legislation affecting Palm Beach County. Topics covered will include, but are not limited to: state budget highlights; Palm Beach County appropriations including CR 880 reconstruction, Peanut Island Historic Restoration and Central Palm Beach County Historic Infrastructure Improvements; statewide legislation; statewide local government preemptions; and specific legislation affecting Palm Beach County including CR 880 language included in HB 1301 and PACE consumer protections. Countywide (SS)

5. REGULAR AGENDA

B. HOUSING & ECONOMIC DEVELOPMENT

1. Staff recommends motion to:

- A) **approve** Neighborhood Stabilization Program 2 (NSP2) funding of \$2,000,000 for Village of Valor, Ltd. (VOV) for the restructured Village of Valor project (Companion Item #5B-3);
- B) **negotiate** the NSP2 funding agreement; and
- C) **delegate** authority to the County Administrator, or designee, to execute the agreement, amendments thereto, and all other documents necessary for project implementation that do not substantially change the scope of work, terms, or conditions of the award.

5. REGULAR AGENDA

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

1. **SUMMARY:** On June 18, 2019 (Agenda Item #5G-1), the Board of County Commissioners (BCC) approved a \$2,000,000 NSP2 award for the Village of Valor project, which at the time totaled new construction of 157 housing units at a mix of 20% affordable and 80% workforce. VOV was unable to obtain anticipated development funding from competitive development sources, and had to sell half of the original site to pay off a mortgage that had funded site acquisition. Consequently, the project was scaled back, and staff now seeks BCC re-approval of the NSP2 funding for the current project as restructured. The current project entails new construction of 54 rental apartments, including 26 two-bedroom units and 28 three-bedroom units, at 2701 - 2751 2nd Avenue North, Palm Springs. All housing units will be affordable to households earning no more than 60% of Area Median Income, with priority given to veterans and their families, including the disabled, homeless and those at-risk of homelessness. All housing units will bear the affordability restrictions for no less than 50 years. The total project cost is \$26.6 Million. The Palm Beach County Housing Finance Authority has reserved private activity bond allocation to fund a \$14 Million construction loan. The construction loan will be converted with permanent funding which will include a \$5 Million mortgage from Churchill Stateside Group, \$10.8 Million of tax credit equity, \$870,000 deferred developer fee and a \$8 Million Housing Bond Loan Program request (Companion Item #5B-3). The proposed \$2,000,000 NSP2 loan will bear no interest and the full principal amount would be forgiven at satisfactory conclusion of the 50-year term; however, should VOV default by violating NSP2 affordability requirements, the full principal amount will become immediately due. The NSP2 loan is contingent on BCC approval of a proposed \$8 Million loan through the County Housing Bond Loan Program). The total County investment will be \$185,185 per County-assisted unit. A unique feature of this project is the on-site office space for Faith-Hope-Love Charity (FHLC) to provide services to the veteran community. The funding agreement and related documents pursuant to these NSP2 funds will be between the County and Village of Valor, Ltd. (and its respective successors and/or assigns). **These are NSP2 program income funds which require no local match.**
District 3 (HJF)

5. REGULAR AGENDA

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

2. Staff recommends motion to:

A) approve a HOME Investment Partnerships (HOME) Program Community Housing Development Organization (CHDO) funding award of \$1,000,000 for program activities to Community Land Trust of Palm Beach County and the Treasure Coast, Inc. (CLT);

B) approve a HOME CHDO funding award of \$320,000 for operating to the CLT;

C) conceptually approve a General Obligation Housing Bond Loan Program (HBLP) – For-Sale Housing Development award in the amount of \$1,640,000 to Community Land Trust of Palm Beach County and the Treasure Coast, Inc. (CLT); and

D) transmit the approved proposal to the County's third party underwriter and negotiate the loan agreements.

SUMMARY: On November 15, 2023, the Department of Housing and Economic Development (DHED) issued a Request for Proposal RFP HED.2023.4 making available \$2,454,364.67 in HOME Community Housing Development Organization (CHDO) Program Activities and up to \$804,355.48 in CHDO Operating Funds to County certified CHDOs for the creation of affordable rental or homeownership housing through new construction or acquisition and/or rehabilitation of residential property. A Selection Committee met at a publicly held meeting on February 22, 2024 and recommended funding to the CLT for the Lake Worth Beach CRA Scattered Site Villas project (the LWB project) in the amount of \$1,000,000 for program activities and up to \$320,000 for operating funds. As a result of the CHDO operating funds requested, the project will not need a developer fee. A portion of the CHDO funds will pass through to the homebuyers as down payment assistance where the assistance will remain with the property and its future buyers for no fewer than 99 years, while the remaining balance is forgiven. The term of the loan will be up to three (3) years, with a 0% interest rate, with repayment upon sale of the units. The LWB project will entail new construction of four (4) scattered sites with two (2) unit villas (eight units in total) in Lake Worth Beach, with a sales price of \$185,000 per unit. One of the four (4) parcels was conveyed to the Lake Worth Beach CRA by the County in August 2023. The 8 units will be three (3) bedroom/two (2) bath cottage homes that will be sold to individuals/families whose income does not exceed 80% of the Area Median Income (AMI).

5. REGULAR AGENDA

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

2. **SUMMARY:** On January 19, 2024, the DHED issued a Request for Proposals (RFP) HED.HBLP.2024.3 making available County funds to developers to create new housing units to expand the local inventory of For-Sale housing development units for housing affordability, serving households with incomes between 60% and 140% of Area Median Income (AMI). The Housing Bond RFP is contingent upon the issuance of general obligation bonds by the BCC, as well as the project meeting the requirements of the Bond Allocation Process Criteria and RFP requirements. Housing Bond funding is provided to developers in the form of a loan for construction financing, secured by a mortgage and note that requires repayment of principal and interest, if applicable. The loan shall be secured by a mortgage and note. A total of two (2) proposals were received in response to the RFP. One (1) proposal was determined to be responsive to the eligibility and submittal requirements of the RFP. A Selection Committee met at a publicly held meeting on April 4, 2024 and recommended funding approval for the LWB project. Project details and specifics of the LWB project are included in the Proposal Summary. Total project cost is \$2,640,000. The total County investment will be \$330,000 per County-assisted unit. Following conceptual approval, the CLT's LWB project will be sent for underwriting and a cost certification must be submitted by the developer and approved by DHED prior to the start of construction. Staff will bring back to the BCC for final approval the terms and conditions. The loan agreements and related documents pursuant to the HOME/CHDO and Bond funds will be between the County and CLT (and their respective successors and/or assigns). District 3 (HJF)

5. REGULAR AGENDA

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

3. Staff recommends motion to:

A) conceptually approve General Obligation Housing Bond Loan Program (HBLP) – Affordable Housing Multifamily Development awards as follows:

1. Calusa Pointe II by SP Field, LLC;
2. Village of Valor by Village of Valor, Ltd.; (Companion Item #5B-1)
3. Waterview Apartments at Mangonia Park by Sun Foundation, Inc.; and
4. Isaiah Clark Apartments by HTG Union Baptist, Ltd.;

B) deny the proposal as submitted by Spectra HTG Drexel Road Senior Apartments, Ltd. and authorize staff to work with the developer regarding bond funding; and

C) transmit the approved proposal to the County's third party underwriter and negotiate the loan agreements.

5. REGULAR AGENDA

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

3. **SUMMARY:** On March 20, 2024, the Department of Housing and Economic Development (DHED) issued a Request for Proposals (RFP) HED.HBLP.2024.5 making County funding available to developers to create additional housing units to expand the local inventory of multifamily rental housing units for affordable housing affordability, serving households whose income does not exceed 80% of Area Median Income (AMI). Housing Bond awards are contingent upon the issuance of general obligation bonds by the BCC, as well as projects meeting the requirements of the Bond Allocation Process Criteria and the RFP requirements. County funding will be provided to Developers in the form of a loan for permanent financing. The loan shall be secured by a mortgage and note that require repayment of principal and interest. Affordability restrictions will be recorded through Declarations of Restrictive Covenants. For-profit Developers will have an interest rate of 1% and nonprofit Developers will have an interest rate of 0%. A total of seven (7) proposals were received in response to the RFP. Six (6) proposals were determined to be responsive to the eligibility and submittal requirements of the RFP. A Selection Committee met at a publicly held meeting on April 9, 2024 and recommended funding approval for: 1) Calusa Pointe II; 2) Village of Valor; and 3) Waterview Apartments at Mangonia Park. Following a written protest filed by HTG Union Baptist, Ltd., DHED upheld the protest and is recommending the BCC fund the Isaiah Clark Apartments project. The protest filed by HTG for the Drexel Road Senior Apartments was denied. Additional negotiations with the developer, whereby they reduce the maximum rental rates proposed, increase the affordability period to a minimum of 50 years, as well as other terms and conditions consistent with RFP may bring the project more in line with other HBLP Affordable Multifamily developments approved by the BCC. If such negotiations with the developer are successful, the project will be brought back to the BCC for conceptual approval and direction to transmit to underwriting. Details and specifics of each project are included in the Proposal Summaries. In June 2019, Village of Valor applied for and was awarded funding through the Neighborhood Stabilization Program 2 (NSP2). Since the Village of Valor project size and scope has been reduced, the BCC will need to make a new determination on the NSP2 award. Village of Valor disclosed this funding in their proposal for the HBLP.

5. REGULAR AGENDA

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

3. **SUMMARY (cont'd.):** The sixth proposal was from One North Lake, LLC, which also submitted a proposal for the funding of the same units under RFP HED.HBLP.2024.4 - Workforce Housing Multifamily Development. The One North Lake, LLC project will be discussed in the agenda item for the HBLP Workforce Multifamily Developments.

Project Name	Total Project Cost	Requested HBLP Funding	Recommended HBLP Funding	Total Number of Units	Number of County-Assisted Units
Calusa Pointe II	\$58,626,433	\$7,560,000	\$7,560,000	168	168
Village of Valor	\$26,671,165	\$8,000,000	\$8,000,000	54	54
Waterview Apartments at Mangonia Park	\$50,406,613	\$13,750,000	\$13,750,000	140	140
Isaiah Clark Apartments	\$49,321,183	\$22,000,000	\$22,000,000	125	125
Drexel Road Senior Apartments	\$37,506,645	\$18,000,000	0	88	88
TOTAL	\$222,532,039	\$69,310,000	\$51,310,000	575	575

Following conceptual approval, the projects will be sent for underwriting and a cost certification must be submitted by each developer and approved by DHED prior to the start of construction. Staff will bring back a comprehensive terms and conditions sheet for final BCC approval. The loan agreements and related documents pursuant to these Bond funds will be between the County and above respective party (and their respective successors and/or assigns). Districts 2, 3, 6 and 7 (HJF)

5. REGULAR AGENDA

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

4. Staff recommends motion to:

A) **conceptually approve** General Obligation Housing Bond Loan Program (HBLP) – Workforce Multifamily Development awards as follows:

1. Gallery at Sunset Park by Gallery at Sunset Park, LLC;
2. Residences of Lake Worth Beach by Richman Lake Worth Apartments, LLC;
3. Residences at Marina Village, by Residences at Marina Village, LLC;

B) **deny** HBLP funding for Judge Rodgers Court by the Rivera Beach Housing Authority without prejudice allowing the developer to apply for future bond funding once it is ready to move forward;

C) **conceptually approve** Housing Initiatives Program (HIP) funding for the following responsive proposals provided they meet all HIP requirements:

1. One North Lake by One North Lake, LLC
2. Westgate Terrace by Danza of Westgate, LLC; and

D) **transmit** the approved proposals to the County's third party underwriter and negotiate the loan agreements.

5. REGULAR AGENDA

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

4. **SUMMARY:** On March 19, 2024, the Department of Housing and Economic Development (DHED) issued a Request for Proposals (RFP) HED.HBLP.2024.4 making County funding available to developers to create additional housing units to expand the local inventory of multifamily rental housing units for workforce housing affordability, serving households with incomes between 60% and 140% of Area Median Income (AMI). All Housing Bond awards are contingent upon the issuance of general obligation bonds by the BCC, as well as projects meeting the requirements of the Bond Allocation Process Criteria and RFP requirements. County Bond funding will be provided to developers in the form of a loan for permanent financing, secured by a mortgage and note that requires repayment of principal and interest. The term of the loan will be 20-years consistent with the term of the Bond, at an interest rate between 1% and 3%. County HIP funding will be provided to developers in the form of a repayable loan for permanent financing, secured by a mortgage and note that requires repayment of principal and interest. The term of the loan will be equal to or greater than the term of the Federal Housing Administration loan and have an interest rate between 1% and 3%. HIP awards are contingent upon projects meeting HIP requirements which include but are not limited to: site control, all other funding in place, project being 'shovel' ready 12 months after final BCC approval, project sets an affordability period of no less than 50 years on all County-assisted units. A total of seven (7) proposals were received in response to the RFP. Six (6) proposals were determined to be responsive to the eligibility and submittal requirements of the RFP. A Selection Committee met at a publicly held meeting on April 9, 2024 and recommended funding approval for: 1) Gallery at Sunset Park; 2) Residences of Lake Worth Beach; and 3) Residences of Marina Village. Details and specifics of each project are included in the Proposal Summaries. All respondents to the RFP have been notified of the funding recommendations and of the RFP protest procedures. One protest was received by the protest period deadline by Riviera Beach Housing Authority. The protest was evaluated by the Director of DHED and denied.

5. REGULAR AGENDA

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

4. SUMMARY (cont'd.):

Project Name	Total Project Cost	Requested HBLP Funding	Recommended HBLP and HIP Funding	Total Number of Units	Number of County-Assisted Units
Gallery at Sunset Park	\$56,406,473	\$17,000,000	\$17,000,000	145	145
Residences of Lake Worth Beach	\$49,816,825	\$17,160,000	\$17,160,000	195	156
Residences at Marina Village	\$54,509,822	\$4,716,882	\$4,716,882	148	118
HBLP SUBTOTAL:	\$160,733,120	\$38,876,882	\$38,876,882	488	419
One North Lake	\$16,536,000	\$4,650,000	\$4,650,000	54	54
Westgate Terrace	\$21,256,790	\$3,200,000	\$3,200,000	46	37
HIP SUBTOTAL:	\$37,792,790	\$7,850,000	\$7,850,000	100	91
GRAND TOTAL (HPLP & HIP):	\$198,525,910	\$46,726,882	\$46,726,882	588	510

Project Name	Total Project Cost	Requested HBLP Funding	Recommended Funding	Total Number of Units	Number of County-Assisted Units
Judge Rodgers Court	\$58,685,560	\$13,000,000	0	150	111
TOTAL:	\$58,685,560	\$13,000,000	0	150	111

Following conceptual approval, the projects will be sent for underwriting and a cost certification must be submitted by each developer and approved by DHED prior to the start of construction. Staff will bring back a comprehensive terms and conditions sheet for final BCC approval. The loan agreements and related documents pursuant to these Bond funds will be between the County and above respective party (and their respective successors and/or assigns). Districts 3, 6 and 7 (HJF)

5. REGULAR AGENDA

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

5. Staff recommends motion to approve:

- A) creation of four (4) new ad-valorem funded positions in the Department of Housing and Economic Development (DHED) contingent upon Board approval of the issuance of the Workforce/Affordable Housing General Obligation Bonds (Bonds);
- B) a Budget Transfer of \$203,880 in the General Fund from Contingency Reserves to the Economic Development Fund; and
- C) a Budget Amendment of \$203,880 in the Economic Development Fund to recognize the transfer and appropriate funding for the four (4) new positions.

SUMMARY: On November 8, 2022, the voters of Palm Beach County approved the issuance of Workforce/Affordable Housing General Obligation Bonds (Bonds) in an amount not to exceed \$200M for the purpose of financing all or a portion of increasing workforce and affordable housing within Palm Beach County. On October 3, 2023, the Board of County Commissioners (BCC) approved the Housing Bond Allocation Process criteria (Agenda Item 5D-2) providing more specific details on bond funding processes. The bond criteria and processes will be managed by DHED. To carry out the responsibilities of the bond, staff is recommending the creation of four (4) new positions to be funded through the General Fund, because staff costs are not eligible using Bond funding. Two (2) of the positions will include a Manager of Affordable Housing (pay grade of 41), which will serve as the Lending Manager, and a Housing Program Coordinator (pay grade 39), which will serve as the Lending Analyst. The duties and responsibilities for these two (2) positions would include performing and coordinating the activities as detailed in the bond criteria, including issuance of Requests for Proposals (RFPs), the responsiveness review of all proposals, the creation and processing of funding agreements, review and processing of disbursements during the development process, in-house underwriting and funding analysis, and monitoring of the projects. The third (3rd) position would be a Project Manager (pay grade 49) to ensure we effectively and efficiently carry out the construction related requirements of each bond funded project. The fourth (4th) position will be a Housing Program Specialist I (pay grade 29), whose primary responsibility include the certification and verification of renters and buyers participating in the Housing Bond programs. If the positions are approved by the Board, a budget amendment to transfer funds from general fund contingency reserves into the DHED budget for the remainder of this fiscal year is required to account for the new positions. Full funding for the positions would be included in DHED's proposed budget for FY 2024-2025. Approval of these positions is a companion to and contingent upon the approval of the Office of Financial Management & Budget agenda item to issue the Bonds also scheduled for the May 7, 2024 BCC Meeting. Countywide (HJF)

5. REGULAR AGENDA

C. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **Staff recommends motion to adopt:** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA (I) AMENDING AND SUPPLEMENTING RESOLUTION NO. R-2022-1405 AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$127,000,000 GENERAL OBLIGATION BONDS (WORKFORCE AND AFFORDABLE HOUSING UNITS), FEDERALLY TAXABLE SERIES 2024 FOR THE PURPOSE OF FINANCING THE COST OF INCREASING WORKFORCE AND AFFORDABLE HOUSING IN PALM BEACH COUNTY, FLORIDA; (II) PLEDGING THE FULL FAITH, CREDIT AND TAXING POWER OF THE COUNTY TO SECURE REPAYMENT OF THE BONDS; (III) MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; (IV) AUTHORIZING THE USE OF A PRELIMINARY OFFICIAL STATEMENT, AN OFFICIAL NOTICE OF SALE AND SUMMARY NOTICE OF SALE IN CONNECTION WITH THE PUBLIC SALE OF SUCH SERIES 2024 BONDS; (V) AUTHORIZING THE MAYOR OR COUNTY ADMINISTRATOR TO ACCEPT THE BEST BIDS FOR THE PURCHASE OF THE SERIES 2024 BONDS; (VI) AUTHORIZING THE PROPER OFFICIALS OF THE COUNTY TO EXECUTE AND DELIVER A CERTIFICATE DEEMING THE PRELIMINARY OFFICIAL STATEMENT "FINAL" FOR PURPOSES OF SECURITIES AND EXCHANGE COMMISSION RULE 15c2-12; (VII) APPOINTING AN INITIAL PAYING AGENT AND REGISTRAR; (VIII) APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AN OFFICIAL STATEMENT; (IX) AUTHORIZING THE PROPER OFFICIALS OF THE COUNTY TO DO ALL OTHER THINGS DEEMED NECESSARY OR ADVISABLE IN CONNECTION WITH THE ISSUANCE OF THE SERIES 2024 BONDS; (X) PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION THEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE. **SUMMARY:** The County has identified the need for the constructing and equipping of Workforce and Affordable Housing Units. The General Obligation Bonds (GO Bonds) will be sold on a taxable basis through a competitive sale on an electronic platform available to all underwriters to receive the best bids. The amount of bonds authorized to be issued is not to exceed \$127,000,000. The debt service for the bonds' repayment will be ad valorem tax dollars. Countywide (DB)

5. REGULAR AGENDA

D. PLANNING, ZONING & BUILDING

1. Staff recommends motion to:

- A) **adopt** a resolution of the Board of County Commissioners of Palm Beach County, Florida, granting a County tax exemption for the historic rehabilitation of the property located at 225 Monroe Drive, West Palm Beach;
- B) **approve** a tax exemption covenant for 225 Monroe Drive, West Palm Beach, requiring the qualifying improvements be maintained during the 10-year period that the tax exemption is granted;
- C) **adopt** a resolution of the Board of County Commissioners of Palm Beach County, Florida, granting a County tax exemption for the historic rehabilitation of the property located at 310 Dyer Road, West Palm Beach;
- D) **approve** a tax exemption covenant for 310 Dyer Road, West Palm Beach, requiring the qualifying improvements be maintained during the 10-year period that the tax exemption is granted;
- E) **adopt** a resolution of the Board of County Commissioners of Palm Beach County, Florida, granting a County tax exemption for the historic rehabilitation of the property located at 1225 N. Sapodilla Avenue, West Palm Beach; and
- F) **approve** a tax exemption covenant for 1225 N. Sapodilla Avenue, West Palm Beach, requiring the qualifying improvements be maintained during the 10-year period that the tax exemption is granted.

5. REGULAR AGENDA

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

1. **SUMMARY:** The resolutions will authorize a County tax exemption for the following historic properties located within the City of West Palm Beach: 225 Monroe Drive, (property is privately owned for residential use); 310 Dyer Road, (property is privately owned for residential use); and 1225 N. Sapodilla Avenue, (property is privately owned for residential use). If granted, the tax exemptions shall take effect January 1, 2024, and shall remain in effect for 10 years, or until December 31, 2033. The exemption shall apply to 100 percent of the assessed value of all improvements to the historic property, which resulted from restoration, renovation, or rehabilitation of the property. The estimated total tax exempted for the 10 years ending December 31, 2033, is \$105,750. Actual exemption amounts will be based upon the Countywide Millage rate on a yearly basis. It is estimated that approximately \$10,575 tax dollars will be exempted annually based on the 2024 Countywide Millage Rate. Accompanying each resolution is a City of West Palm Beach approved restrictive covenant, which requires the qualifying improvements be maintained during the period that each tax exemption is granted. District 2 & 7 (DL)

5. REGULAR AGENDA

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

2. Staff recommends motion to:

- A) **adopt** a resolution of the Board of County Commissioners (BCC), granting a County tax exemption for the historic rehabilitation of the property located at 127 Root Trail, Palm Beach;
- B) **approve** a tax exemption covenant for 127 Root Trail, Palm Beach, requiring the qualifying improvements be maintained during the 10-year period that the tax exemption is granted;
- C) **adopt** a resolution of the BCC granting a County tax exemption for the historic rehabilitation of the property located at 272 Queens Lane, Palm Beach;
- D) **approve** a tax exemption covenant for 272 Queens Lane, Palm Beach, requiring the qualifying improvements be maintained during the 10-year period that the tax exemption is granted;
- E) **adopt** a resolution of the BCC granting a County tax exemption for the historic rehabilitation of the property located at 323 Chilean Avenue, Palm Beach;
- F) **approve** a tax exemption covenant for 323 Chilean Avenue, Palm Beach, requiring the qualifying improvements be maintained during the 10-year period that the tax exemption is granted;
- G) **adopt** a resolution of the BCC granting a County tax exemption for the historic rehabilitation of the property located at 137 Seaspray Avenue, Palm Beach; and
- H) **approve** a tax exemption covenant for 137 Seaspray Avenue, Palm Beach, requiring the qualifying improvements be maintained during the 10-year period that the tax exemption is granted.

5. REGULAR AGENDA

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

2. **SUMMARY:** The resolutions will authorize a County tax exemption for the following historic properties located within the Town of Palm Beach: 127 Root Trail, (property is privately owned for residential use); 272 Queens Lane, (property is privately owned for residential use); 323 Chilean Avenue (property is privately owned for residential use); and 137 Seaspray Avenue, (property is privately owned for residential use). If granted, the tax exemptions shall take effect January 1, 2024, and shall remain in effect for 10 years, or until December 31, 2033. The exemption shall apply to 100 percent of the assessed value of all improvements to the historic property, which resulted from restoration, renovation, or rehabilitation of the property. The estimated total tax exempted for the 10 years ending December 31, 2033, is \$409,500. Actual exemption amounts will be based upon the Countywide Millage rate on a yearly basis. It is estimated that approximately \$40,950 tax dollars will be exempted annually based on the 2024 Countywide Millage Rate. Accompanying each resolution is a Town of Palm Beach approved restrictive covenant, which requires the qualifying improvements be maintained during the period that each tax exemption is granted. District 1 (DL)

5. REGULAR AGENDA

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

3. Staff recommends motion to:

A) **adopt** a resolution of the Board of County Commissioners (BCC) granting a County tax exemption for the historic rehabilitation of the property located at 125 N. Dixie Boulevard, Delray Beach; and

B) **approve** a tax exemption covenant for 125 N. Dixie Boulevard, Delray Beach, requiring the qualifying improvements be maintained during the 10-year period that the tax exemption is granted.

SUMMARY: The resolution will authorize a County tax exemption for the following historic property located within the City of Delray Beach: 125 N. Dixie Boulevard, (property is privately owned for residential use). If granted, the tax exemption shall take effect January 1, 2024, and shall remain in effect for 10 years, or until December 31, 2033. The exemption shall apply to 100 percent of the assessed value of all improvements to the historic property, which resulted from restoration, renovation, or rehabilitation of the property. The estimated total tax exempted for the 10 years ending December 31, 2033, is \$39,213.87. Actual exemption amounts will be based upon the Countywide Millage rate on a yearly basis. It is estimated that approximately \$3,923.87 tax dollars will be exempted annually based on the 2024 Countywide Millage Rate. Accompanying the resolution is a City of Delray Beach approved restrictive covenant, which requires the qualifying improvements be maintained during the period that the tax exemption is granted. Districts 4 & 7 (DL)

5. REGULAR AGENDA

E. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve:

- A) an Agreement for Purchase and Sale of a 1.10 acre parcel of vacant land located north of Indiantown Road and east of Bee Line Highway from Rebecca Gordon and Dameon Gordon, for \$17,050 plus closing, title insurance and recording costs estimated to be \$545; and
- B) a Memorandum of Agreement with Rebecca Gordon and Dameon Gordon to be recorded in the public records to provide notice of this Agreement.

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

5. REGULAR AGENDA

F. LIBRARY

1. Staff recommends motion to receive and file: Library Department Draft FY25 Budget & Capital Program Overview. **SUMMARY:** The Palm Beach County Library System provides a wide array of library facilities and services that serve the Library District and the residents of the municipalities that are part of the Library Cooperative of the Palm Beaches. For FY25, the Library is preparing a draft budget of \$112,079,000 based on the revenue generated through the dependent taxing district at a millage rate of 0.5491. The Board of County Commissioners has held the millage at this rate since 2011. In addition, the Library Department has an extensive list of capital needs, including renovation work on existing branch locations and possibilities for future expansion opportunities. As a dependent taxing district, the Library Department must fund its own Capital Project budget lines. Library funding comes primarily through ad valorem revenue generated through the Library District, along with State Aid to Public Libraries grants, Impact Fees, Balance Brought Forward, donations from the Friends of the Library, and other incidental grants and fees. Countywide (AH)

G. FIRE RESCUE

1. Staff recommends motion to receive and file: a Fire Rescue Department (PBCFR) presentation. **SUMMARY:** PBCFR will provide an overview of its Fiscal Year 2025 Proposed Operating Budget. The presentation will include; historical revenues and expenses; revenue sources and expenditure usage; supplemental requests for positions and equipment; and a five-year funding layout for the Capital Improvement Plan (CIP). Countywide (SB)

H. WATER UTILITIES

1. Staff recommends motion to receive and file: Palm Beach County Water Utilities Department's Proposed FY2025 Budget Overview. **SUMMARY:** The Palm Beach County Water Utilities Department (PBCWUD) will provide an overview of the proposed FY2025 Budget. For FY2025, PBCWUD has prepared a proposed budget of \$611,303,610, which includes operating, capital and debt service. As an enterprise fund, the Utility must fund its own operating and capital project budget lines. PBCWUD is undertaking capital projects to address our aging infrastructure and ensure full compliance with applicable regulations including newly adopted water quality standards. PBCWUD's funding comes primarily through user fees (customers, developers, etc.) grants, investment income and balance brought forward Countywide (MWJ)

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MAY 7, 2024

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

MAY 7, 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

MAY 7, 2024

8. COMMISSIONER COMMENTS

District 1 – COMMISSIONER MARIA G. MARINO

District 2 – COMMISSIONER GREGG K. WEISS

Requesting off-site approval for Proclamation declaring May 18 – 25, 2024 as National Safe Boating Week.

Requesting off-site approval for Proclamation declaring May 2024 as Audubon Everglades Purple Martin Awareness Month.

District 3 – COMMISSIONER MICHAEL A. BARNETT

District 4 – COMMISSIONER MARCI WOODWARD

District 5 - COMMISSIONER MARIA SACHS

Requesting off-site approval for Proclamation declaring June 4, 2024 as Holocaust Survivor Day.
Requesting off-site approval for Proclamation declaring May 25th as Family Abduction Awareness Day.

Requesting off-site approval for Proclamation declaring May 2024 as Problem-Solving Court Month.
Requesting off-site approval for Proclamation declaring May 11, 2024 as KOP Mentoring Network Ladies of Distinction Day.

District 6 - COMMISSIONER SARA BAXTER

District 7 – COMMISSIONER MACK BERNARD

MAY 7, 2024

9. MATTERS BY THE PUBLIC – 2:00 P.M.

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MAY 7, 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."