

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

**ADDITIONS, DELETIONS, & SUBSTITUTIONS**

**JUNE 4, 2024**

<u>PAGE</u>	<u>ITEM</u>	
32	3AA2	<b>*REVISED SUMMARY</b> / (PALM TRAN) / <b>Summary:</b> On March 1, 2023, Palm Tran submitted to FDOT for a competitive selection process an application for TRIP Funding, requesting to replace three (3) diesel buses with three (3) electric buses. This PTGA G2T30, in the amount of \$3,380,054 <b>requires a match of 50% or \$1,690,027</b> and provides a grant in the amount of \$1,690,027. The match is included in Palm Tran's <del>proposed FY2025</del> <u>FY 2024</u> 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 and advised staff accordingly. 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. <u>Countywide</u> (MM)
39	4G	<b>*ADD-ON</b> / (District 4) / Proclamation declaring June 20, 2024 as Dump the Pump Day.

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<b><u>PAGE</u></b>	<b><u>ITEM</u></b>	
42	5A3	<p><b>*REVISED SUMMARY / (FDO) / SUMMARY:</b> Palm Beach County (“County”) and the Palm Beach County School District (“School District”), along with community stakeholders, are collaborating towards the planning and development of the Museum and a supporting research library, both to be sited at the former Roosevelt Full Service Center (“Roosevelt Center”) which is owned by the School District and located at 1601 North Tamarind Avenue, West Palm Beach. The School District has commenced phase 1 of the Roosevelt Center renovation project. Phase 2 of the project will provide for renovation of the buildings at the Roosevelt Center that will house the research library and for construction of a new 20,000 sq.ft. 2-story building to house the Museum. The scope of work for Phase 2 of the Roosevelt Center renovation project as will be implemented by the School District will be limited to shell construction, with design and construction of the interior buildout to be undertaken as a separate construction effort not funded nor lead by the School District. The Multicultural Center will serve as a place to aggregate and exchange community resources, while simultaneously providing museum-quality exhibition space to preserve history. It will be located within the County’s jurisdiction, preferably within the geographic limits of County Commission District 3. The land for siting of the Multicultural Center has yet to be allocated; County Staff is in the process of identifying a suitable civic site property for consideration by the Board of County Commissioners (“Board”) or donated land within District 3. Use of a non-governmental entity to lead the process and to pursue fundraising for the Museum and the Multicultural Center has been identified as the most efficient way to facilitate development of both initiatives. Community Foundation (a Florida non-profit corporation organized under Chapter 617, Florida Statutes) has been identified as a non-governmental entity that can provide the services required and lead the planning/development process for the Museum and the Multicultural Center, inclusive of fundraising efforts, fiscal and administrative support, through the creation of supporting organizations as provided for in Section 509(a)(3) of the Internal Revenue Services (“IRS”) regulations. Under each one of the agreements, the County will provide a contribution in the amount of \$1,000,000, <u>to be disbursed by means of an initial advance of funds of up to \$250,000, followed by quarterly advances in the same amount. Approval of the quarterly advances will be conditioned on (i) Community Foundation providing a detailed accounting of all funds expended since the approval of the last request for advance funds, and (ii) the aggregate balance of prior funds advanced to Community Foundation (i.e., cash on hand) not exceeding \$75,000.</u> Both facilities will provide cultural and educational information to residents and visitors. The initial term of the agreements is three years, with an option to extend for an additional three years. <b>Funding for these agreements is from the ARPA Response Replacement Fund. (FDO Admin) <del>Districts 1 &amp; 3</del> Districts 3 &amp; 7/Countywide (MWJ)</b></p>

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<u>PAGE</u>	<u>ITEM</u>	
44	5B1	<p><b>*REVISED MOTION / TITLE/ SUMMARY / (TDC) / Staff recommends motion to approve:</b></p> <p><b>A)</b> an agreement between Palm Beach County (County) and <del>the Boca Raton</del> <u>The Center for Arts &amp; Innovation, Inc.</u> (Center) for the Cultural Capital Fund Grant in the amount of \$865,000 to assist with the schematic design and design development phases of the expansion of the cultural campus in Mizner Park; and</p> <p><b>B)</b> a Budget Transfer from Reserves in the American Rescue Plan Act (“ARPA”) Response Replacement Fund in the amount of \$865,000 to allocate available funding to the <del>Boca Raton Center for Arts &amp; Innovation</del> <u>Center</u>.</p> <p><b>SUMMARY:</b> The agreement in the amount of \$865,000 between the County and the Center, located in Mizner Park in Downtown Boca Raton, will anchor South County with an innovative, vital and flexible cultural campus that transcends function to enable creativity with no boundaries. The Center will serve local and regional organizations here in Palm Beach County. Through early private sector funding, the Center has retained a world class team to bring this vision to life, including the internationally acclaimed Renzo Piano Building Workshop as principal architect. Through this grant and partnership, Palm Beach County and the Cultural Council for Palm Beach County will help fund the schematic design and design development phases of the project. The Cultural Council is designated to administer the grant. <b>Funding of this agreement is from the ARPA Response Replacement Fund. <u>District 4 / Countywide (MWJ) (YBH)</u></b></p>

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

**ADDITIONS, DELETIONS, & SUBSTITUTIONS**

**JUNE 4, 2024**

<u>PAGE</u>	<u>ITEM</u>	
45	5B2	<p><b>*REVISED SUMMARY / Summary:</b> On February 8, 2024, the Tourist Development Council (TDC) approved an allocation of \$550,536 from tourism development tax dollars earmarked for special projects to develop a twenty-year tourism master plan. Tourism-related activities provide over 90,000 jobs and an estimated \$10 Billion to Palm Beach County's economy. A tourism master plan will provide a framework and strategy to maintain and grow tourism in Palm Beach County. This agreement will provide the professional services necessary to complete resident and stakeholder engagement, destination assessment (inclusive of diversity, equity, inclusion and accessibility), destination sustainability, visioning workshops and recommendations to place Palm Beach County at the forefront of tourists' minds when deciding to visit south Florida. The request for proposals (RFP) for the development of a tourism master plan was advertised on August 3, 2023. Three proposals were received in response to the competitive solicitation. The selection committee met on October 20, 2023 and November 27, 2023, and recommended award to CSL. <del>The Agreement was procured under the requirements of the Equal Business Opportunity Ordinance. On May 3, 2023, the Goal Setting Committee established a 15% preference Small Business Enterprise (SBE) contracting goal evaluation preference as the Affirmative Procurement Initiative (API). None of the respondents met this preference. The solicitation was advertised according to the Equal Business Opportunity Ordinance and the project was presented to the Goal Setting Committee (GSC) on May 3, 2023. The GSC established an Affirmative Procurement Initiative (API) of up to 15 evaluation points for Prime Small Business Enterprise (SBE) respondents. All three (3) proposers were non-SBEs. The recommended consultant is not an SBE but has committed to 7.2% Small/Minority/Women Business Enterprise (S/M/WBE) participation on this contract. Countywide (YBH)</del></p>

**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**

**JUNE 4, 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 8 - 38)**
- 4. SPECIAL PRESENTATIONS (Page 39)**
- 5. REGULAR AGENDA (Pages 40 - 53)**
- 6. BOARD APPOINTMENTS (Page 54)**
- 7. STAFF COMMENTS (Page 55)**
- 8. BCC COMMENTS (Page 56)**
- 9. MATTERS BY THE PUBLIC – 2:00 P.M. (Page 57)**
- 10. ADJOURNMENT (Page 58)**

\* \* \* \* \*

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

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3C-3 Resolutions declaring acquisition of the fee simple right-of-way designations, and relocatable drainage easement necessary for the construction of roadway improvements on Old Dixie Highway.

3C-4 Assignment Assumption and Consent Agreements from American Consulting Engineers of Florida, LLC to Consor Engineers, LLC.

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- 4D NeighborWorks Week
- 4E Dave Aronberg Day
- 4F Juneteenth Day
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- 5A-3 Agreement with Community Foundation for Palm Beach and Martin Counties, Inc. for the development and planning of the Palm Beach County African American Museum and the Palm Beach County Multicultural Resources Center and Museum.

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**MATTERS BY THE PUBLIC – 2:00 P.M.** (Page 57)

**ADJOURNMENT** (Page 58)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to ratify:** the following Palm Beach County League of Cities (League) representatives to the Treasure Coast Regional Planning Council (TCRPC), beginning June 4, 2024 through December 31, 2024:

<u>Nominees</u>	<u>Seat No.</u>	<u>Representing</u>
<b><u>Regular appointments:</u></b>		
Greg Langowski, Vice Mayor	4	City of Westlake
<b><u>Alternate appointments:</u></b>		
Joaquin Almazan, Vice Mayor	4A	City of Belle Glade
Carolyn Cassidy, Commissioner	6A	Town of Ocean Ridge

**SUMMARY:** TCRPC discusses local government comprehensive plans, developments of regional impact and other regional planning activities. In accordance with the TCRPC Rules of Order, the Board of County Commissioners (BCC) appointed its members and alternates for the coming year. The TCRPC Rules of Order also require the League to appoint municipal representatives and for the BCC to ratify them. The League appointed the above municipal representatives. There are currently two (2) seats that are vacant. Countywide (DL)

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>
April 16, 2024	Workshop
April 25, 2024	Zoning
May 1, 2024	Comp Plan

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

3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER (cont'd.)

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 April 2024. Countywide

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve:

- A) an amendment to the Infrastructure Surtax (IST) Project Plan approved by the Board of County Commissioners (BCC) on April 4, 2017, as amended on January 4, 2022, to increase the budget for the Summit Boulevard and Haverhill Road Signal project (Project) from \$550,000 to \$700,000; and
- B) a Budget Transfer of \$150,000 within the IST Fund from the Engineering and Public Works (EPW) Department's IST Reserves to increase the budget for the Project.

**SUMMARY:** Approval of the amendment and budget transfer will increase the funding for the Project from \$550,000 to \$700,000. The IST Project Plan currently funds the Project at \$550,000 in FY 2022 and FY 2023 to replace the existing span wire signal with a mast arm signal. The design was recently completed and the estimate updated. The request for additional funding is due to escalating construction costs. The \$150,000 will be transferred from EPW's IST Reserve account. Approximately 100 projects from the original IST list remain to be completed. The Sales Tax Oversight Committee reviewed this request at their May 16, 2024 meeting and approved it unanimously. **This project is funded by the infrastructure sales tax.** District 3 (YBH)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to approve:

A) an amendment to the Infrastructure Surtax (IST) Project Plan approved by the Board of County Commissioners (BCC) on April 4, 2017, as amended on January 4, 2022, to increase the budget for the FY 2019 Street Lighting LED Replacements – Countywide project (Project) from \$820,000 to \$1,120,000; and

B) a Budget Transfer of \$300,000 within the IST Fund from the Engineering and Public Works (EPW) Department's IST Reserves to increase the budget for the Project.

**SUMMARY:** Approval of the amendment and budget transfer will increase the funding for the Project from \$820,000 to \$1,120,000. The IST Project Plan currently funds the Project at \$820,000 in FY 2019. There were six (6) street lighting projects (road segments) funded in FY 2019 to replace existing high pressure sodium lights with LED lights. Four (4) advanced to construction, and Florida Power & Light (FPL) only recently provided final costs for the remaining two (2). The street lights are owned and maintained by FPL. However, Palm Beach County (County) pays for all operation and maintenance costs. FPL will be responsible for final design and installation of the LED conversions, and the County will reimburse FPL. The request for additional funding is due to escalating construction costs. The \$300,000 will be transferred from the EPW's IST Reserve account. The Sales Tax Oversight Committee reviewed this request at their May 16, 2024 meeting and approved it unanimously. **This project is funded by the infrastructure sales tax.** Countywide (YBH)

3. CONSENT AGENDA APPROVAL

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

3. **Staff recommends motion to adopt:** eight (8) resolutions declaring the acquisition of fee simple right-of-way designated as Parcels 101, 101B, 112, 148, 149A, 149B, 150, 151, 152, 153A, 153B and 153C, and a relocatable drainage easement designated as Parcel 401 necessary for the construction of roadway improvements on Old Dixie Highway from Yamato Road to south of Linton Boulevard (Project). **SUMMARY:** Adoption of these resolutions will initiate eminent domain proceedings pursuant to Chapters 73, 74, 127, and Section 337.27, Florida Statutes, as amended, against 13 parcels having a total appraised value of \$6,243,555. The parcels are necessary to construct a center turn lane, curb and gutter, sidewalks, additional drainage, bridge replacement, a drainage retention pond, and traffic signals for the Project. The property owners have not accepted the offers to purchase made by Palm Beach County (County) and attempts to negotiate the purchases have been unsuccessful. Eminent domain proceedings are necessary to acquire the parcels at this time in order to expedite construction of the Project. **This Project is included in the Five Year Road Program.** District 4 (DO)
  
4. **Staff recommends motion to approve:** an Assignment Assumption and Consent Agreement (Assignment) to transfer the Old Dixie Highway from Yamato Road to Linton Boulevard contract (R2015-0264) dated March 10, 2015; the Clint Moore Road from Oaks Club Drive to Long Lake Drive contract (R2018-0631) dated May 1, 2018; and the Westgate Avenue from Wabasso Drive to Congress Avenue contract (R2020-1312) dated September 15, 2020 (collectively, Contracts) from American Consulting Engineers of Florida, LLC (ACE) to Consor Engineers, LLC (Conсор). **SUMMARY:** On August 1, 2023, ACE and its related entities were acquired in an asset sale by Consor. On January 1, 2024, Consor merged ACE and certain subsidiaries with the surviving entity being Consor. ACE would like to assign their existing Contracts to Consor. Approval of the Assignment will allow the Contracts to be assigned to Consor. Districts 4, 5 and 7 (YBH)

3. CONSENT AGENDA APPROVAL

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

5. Staff recommends motion to approve:

- A) Consultant Service Authorization No. 6 (CSA) to the Construction Engineering Inspection (CEI) Annual Services Contract (R2021-0883) dated July 13, 2021 (Contract) with BCC Engineering, LLC (BCCE) in the amount of \$180,646.89 for Cherry Road from Military Trail to Quail Drive (Project); and
- B) a Budget Amendment of \$213,800 in the Capital Outlay Fund to recognize reimbursement funding from Westgate Belvedere Homes Community Redevelopment Agency (Westgate CRA) and appropriate it to the Project.

**SUMMARY:** Approval of this CSA will provide the professional CEI services necessary for the construction of an 8' sidewalk on the north side of Cherry Road, a 6' sidewalk on the south side of Cherry Road, with pedestrian lighting from Military Trail to Quail Drive. On November 6, 2019, the Goal Setting Committee applied Affirmative Procurement Initiatives of a 20% minimum mandatory Small Business Enterprise (SBE) participation and an SBE evaluation preference. BCCE agreed to 30% SBE participation for the Contract and 32.72% SBE participation for this CSA. Their cumulative SBE participation for the Contract including this CSA is 31%. The Westgate CRA agreed to pay for all CEI services for the Project. Approval of this budget amendment will recognize the reimbursement funding from the Westgate CRA. Districts 2 & 7 (YBH)

- 6. Staff recommends motion to approve: Consultant Service Authorization No. 6 (CSA) to the Civil Engineering Annual Services Contract (R2022-0462) dated May 17, 2022 (Contract) with Keith and Associates, Inc. dba KEITH (KAI) in the amount of \$276,833.91 for Central Boulevard, Indiantown Road to Church Street (Project). **SUMMARY:** Approval of this CSA will provide the professional engineering design and surveying services necessary to widen Central Boulevard north of Indiantown Road, improve the traffic separator at the intersection with Riverwalk Lane, extend the eastbound left turn lane on Indiantown Road, and signal design for the Project. 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 (MBE) evaluation preference for African American owned firms. KAI agreed to 51% SBE participation of which 36% is MBE participation for African American owned firms (Barnes Ferland & Associates, Inc. 12%, Brown & Phillips 10%, and Civil Services 14%) for the Contract, and 51.01% SBE participation for this CSA. Their cumulative SBE participation for the Contract including this CSA is 51.64%. KAI has an office located in Palm Beach County (County). **This Project is included in the Five-Year Road Program.** District 1 (YBH)



3. CONSENT AGENDA APPROVAL

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

7. Staff recommends motion to receive and file:

- A) Supplemental Agreement No. 2 to the State Funded Grant Agreement (R2021-0562), dated June 4, 2021, with the Florida Department of Transportation (FDOT) for the SR 7 and Weisman Way Intersection Improvements to extend the expiration date of the agreement from December 31, 2023 to December 31, 2024;
- B) Supplemental Agreement No. 2 to the Local Agency Program (LAP) Agreement (R2021-1899), dated January 25, 2022, with the FDOT for Lyons Road/Sansbury's Way from Forest Hill Boulevard to Okeechobee Boulevard to extend the expiration date of the agreement from June 30, 2024 to June 30, 2025; and
- C) Amendment No. 1 to the Standard Grant Agreement with the State of Florida Department of Environmental Protection (FDEP) (R2023-1055), dated September 5, 2023, for the Australian Avenue Drainage Improvements to reduce the funding match requirement and reallocate funding to the construction phase.

**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. As authorized by Resolutions R2012-0035 and R2023-1058, and delegation from the County Administrator, the County Engineer approved Supplemental Agreement No. 2 to the State Funded Grant Agreement (R2021-0562) on December 7, 2023; Supplemental Agreement No. 2 to the LAP Agreement (R2021-1899) on March 14, 2024; and Amendment No. 1 to the FDEP Standard Grant Agreement (R2023-1055) on March 27, 2024. Districts 2, 6, & 7 (YBH)

8. Staff recommends motion to receive and file: a report of plat recordations from April 1, 2023 through March 31, 2024. **SUMMARY:** This report is a bi-annual summary of subdivision plats recorded during the months since the previous report. No report was filed for the months of April 1, 2023 through September 30, 2023, so those plat recordations are included with this report. There were 38 plats recorded during the previous 12 months. This report is required by the Department of Engineering and Public Works Policies and Procedures Manual No. EL-O-2618, governing administrative approval of plats by the County Engineer. Countywide (YBH)

3. CONSENT AGENDA APPROVAL

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

9. Staff recommends motion to approve: an agreement with Seven Bridges Homeowners Association, Inc. (Community) for enforcement of the traffic laws of the state to be performed by the Palm Beach County Sheriff's Office (PBSO). **SUMMARY:** Approval of this agreement will authorize PBSO to provide enforcement of the traffic laws of the state upon the private roadways during normal patrol hours within the Community. Once the Community certifies that all traffic control devices installed on the Community's streets are compliant with the Manual on Uniform Traffic Control Devices (MUTCD), the Traffic Division will be able to perform field inspections to verify compliance with the MUTCD during the term of the agreement. Should the Community require enforcement by PBSO at times outside of normal patrol hours, the Community understands that a separate contract must be executed with PBSO for additional services and that the Community will be invoiced by PBSO for those additional services. District 5 (YBH)
  
10. 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. Two bids were received. Because the SBE firm was not within 10% of the low bidder, the bid rankings were not affected. The recommended award of this contract to both Florida Roadway Signs, Inc. and SGA was protested by SGA. The protest was upheld, resulting in SGA becoming the sole recommended awardee. 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

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **Staff recommends motion to receive and file:** The Quarter Ending 03-31-2024 information for Children's Services Council of Palm Beach County (CSCPBC). **SUMMARY:** The CSCPBC has submitted their Quarter Ending 03-31-2024 information as per section number 125.901(3)(f), Florida Statutes. The statement reflects only expenditures and receipts during the quarter. Countywide (DB)
2. **Staff recommends motion to approve:** a negotiated settlement offer in the amount of \$6,000 for the full satisfaction of a code enforcement lien entered against J D Eason on April 4, 2018. **SUMMARY:** On October 5, 2017, a Code Enforcement Special Magistrate (CESM) entered an order giving Mr. Eason until December 3, 2017 to resolve the violations of open storage of inoperable vehicles, debris, and an improperly parked boat on the property located at 5729 Fearnley Drive, Lake Worth. Compliance with the CESM's order was not timely achieved, resulting in the imposition of a \$50 daily fine. The CESM executed an order imposing a code lien against Mr. Eason on April 4, 2018. The Code Enforcement Division (Code Enforcement) issued an affidavit of compliance for the property on December 8, 2021. Settlement discussions began on March 7, 2024, when the total accrued fines amounted to \$57,998.53. Mr. Paul Krasker, Esq., the legal representative for Mr. Eason, has agreed to pay Palm Beach County \$6,000 (10%) for full satisfaction of the code enforcement lien. District 3 (SF)
3. **Staff recommends motion to approve:** a negotiated settlement offer in the amount of \$6,500 for the full satisfaction of a code enforcement lien recorded against Andrew T. Renna on July 1, 2020. **SUMMARY:** On October 2, 2019, a Code Enforcement Special Magistrate (CESM) entered an order giving Mr. Renna until March 30, 2020 to resolve violations including the unpermitted installation of a wooden fence and paver driveway at 22226 SW 65th Terrace, Boca Raton. Compliance with the CESM's orders was not timely achieved, resulting in the imposition of a \$50 daily fine. The CESM executed an order imposing a code lien against Mr. Renna on July 1, 2020. The Code Enforcement Division (Code Enforcement) issued an affidavit of compliance for the property on February 12, 2024 that the violations were corrected as of October 11, 2023. Settlement discussions began on March 26, 2024, when the total accrued fines amounted to \$64,524.30. Mr. Renna has agreed to pay Palm Beach County \$6,500 (10%) for full satisfaction of the code enforcement lien. District 5 (SF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: A contract with Ohlson Lavoie Corporation (Consultant) in the amount of \$962,606 to provide professional architectural/engineering (A/E) design, site planning, interior space planning, permitting and construction administration services for the Four Points/Emergency Operations Center (EOC) Connector project. **SUMMARY:** During EOC activations, the Four Points building provides for the deployment of support operations such as, but not limited to, break areas, sleeping quarters, showers/restrooms, and the Emergency Information Center (EIC). Currently, staff activated for emergency response are bused from one location to the other while weather conditions permit. Bus service is interrupted when driving conditions are no longer deemed safe, and restored as soon as weather conditions allow. Therefore, during every activation there is an undetermined period of time during which staff at each building must remain stationary. The main role of the Four Points/EOC Connector project will be to deliver additional program area to support meetings on the first and second floor of the EOC building, additional restrooms on each floor and stairs/elevators to support vertical circulation and to provide connectivity between the two buildings thereby facilitating emergency operations. The new building connector will address the County's need to provide a permanent connection between the two buildings which can be used during hurricanes and other emergency activations. Professional services for this contract include design, site planning, interior space planning, permitting and construction administration services for a new building connector which is expected to require a combination of at-grade and above-grade improvements to provide a physical link from the EOC building to the second floor of the adjacent Four Points building. The two buildings are approximately one-hundred and ninety (190) feet apart, separated by surface parking, on-site vehicular circulation, landscaping and underground utilities. There is additionally an approximate 6'-10" floor-to-floor height difference between the two buildings' second floor levels which will need to be addressed as part of the project design. It is the County's intent to have each floor of the EOC be accessible to the building connector with the Four Points building only requiring access from the second level corridor where the EIC training room and support facilities for personnel assigned to EOC activations are located. For this reason a combination of at-grade and above-grade improvements are expected in order to accomplish the project while maintaining existing site circulation and facility operations into the future. The solicitation for design professionals was advertised on April 9, 2023 according to the Equal Business Opportunity (EBO) Ordinance, with final selection on September 14, 2023.

3. CONSENT AGENDA APPROVAL

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

1. **SUMMARY (cont'd.):** The project was presented to the Goal Setting Committee on December 7, 2022. The Committee established Affirmative Procurement Initiatives (APIs) of a minimum mandatory participation goal of 20% Small Business Enterprise (SBE) participation and a Minority Business Enterprise (MBE) evaluation preference for African American firms. The Consultant committed to a 36.11% SBE participation goal of which 28.83% is MBE participation from African American businesses for this contract. **Funding for this project is from the ARPA Response Replacement funds that do not require a local match.** (Capital Improvements Division) District 3 (MWJ)
  
2. Staff recommends motion to receive and file: the Roger Dean Chevrolet Stadium (RDSCS) Renovation Project (Project) development period report no. 5 (Development Report No.5), for the period from January 23, 2024 through April 22, 2024, to the Department of Economic Opportunity (DEO). **SUMMARY:** On August 22, 2023, the Board of County Commissioners (Board) authorized the Mayor (R2023-1105) to execute future Development Reports and annual reports as required under the Spring Training Facility Funding Agreement (R2023-0367) (State Funding Agreement). On March 14, 2023, the Board approved the State Funding Agreement with the DEO for the RDSCS Renovation Project. The State Funding Agreement provides \$50,000,000 of State Funding under Florida Statutes 288.11631 over a 25 year period for the RDSCS Renovation Project. Under the terms of the State Funding Agreement, the County must furnish annual reports and, during the development period, must submit periodic Development Reports every 90 days to the DEO. The Development Reports detail the status of the RDSCS Renovation Project and the funds expended to date on the same. For the annual reports and the Development Reports, the Mayor must certify that all information and documentation contained in the reports are true and correct. In accordance with R2023-1105, the Mayor executed the Development Report No. 5 on behalf of the Board, which was submitted to the DEO. This executed document is now being submitted to the Board to receive and file. (FDO ADMIN) District 1/Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

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

3. Staff recommends motion to approve: First Amendment to the Amended and Restated Interlocal Agreement (R2019-0844) (Agreement) with the Department of Homeland Security, Transportation Security Administration (Agency), to extend the term of the Agreement for interoperable communications through the countywide common talk groups of the County's Public Safety Radio System (County's System) from June 18, 2024 through June 17, 2029. **SUMMARY:** This Agreement, which provides the terms and conditions under which the Agency can program its radios into and utilize the countywide common talk groups for certain types of inter-agency communications, expires on June 17, 2024. This Agreement provided for two (2) renewal options, each for a period of five (5) years. The Agency has approved the amendment to extend the term of the Agreement to June 17, 2029, and the renewal now requires approval by the Board of County Commissioners (Board). The terms of the Agreement are standard and have been offered to all municipalities and local branches of state and federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with this Agreement. The Agency is required to pay all costs associated with the Agency's subscriber units and to comply with the established operating procedures for the County's System. This First Amendment extends the term of the Agreement, updates standard operational provisions, and adds the E-verify provision. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

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

4. Staff recommends motion to approve:

- A) First Amendment to the Amended and Restated Interlocal Agreement (R2019-0740) with the City of Coral Springs (Coral Springs), to extend the term of the Agreement for interoperable communications through the countywide emergency medical services (EMS) and common talk groups of the County's Public Safety Radio System (County's System) from June 4, 2024 through June 3, 2029; and
- B) First Amendment to the Amended and Restated Interlocal Agreement (R2019-0843) with the City of Coconut Creek (Coconut Creek), to extend the term of the Agreement for interoperable communications through the countywide common talk groups of the County's Public Safety Radio System (County's System) from June 18, 2024 through June 17, 2029.

**SUMMARY:** The agreements (R2019-0740 and R2019-0843), which provide the terms and conditions under which each city can utilize the countywide EMS and/or common talk groups of the County's System, are set to expire. Each agreement provided for two (2) renewal options, each for a period of five (5) years. Each city has approved an amendment to extend the term of the agreement, and the renewals now require approval by the Board of County Commissioners (Board). The terms of the agreements are standard and have been offered to all municipalities, local branches of state and federal agencies and ambulance service providers with 800 MHz trunked radio capabilities. There are no charges associated with these agreements. Each city is required to pay all costs associated with its subscriber units and to comply with the established operating procedures for the County's System. The First Amendment for Coral Springs extends the term of the agreement, updates the standard operational provisions, and adds provisions for annual budgetary funding /cancellation and E-verify. The First Amendment for Coconut Creek extends the term of the agreement, updates standard operational provisions, and adds the E-verify provisions. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

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

5. Staff recommends motion to approve: First Amendment to the Amended and Restated Interlocal Agreement (R2019-0956) (Agreement) with the State of Florida, State Attorney's Office, 15<sup>th</sup> Judicial Circuit (Participant) to extend the term of the Agreement for direct access to the County's Public Safety Radio System (System) from July 2, 2024 through July 1, 2029, with revenue fees totaling \$5,718.36 annually. **SUMMARY:** The Agreement, which provides the terms and conditions under which the Participant can directly access the System, is set to expire on July 1, 2024. The Agreement provides for two (2) renewal options, each for a period of five (5) years. The Participant has approved the amendment to extend the term of the Agreement to July 1, 2029, and the renewal now requires approval by the Board of County Commissioners (Board). The terms of this Agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies where connection through an established municipal hub is not technically feasible. The annual fees are consistent with those being charged to County Departments. In addition, the Participant is required to pay all costs associated with Participant's subscriber units and to comply with the established operating procedures for the County's System. This First Amendment extends the term of the Agreement and adds the E-verify provision. Other than the changes set forth herein, all other terms remain the same. The annual fees for each unit will be added to the Renewal and Replacement Fund and the maintenance fees to the Maintenance and Operation Fund. (ESS) Countywide (MWJ)



3. CONSENT AGENDA APPROVAL

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

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

<u>Contractors</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
A) In Depth Inc.	Non-Local	Non-SBE
B) Leonard Graham Inc. dba LGI Construction	Local	Non-SBE

**SUMMARY:** On February 11, 2020, the Board of County Commissioners (Board) approved the annual minor construction contract (R2020-0142 through R2020-0151). The work consists of construction services associated with repairs, improvements and renovations to County-owned properties on an as needed basis. The Contractors now join the list of forty-one (41) prequalified contractors for a total of forty-three (43) prequalified contractors with a contract expiration date of February 10, 2025. The specific requirements of the work will be determined by individual work orders issued against this annual minor construction contract. These contracts are five (5) year indefinite-quantity contracts with a maximum cumulative value of \$25,000,000 across all prequalified contractors. Work will be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors may qualify at any time and be added to this annual minor construction contract before the term ends. Projects less than \$100,000 are bid among the pool of certified Small Business Enterprise (SBE) contractors, when three (3) or more small businesses are qualified under the contract. Projects \$100,000 or greater are advertised on the vendor self-service (VSS) website and are bid among the pool of pre-qualified contractors while projects \$200,000 or greater are advertised on the VSS website and additionally advertised in the newspaper. The bidding pool is further expanded, for projects \$100,000 or greater, to include additional bidders responding to the specific project advertisement that submit a qualification application at least ten (10) calendar days before the bid due date. The annual minor construction contract was presented to the Goal Setting Committee on August 21, 2019 and the Committee established three Affirmative Procurement Initiatives (APIs): 1) sheltered market for projects under \$100,000; or 2) a SBE contractor will be given a price preference if its bid is within 10% of the lowest non-small business bid on a single trade project \$100,000 or greater; or 3) a mandatory 25% SBE subcontracting goal for a multi-trade project \$100,000 or greater. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be tracked cumulatively for all work orders issued. To date, the cumulative S/M/WBE participation for all work orders under the annual minor construction contract is 62.67%. (Capital Improvements) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

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

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

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
Horsepower Electric Inc.	Non-Local	Non-SBE

**SUMMARY:** On November 19, 2019, the Board of County Commissioners (Board) approved the annual electrical contract (R2019-1752 through R2019-1758). The work consists of electrical repairs, improvements and renovations to County-owned properties on an as needed basis. The contractor now joins the list of eighteen (18) prequalified contractors for a total of nineteen (19) prequalified contractors with a contract expiration date of November 18, 2024. The specific requirements of the work will be determined by individual work orders issued against this annual electrical contract. These contracts are five (5) year indefinite-quantity contracts with a maximum cumulative value of \$11,000,000 across all prequalified contractors. Work will be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors may qualify at any time and be added to this annual electrical contract before the term ends. Projects less than \$100,000 are bid among the pool of certified Small Business Enterprise (SBE) contractors, when three (3) or more small businesses are qualified under the contract. Projects \$100,000 or greater are advertised on the vendor self-service (VSS) website and are bid among the pool of pre-qualified contractors while projects \$200,000 or greater are advertised on the VSS website and additionally advertised in the newspaper. The bidding pool is further expanded, for projects \$100,000 or greater, to include additional bidders responding to the specific project advertisement that submit a qualification application at least ten (10) calendar days before the bid due date. The annual electrical 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. Actual Small/ Minority/ Women Owned Business Enterprise (S/M/WBE) participation will be tracked cumulatively for all work orders issued. To date, the cumulative S/M/WBE participation for all work orders under the annual electrical contract is 43.95%. (Capital Improvements) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

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

8. Staff recommends motion to approve: Amendment No. 3 to extend the term of the contract (R2017-0773) with Jacobs Project Management Co. (Jacobs) to provide program management services for the General Government Capital Program (GGCP) from June 6, 2024 through June 5, 2025, and increase labor rates as allowed by contract provisions. **SUMMARY:** On June 6, 2017, the Board of County Commissioners (Board) approved the contract (R2017-0773) with Jacobs to provide program management services to assist the Facilities Development Operations Department (FDO)/Capital Improvements Division (CID) with the implementation of the GGCP, which includes the Infrastructure Sales Tax Program and general government 5-Year Capital Improvement Plan. The original contract term was five (5) years with an option to renew for five (5) additional one-year terms. On May 17, 2022, the Board approved Amendment No. 1 (R2022-0487) for the first renewal which authorized revisions to contract terms and conditions; set new hourly rates (labor rates and multiplier), incorporated the E-verify language, and added two staff members (i.e., an estimator and a project manager) to the personnel complement provided by Jacobs. On May 16, 2023, the Board approved Amendment No. 2 (R2023-0665) for the second renewal which authorized revisions to contract terms and conditions, and set new hourly rates (labor rates) for Jacobs' personnel and subconsultants performing services during the term of the contract. The contract is set to expire on June 5, 2024. Amendment No. 3 exercises the third renewal option to extend the contract through June 5, 2025. Additionally, Amendment No. 3 sets new hourly rates (labor rates) for Jacobs' personnel and subconsultants that will perform services during the term of the contract. The contract allows the raw labor rates to be adjusted for the Consumer Price Index (CPI) up to 3% after the first 2 years. Unlike typical consultant contracts, a Notice to Proceed (NTP) is issued annually by October 1<sup>st</sup> for approval as part of the annual GGCP in the upcoming budget year. The NTP will be issued administratively in an amount not to exceed the amount approved as part of the annual capital improvement program. If the NTP is not issued by October 1<sup>st</sup> of each fiscal year (FY), then the County may terminate the contract. The contract value under Amendment No. 3 is for a not to exceed amount of \$1,752,127.34. However, this item only authorizes expenses for the remainder of FY 2024 of \$584,311.11, which will be reflected in the NTP issued to Jacobs following the approval of this item. The Office of Equal Business Opportunity (OEBO) has reviewed the existing SBE participation and approved this extension request under the existing SBE contract terms. This contract was advertised according to the County's prior Small Business Enterprise (SBE) program where a 15% subcontracting goal was applied.

3. CONSENT AGENDA APPROVAL

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

8. **SUMMARY (cont'd.):** To date, the overall SBE participation on this contract is 15.87%. Jacobs is not a certified SBE firm but has an office located in Palm Beach County. **All program management costs (Estimator, Project Executive, Sr. Project Manager, Program Controls Manager and project controls set-up) will be capitalized to the Infrastructure Sales Tax projects and the costs associated with the Project Managers and Field Inspectors will be charged to the applicable projects.** (Capital Improvements Division) Countywide (MWJ)
  
9. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 38 to the continuing consulting services/design professional services contract (R2019-1899) with Colomé & Associates, Inc. (Consultant) in the amount of \$159,398.98 for the Main Library Renovations-Space Reconfiguration project. **SUMMARY:** On December 17, 2019, the Board of County Commissioners (Board) approved the continuing consulting services/design professional services contract (R2019-1899) with the Consultant to provide consulting services/design professional services for various projects on a continuing contract basis. This item will authorize professional services necessary for CSA No. 38 for the Main Library Renovations-Space Reconfiguration project. The Libraries Department desires interior and exterior renovations to the existing first floor and basement floor of the facility located at 3650 Summit Boulevard, West Palm Beach. Under CSA No. 38, the Consultant will provide professional services (architectural refinement of previously submitted conceptual design, construction documents consisting of three phases, cost estimating, permit documents, bidding and construction administration consisting of three phases) necessary for the interior and exterior renovations for the Main Library Renovations-Space Reconfiguration project. The interior and exterior renovations include, but are not limited to, the reconfiguration and renovations to select areas of the facility such as the administrative building areas, large meeting room, new staff restrooms and breakrooms at the basement floor and new pre-engineered exterior canopy structures. The interior and exterior renovations to select areas of the facility will enhance the work flow and consolidation of work groups. This 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 20% mandatory small business enterprise (SBE) subcontracting goal on the contract and an SBE evaluation preference for the selection. The Consultant committed to an SBE participation goal of 85%. The SBE participation on this CSA is 91.97%. To date, the SBE participation on the contract is 86.50%. The Consultant is a certified small woman owned business enterprise (S/WBE). Funding for this project is from the Library Improvement Fund. (Capital Improvements Division) District 3 (MWJ)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to approve: the Second Amendment to the Interlocal Agreement (R2006-0512) between Palm Beach County and the City of Palm Beach Gardens, the Town of Jupiter, the Town of Mangonia Park, the Town of Lake Park, and the City of Riviera Beach (collectively the “Parties”) establishing the Bioscience Land Protection Advisory Board (BLPAB), terminating the Interlocal Agreement retroactively to January 22, 2024. **SUMMARY:** On January 22, 2024, the BLPAB voted unanimously to sunset. On January 23, 2024, the Board of County Commissioners (BCC) gave County Staff direction to sunset the BLPAB and to terminate the Interlocal Agreement creating said Board. All Parties have determined it is in their interest to approve the Second Amendment to terminate the Interlocal Agreement retroactively to January 22, 2024 as noted in Attachment 1. Districts 1 and 7 (DL)

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:
  - A) **approve** an Easement Agreement (Agreement) for Dune Restoration with Ocean Walk Place Homeowners Association, Inc. to facilitate the North County Comprehensive Shore Protection Project (NCCSPP), Segment 2, effective upon execution for a term of 50 years;
  - B) **approve** an Agreement for Dune Restoration with The Sea Brook Place Condominium Association, Inc. to facilitate the NCCSPP, Segment 2, effective upon execution for a term of 50 years;
  - C) **approve** an Agreement for Dune Restoration with Xanadu by the Sea Property Owners Association, Inc. to facilitate the NCCSPP, Segment 2, effective upon execution for a term of 50 years; and
  - D) **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 are critical to management of the NCCSPP, Segment 2. The Agreements provide the County with construction access for dune restoration and maintenance activities, in order to construct shoreline restoration projects that provide habitat for listed species, create recreational opportunities for the public and protect upland infrastructure. District 1 (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (cont'd.)

2. Staff recommends motion to:

**A) receive and file** Amendment to the Florida Inland Navigation District (FIND) Project Agreement PB-21-215 (Agreement PB-21-215) between Palm Beach County (PBC) and FIND for construction and monitoring of the South Lake Worth Inlet (SLWI) Sand Trap and Boat Channel Dredging Project (Project), extending the Project period from September 30, 2023 to September 30, 2024;

**B) receive and file** Amendment to the Interlocal Agreement for FIND Project Agreement ICW-PB-22-05 (Agreement ICW-PB-22-05) between PBC and FIND for the Cut P-50 dredging (Project), extending the Project period from September 30, 2023 to September 30, 2024; and

**C) approve** Budget Amendment in the Beach Improvement Fund for \$734,100 to recognize the revenue from FIND Agreement PB-21-215 and for \$947,875 to recognize the revenue from FIND Agreement ICW-PB-22-05.

**SUMMARY:** On May 4, 2021 (R2021-0591), the Board of County Commissioners (BCC) adopted a Resolution for Assistance 2021 under the FIND Waterways Assistance Program (WAP) authorizing submission of a grant application and authorizing the County Administrator, or designee, to sign all future time extensions and minor amendments associated with the Agreement. Agreement PB-21-215 (R2022-0208) reimburses the County for dredging costs associated with the Project estimated to be \$734,100. On March 8, 2022, Agreement PB-21-215 was received and filed by the BCC. On October 4, 2022, the BCC approved the Agreement ICW-PB-22-05 (R2022-1166) and authorized the County Administrator, or designee, to sign all future time extensions and minor amendments associated with the Agreement. Agreement ICW-PB-22-05 reimburses the County for dredging costs associated with the Project estimated to be \$947,875. These fully executed Amendments were received on March 29, 2024, extending the Project period from September 30, 2023 to September 30, 2024. 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. **There is no cost to the County.** District 4 (SS)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: an executed Entertainment Contractor Agreement with Peter H. Noble in an amount of \$500 for the North 40 concert at Canyon Amphitheater on March 16, 2024. **SUMMARY:** The Parks and Recreation Department produces cultural activities to promote the quality of life in the communities it serves. A sponsorship was received for the Legends of the Lawn events from Nostalgic America to offset the expense of this concert at the Canyon Amphitheater. This Entertainment Contractor Agreement has been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution 2008-1109, amended by Resolutions 2010-0644, 2014-0168 and 2017-1367. The Department is now submitting this Agreement in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a receive and file agenda item. District 5 (AH)
  
2. Staff recommends motion to receive and file: the following two (2) executed Promoter Amphitheater Rental Agreements:
  - A) Nostalgic America, Inc., for the Nostalgic America Tribute Band concert at Sunset Cove Amphitheater, for the period of February 29, 2024 through March 4, 2024. This concert generated \$14,699 in revenue, with \$4,503 in direct expenses; thus providing a net fiscal impact of \$10,196; and
  
  - B) Latitude-88, Inc., for the Boca Blues Festival at Sunset Cove Amphitheater, for the period of November 14, 2024 through November 18, 2024. The revenue and operating expenses will be recorded post-event.

**SUMMARY:** These Standard Promoter Amphitheater Rental Agreements have been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution 2023-0423. The Department is now submitting these Agreements in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a receive and file agenda item. District 5 (AH)

JUNE 4, 2024

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (cont'd.)

3. Staff recommends motion to receive and file: an executed Sound and Light Production Service Contractor Agreement with Sanderford Sound, Inc., in an amount not to exceed \$1,400 for the Nostalgic America Tribute Band concert at Sunset Cove Amphitheater for a period of March 1, 2024 through March 3, 2024. **SUMMARY:** This Sound and Light Production Service Contractor Agreement has been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution 2009-0592, amended by Resolutions 2010-0645, 2014-0167, 2017-1368 and 2018-0179. The Department is now submitting this Agreement in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a receive and file agenda item. District 5 (AH)



3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (cont'd.)

4. Staff recommends motion to receive and file: the following two (2) executed Special Events Rental Agreements:

- A) Salto Entertainment LLC, for the Great Mr. Swindle's Traveling Peculiarium & Drink Ory Garden event at Carlin Park for the period of February 26, 2024 through March 18, 2024. This event generated \$8,684 in revenue, with \$484 in direct expenses; thus providing a net fiscal impact of \$8,200; and
- B) First Amendment with Salto Entertainment LLC, for the Great Mr. Swindle's Traveling Peculiarium & Drink Ory Garden event at Carlin Park, extending the event date from March 18, 2024 to March 25, 2024. The extended dates yielded a net fiscal impact of \$1,500.

**SUMMARY:** This Special Events Rental Agreement and First Amendment have been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution R2021-1552. The Department is now submitting this Agreement and First Amendment in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a Receive and File agenda item. District 1 (AH)

5. Staff recommends motion to approve: an Agreement with the Young Men's Christian Association (YMCA) of South Palm Beach County, Inc. for the Operation of Summer Camp at West Boynton Recreation Center effective June 10, 2024 through August 2, 2024. **SUMMARY:** The Parks and Recreation Department (Department) wishes to continue its summer day camp programming by partnering with not-for-profit organizations for the operation of summer camps at certain County owned recreation centers. The YMCA will utilize space at West Boynton Park and Recreation Center for up to 100 children. Registration will be open to the public and Youth Services Summer Camp scholarship recipients are eligible to attend. The YMCA is responsible for all operating expenses and ensuring compliance with CDC guidelines associated with summer day camp programs. In exchange, the County will provide use of the facility at no charge. District 2 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (cont'd.)

6. **Staff recommends motion to approve:** an Agreement with Faith's Place Center For Arts Education, Inc., (Faith's Place) for the Operation of Summer Camp at Westgate Park and Recreation Center effective June 10, 2024 through July 26, 2024. **SUMMARY:** The Parks and Recreation Department (Department) wishes to continue its summer day camp programming by partnering with not-for-profit organizations for the operation of summer camps at certain County owned recreation centers. Faith's Place, will utilize space at Westgate Recreation Center for up to 100 children. Registration will be open to the public and Youth Services Summer Camp scholarship recipients are eligible to attend. Faith's Place is responsible for all operating expenses and ensuring compliance with CDC guidelines associated with summer day camp programs. In exchange, the County will provide use of the facility at no charge. District 7 (AH)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. Staff recommends motion to:

**A) adopt** a Resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, approving a Public Transportation Grant Agreement (PTGA), in Section 5311 funding (CFDA 20.509) with the State of Florida Department of Transportation (FDOT), providing a grant in the amount of \$1,870,000, to purchase eleven (11) Paratransit vehicles. This PTGA will become effective upon FDOT execution with an expiration date of April 30, 2026;

**B) approve** the Authorization for the County Administrator or designee to execute on behalf of the BCC, and to transmit electronically the BCC's approval of the PTGA, that do not substantially change the scope of work, or terms and conditions of the Agreements;

**C) approve** Budget Amendment of \$1,870,000 in Palm Tran's Grant Fund 1341 to recognize the grant award; and

**D) 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 \$1,871,209, to purchase eleven (11) paratransit cutaway buses to be used in the provision of Paratransit and Go Glades services.

**SUMMARY:** On March 22, 2022, the application for Section 5311 Capital funds was approved by the BCC (R2022-0260), the application packet was submitted to FDOT for a competitive selection process. Palm Tran requested funds to replace and expand the vehicles providing service in Palm Beach County's rural area. The PTGA will fund the purchase of two (2) replacement and two (2) expansion vehicles for Go Glades Service, and the replacement of six (6) Paratransit vehicles and one (1) expansion vehicle providing Palm Tran Connection's Service. FDOT issued a PTGA on April 24, 2024 and requested a resolution that identifies the signatory's name/title along with the email address so that FDOT can route the document in DocuSign. This PTGA in the amount of \$1,870,000 requires **no County Match**. The grant requires broader indemnification by the County than that approved by PPM CW-F-049. The grant requires the County and its officers, agents, or employees to indemnify, defend, and hold harmless 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 and advised staff accordingly. 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:

**A) adopt** a Resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, approving a Public Transportation Grant Agreement (PTGA-G2T30), in Transportation Regional Incentive Program (TRIP) funding (CSFA 55.026) with the State of Florida Department of Transportation (FDOT), providing a grant in the amount of \$1,690,027, to purchase three (3) Electric Buses for Palm Tran's Fixed Route Service. This PTGA will become effective upon FDOT execution with an expiration date of December 31, 2027; and

**B) approve** Budget Amendment of \$1,690,027 in Palm Tran's Grant Fund 1341 to recognize the grant award.

**SUMMARY:** On March 1, 2023, Palm Tran submitted to FDOT for a competitive selection process an application for TRIP Funding, requesting to replace three (3) diesel buses with three (3) electric buses. This PTGA G2T30, in the amount of \$3,380,054 **requires a match of 50% or \$1,690,027** and provides a grant in the amount of \$1,690,027. The match is included in Palm Tran's ~~proposed FY2025~~ FY 2024 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 and advised staff accordingly. 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.)

3. Staff recommends motion to:

- A) **adopt** a Resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, approving a Public Transportation Grant Agreement (PTGA), in Public Transit Service Development Program funding (CSFA 55.012) with the State of Florida Department of Transportation (FDOT), providing a grant in the amount of \$106,000, for Voucher/Mobility on Demand Pilot. This PTGA will become effective upon FDOT execution with an expiration date of June 1, 2027;
- B) **approve** Budget Amendment of \$106,000 in Palm Tran's Grant Fund 1341 to recognize the grant award and the corresponding transfer to Palm Tran's Operating Fund 1340;
- C) **approve** Budget Transfer of \$106,000 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 \$106,000 to increase the General Fund 0001 Contingency Reserves and to reduce the transfer to the Palm Tran's Operating Fund 1340.

**SUMMARY:** On June 24, 2022, Palm Tran submitted to FDOT for a competitive selection process an application for the Service Development Program, requesting funds for Voucher/Mobility on Demand Pilot. This PTGA, in the amount of \$212,000 **requires a match of 50% or \$106,000** and provides a grant in the amount of \$106,000. 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 and advised staff accordingly. 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) **adopt** a Resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, approving a Public Transportation Grant Agreement (PTGA), Section 5311, Formula Grants for Rural Areas Program (CFDA 20.509) with the State of Florida Department of Transportation (FDOT), providing a grant in the amount of \$800,000, to partially offset the operational costs for the Go Glades Service in the Glades Region, This PTGA will become effective upon FDOT execution with an expiration date of March 31, 2026;
- B) **approve** a Budget Amendment of \$800,000 in the Palm Tran Grant Fund 1341 to recognize the grant award and the transfer budget to Palm Tran Operating Fund 1340;
- C) **approve** a Budget Transfer of \$800,000 in the Palm Tran Operating Fund 1340 to increase the transfer from Palm Tran's Grant Fund 1341 and reduce the transfer from the General Fund 0001; and
- D) **approve** a Budget Transfer of \$800,000 in the General Fund 0001 to reduce the transfer to Palm Tran Operating Fund 1340 and increase Contingency Reserves.

**SUMMARY:** On May 2, 2023, the application for Section 5311 Capital funds was approved by the BCC (R2022-0615). The PTGA will partially offset the operating costs of Go Glades service in the Glades Region of Palm Beach County. This PTGA, in the amount of \$1,600,000 **requires a match of 50% or \$800,000** and provides a grant in the amount of \$800,000. 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 and advised staff accordingly. 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

CC. SHERIFF

1. Staff recommends motion to:

**A) receive and file** Grant Modification #3 with the Office of National Drug Control Policy to provide supplemental funds in the amount of \$25,000 for the Palm Beach County Sheriff's Office, effective on April 24, 2024; and

**B) approve** a Budget Amendment of \$25,000 in the Sheriff's Grant Fund.

**SUMMARY:** On April 4, 2023, the Board of County Commissioners (BCC) accepted a grant award on behalf of the Palm Beach County Sheriff's Office (PBSO) from the Office of National Drug Control Policy (ONDCP) in the amount of \$105,154 for the period of January 1, 2023 through December 31, 2024 (R2023-0444), to provide overtime support for the Palm Beach County Narcotics Task Force (PBCNTF). On November 21, 2023, the BCC accepted supplemental funds in the amount of \$18,791.23 to continue to support the PBCNTF (R2023-1727). On January 24, 2024, the BCC accepted \$29,124.50 in supplemental funds to continue to support the PBCNTF (R2024-0091). This agenda item will provide an additional \$25,000 in grant funds for the PBCNTF, which brings the total grant award to \$178,069.73. There is **no match requirement** associated with this award. The Catalog of Federal Domestic Assistance (CFDA) number is 95.001 and the contract number is G23MI0011A. Countywide (RS)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (cont'd.)

2. Staff recommends motion to:

**A) accept** on behalf of the Palm Beach County Sheriff's Office, a Federally-Funded SubAward and Grant Agreement from the Florida Division of Emergency Management for a FY 2023 Operation Stonegarden Grant in the amount of \$495,000 for the period of May 1, 2024 through September 30, 2025; and

**B) approve** a Budget Amendment of \$495,000 in the Sheriff's Grants Fund.

**SUMMARY:** On May 1, 2024, the Palm Beach County Sheriff's Office (PBSO) received a FY23 Operation Stonegarden grant award to enhance 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.B.P. Specifically, grant funding will pay for overtime to patrol our waterways, reinforce our presence within local communities along the coast; and intercept those who have illegally crossed our borders. 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 R0926. Countywide (RS)

3. Staff recommends motion to:

**A) accept** on behalf of the Palm Beach County Sheriff's Office, a Federally Funded Sub-Award & Grant Agreement for a FY23 State Homeland Security Grant from the Florida Division of Emergency Management in the amount of \$336,000 for the period of April 29, 2024 through September 30, 2025; and

**B) approve** a Budget Amendment in the amount of \$336,000 in the Sheriff's Grant Fund.

**SUMMARY:** On April 29, 2024, the Palm Beach County Sheriff's Office (PBSO) received a FY23 State Homeland Security Grant Program (SHSGP) award from the State of Florida, Division of Emergency Management for the period April 29, 2024 through September 30, 2025. These funds will be used for specialty team equipment, training and intelligence and information sharing initiatives. 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 R0916. Countywide (RS)



JUNE 4, 2024

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, a High Intensity Drug Trafficking Area (HIDTA) grant agreement in the amount of \$93,236 for the Palm Beach Narcotics Task Force, for the period of January 1, 2024 through December 31, 2025; and

**B) approve** a Budget Amendment of \$93,236 in the Sheriff's Grant Fund.

**SUMMARY:** On May 1, 2024, the Palm Beach County Sheriff's Office (PBSO) received a grant award from the Office of National Drug Control Policy (ONDCP) in the amount of \$93,236 for the period of January 1, 2024 through December 31, 2025. The funds will be used for overtime and other expenses to support the Palm Beach Narcotics Task Force investigations. There is **no match requirement** associated with this award. The Catalog of Federal Domestic Assistance (CFDA) number is 95.001 and the contract number is G24MI0011A. Countywide (RS)

3. CONSENT AGENDA APPROVAL

DD. MEDICAL EXAMINER

1. Staff recommends motion to:

- A) **receive and file** Award Agreement D0359 for Federal grant funding assistance through the Florida Department of Law Enforcement (FDLE) in the amount of \$4,499.90 for the purchase of two (2) MOPEC 1000 autopsy saws for the Medical Examiner’s Office for the period of October 1, 2023 through September 30, 2025; and
- B) **approve** a Budget Amendment of \$1,500 in the General Fund to adjust the budget to the actual grant award.

**SUMMARY:** The United States Department of Justice, Office of Justice Programs, National Institute of Justice has awarded the FY2023 Paul Coverdell Forensic Sciences Improvement Act Formula Grant Program, CFDA No. 16.742; federal grant award number 15PBJA-23-GG-00945-COVE, to the Palm Beach County Medical Examiner’s Office, through the FDLE. The Palm Beach County Medical Examiner’s Office was notified of this grant award on April 2, 2024. The grant funding will be used to purchase two autopsy saws. On June 4, 2013 (R2013-0704), the County Administrator or designee was authorized to execute future grant agreements, amendments, and modifications with the FDLE. **No County match is required for this grant.** Countywide (SF)

EE. COMMISSION ON ETHICS

- 1. Staff recommends motion to approve: an Interlocal Agreement (ILA) with the City of Westlake and Palm Beach County to engage the services of the Palm Beach County Commission on Ethics for a three (3) year term and retroactive and in effect from February 2, 2024 through February 2, 2027. **SUMMARY:** The City of Westlake (City) agreed to subject itself to the jurisdiction and authority of the Commission on Ethics and its Executive Director. This ILA identifies the roles and responsibilities of the Commission on Ethics and the City in implementing the Palm Beach County Code of Ethics. The ILA is subject to final approval of the Board of County Commissioners. District 6 (DB)

\* \* \* \* \*

**JUNE 4, 2024**

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

- A)** Proclamation declaring June 3 – 7, 2024 as Code Enforcement Officers Appreciation Week. (District 1)
- B)** Proclamation declaring June 27, 2024 as National HIV Testing Day. (District 2)
- C)** Proclamation declaring June 4, 2024 as Friends of Fisher House Inc. Day. (District 3)
- D)** Proclamation declaring June 1 – 8, 2024 as NeighborWorks Week. (District 7)
- E)** Proclamation declaring June 4, 2024 as Dave Aronberg Day. (District 5)
- F)** Proclamation declaring June 19, 2024 as Juneteenth Day. (District 7)
- G)** Proclamation declaring June 20, 2024 as Dump the Pump Day. (District 4)

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5. REGULAR AGENDA

A. FACILITIES DEVELOPMENT & OPERATIONS

1. [Staff recommends motion to approve:](#) a Lease Agreement with Pero Family Farms, LLC (Pero), a Florida Limited Liability Company, for approximately 272.06 acres of agricultural land (Property) in the Ag Reserve Area in Boynton Beach for commercial farming of row crops for a term of five (5) years commencing July 1, 2024 through June 30, 2029, plus three (3) successive five (5) year renewal options, at an initial rental rate of \$160,000 annually. **SUMMARY:** The County desires to continue to use the 272.06 acres property, located at 12100 S. State Road 7 in Boynton Beach, as part of the Ag Reserve program for preservation of farmland. The current tenant (Pero) operates under a Lease Agreement dated September 11, 2001 (R2001-1544) which expires on June 30, 2024. In November 2023, Facilities Development & Operations advertised Request for Proposals No. 2024-102-DML (RFP) to lease the Property for commercial farming of nursery plants or row crops. Pero submitted the only proposal. On April 3, 2024, the Selection Committee reviewed the responsive submittal and unanimously recommended to award Pero the Lease Agreement. The initial term of the Lease Agreement will commence on July 1, 2024, expiring June 30, 2029, with three (3) successive options to extend, each for a period of five (5) years. The annual rent for the initial term is \$160,000. Each extension option is subject to an appraisal of the then fair market value rental rate. Property and Real Estate Management (PREM) will manage and administer the Lease Agreement. (Property & Real Estate Management) District 5 (HJF)

5. REGULAR AGENDA

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

2. **Staff recommends motion to approve:** a Lease Agreement with Pero Family Farms, LLC (Pero), a Florida Limited Liability Company, for approximately 570.77 acres of agricultural reserve land (Property) in the Agricultural Reserve Area in Boynton Beach for commercial farming of row crops for a term of five (5) years commencing July 1, 2024 through June 30, 2029, plus three (3) successive five (5) year renewal options, at an rental rate of \$350,000 annually. **SUMMARY:** The County desires to continue to use the 570.77 acre property, consisting of two parcels located at 13697 S. State Road 7 and 14095 S. State Road 7 in Boynton Beach as part of the Ag Reserve program, for preservation of farmland. The current tenant (Pero) operates under a Lease Agreement dated June 18, 2013 (R2013-0790), which expires on June 30, 2024. In November 2023, Facilities Development & Operations advertised Request for Proposals No. 2024-101-DML (RFP) to lease the Property for commercial farming of nursery plants or row crops. Pero submitted the only proposal. On April 3, 2024, the Selection Committee reviewed the responsive submittal and unanimously recommended to award Pero the Lease Agreement. The initial term of the Lease Agreement will commence on July 1, 2024, expiring June 30, 2029, with three (3) successive options to extend, each for a period of five (5) years. The Annual Rent for the initial term is \$350,000, each extension option is subject to an appraisal of the then fair market value rental rate. Property and Real Estate Management (PREM) will manage and administer the Lease Agreement. (Property & Real Estate Management) District 5 (HJF)

5. REGULAR AGENDA

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

3. Staff recommends motion to approve:

- A) an agreement with Community Foundation for Palm Beach and Martin Counties, Inc. (Community Foundation) for the development and planning of the Palm Beach County African American Museum (Museum) in the amount of \$1,000,000 for an initial term of three years with an option to renew for an additional three years;
- B) an agreement with Community Foundation for the development and planning of the Palm Beach County Multicultural Resources Center and museum (Multicultural Center) in the amount of \$1,000,000 for an initial term of three years with an option to renew for an additional three years; and
- C) a Budget Transfer from Reserves in the American Rescue Plan Act (ARPA) Response Replacement Fund in the amount of \$1,000,000 to allocate available funding to the Multicultural Center.

5. REGULAR AGENDA

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

3. **SUMMARY:** Palm Beach County (“County”) and the Palm Beach County School District (“School District”), along with community stakeholders, are collaborating towards the planning and development of the Museum and a supporting research library, both to be sited at the former Roosevelt Full Service Center (“Roosevelt Center”) which is owned by the School District and located at 1601 North Tamarind Avenue, West Palm Beach. The School District has commenced phase 1 of the Roosevelt Center renovation project. Phase 2 of the project will provide for renovation of the buildings at the Roosevelt Center that will house the research library and for construction of a new 20,000 sq.ft. 2-story building to house the Museum. The scope of work for Phase 2 of the Roosevelt Center renovation project as will be implemented by the School District will be limited to shell construction, with design and construction of the interior buildout to be undertaken as a separate construction effort not funded nor lead by the School District. The Multicultural Center will serve as a place to aggregate and exchange community resources, while simultaneously providing museum-quality exhibition space to preserve history. It will be located within the County’s jurisdiction, preferably within the geographic limits of County Commission District 3. The land for siting of the Multicultural Center has yet to be allocated; County Staff is in the process of identifying a suitable civic site property for consideration by the Board of County Commissioners (“Board”) or donated land within District 3. Use of a non-governmental entity to lead the process and to pursue fundraising for the Museum and the Multicultural Center has been identified as the most efficient way to facilitate development of both initiatives. Community Foundation (a Florida non-profit corporation organized under Chapter 617, Florida Statutes) has been identified as a non-governmental entity that can provide the services required and lead the planning/development process for the Museum and the Multicultural Center, inclusive of fundraising efforts, fiscal and administrative support, through the creation of supporting organizations as provided for in Section 509(a)(3) of the Internal Revenue Services (“IRS”) regulations. Under each one of the agreements, the County will provide a contribution in the amount of \$1,000,000, to be disbursed by means of an initial advance of funds of up to \$250,000, followed by quarterly advances in the same amount. Approval of the quarterly advances will be conditioned on (i) Community Foundation providing a detailed accounting of all funds expended since the approval of the last request for advance funds, and (ii) the aggregate balance of prior funds advanced to Community Foundation (i.e., cash on hand) not exceeding \$75,000. Both facilities will provide cultural and educational information to residents and visitors. The initial term of the agreements is three years, with an option to extend for an additional three years. **Funding for these agreements is from the ARPA Response Replacement Fund. (FDO Admin) Districts 1 & 3 Districts 3 & 7/Countywide (MWJ)**

5. REGULAR AGENDA

B. TOURIST DEVELOPMENT COUNCIL

1. Staff recommends motion to approve:

- A) an agreement between Palm Beach County (County) and ~~the Boca Raton~~ The Center for Arts & Innovation, Inc. (Center) for the Cultural Capital Fund Grant in the amount of \$865,000 to assist with the schematic design and design development phases of the expansion of the cultural campus in Mizner Park; and
- B) a Budget Transfer from Reserves in the American Rescue Plan Act (“ARPA”) Response Replacement Fund in the amount of \$865,000 to allocate available funding to the ~~Boca Raton Center for Arts & Innovation~~ Center.

**SUMMARY:** The agreement in the amount of \$865,000 between the County and the Center, located in Mizner Park in Downtown Boca Raton, will anchor South County with an innovative, vital and flexible cultural campus that transcends function to enable creativity with no boundaries. The Center will serve local and regional organizations here in Palm Beach County. Through early private sector funding, the Center has retained a world class team to bring this vision to life, including the internationally acclaimed Renzo Piano Building Workshop as principal architect. Through this grant and partnership, Palm Beach County and the Cultural Council for Palm Beach County will help fund the schematic design and design development phases of the project. The Cultural Council is designated to administer the grant. **Funding of this agreement is from the ARPA Response Replacement Fund.** District 4 / Countywide (MWJ) (YBH)



5. REGULAR AGENDA

B. TOURIST DEVELOPMENT COUNCIL (cont'd.)

2. Staff recommends motion to approve: an Agreement between Palm Beach County and Conventions, Sports, & Leisure International, LLC (CSL), for the development of a tourism master plan from June 24, 2024 through June 26, 2026, in the amount of \$550,536. **SUMMARY:** On February 8, 2024, the Tourist Development Council (TDC) approved an allocation of \$550,536 from tourism development tax dollars earmarked for special projects to develop a twenty-year tourism master plan. Tourism-related activities provide over 90,000 jobs and an estimated \$10 Billion to Palm Beach County's economy. A tourism master plan will provide a framework and strategy to maintain and grow tourism in Palm Beach County. This agreement will provide the professional services necessary to complete resident and stakeholder engagement, destination assessment (inclusive of diversity, equity, inclusion and accessibility), destination sustainability, visioning workshops and recommendations to place Palm Beach County at the forefront of tourists' minds when deciding to visit south Florida. The request for proposals (RFP) for the development of a tourism master plan was advertised on August 3, 2023. Three proposals were received in response to the competitive solicitation. The selection committee met on October 20, 2023 and November 27, 2023, and recommended award to CSL. The solicitation was advertised according to the Equal Business Opportunity Ordinance and the project was presented to the Goal Setting Committee (GSC) on May 3, 2023. The GSC established an Affirmative Procurement Initiative (API) of up to 15 evaluation points for Prime Small Business Enterprise (SBE) respondents. All three (3) proposers were non-SBEs. The recommended consultant is not an SBE but has committed to 7.2% Small/Minority/Women Business Enterprise (S/M/WBE) participation on this contract. Countywide (YBH)

5. REGULAR AGENDA

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve: Work Order 2021050-85 in the amount of \$968,000 to mill and resurface John L. Evans Road from US Highway 27 west for five (5) miles utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract (R2021-0984) (Contract) with Ranger Construction Industries, Inc. (Ranger). **SUMMARY:** Per County PPM CW-F-050, this work order exceeds the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners (BCC). Approval of this work order will allow the contractual services necessary to mill and resurface approximately five (5) miles of John L. Evans Road's two (2) lanes. This Contract is one (1) of three (3) 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 \$25 million of the \$50 million Ranger Contract that was approved on August 17, 2021, by the BCC, has been spent or encumbered. The Affirmative Procurement Initiative selected for this Contract on September 16, 2020 by the Goal Setting Committee is a 15% minimum mandatory Small Business Enterprise (SBE) participation. Ranger agreed to 15% SBE participation for the Contract and 4.65% SBE participation for this work order. Their cumulative SBE participation, including this work order is 13%. District 6 (YBH)
  
2. Staff recommends motion to approve: Consultant Service Authorization No. 4 (CSA) to the Intersection Improvements Annual Design Services Contract (R2023-0476) dated April 18, 2023 (Contract) with HSQ Group, LLC (HSQ) in the amount of \$440,456.21 for the Donald Ross Road and US 1 Intersection Improvements (Project). **SUMMARY:** Approval of this CSA will provide the professional engineering design services necessary to add a third eastbound left turn lane, a second southbound right turn lane, and a northbound through lane for the Project. On January 5, 2022, the Goal Setting Committee applied Affirmative Procurement Initiatives of a 20% minimum mandatory Small Business Enterprise (SBE) participation and an SBE evaluation preference. HSQ agreed to 80% SBE participation for the Contract and 97.86% SBE participation for this CSA. Their cumulative SBE participation for the Contract, including this CSA is 98.78%. HSQ has an office located in Palm Beach County (County) and is a certified SBE company. **This Project is included in the Five-Year Road Program.** District 1 (YBH)

5. REGULAR AGENDA

D. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to:

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

1. Village of Valor by Village of Valor, Ltd. in the amount of \$5,800,000;
2. Waterview Apartments at Mangonia Park by Sun Foundation, Inc. in the amount of \$13,000,000;
3. Isaiah Clark Apartments by HTG Union Baptist, Ltd. in the amount of \$7,362,478;
4. Drexel Road Senior Apartments by Spectra HTG in the amount of \$13,185,000; and

**B) transmit** the approved proposal to the County’s third party underwriter and negotiate the loan agreements.

**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). At the May 7, 2024 Board of County Commissioners (BCC) Meeting, staff was directed to work with the developers to revise proposals where County funds do not exceed 15% of the total project costs. Staff was further directed to obtain best and final proposals from developers and bring back updated recommendations on June 4, 2024. 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%. Staff received a “best and final” for the following four (4) proposals: 1) Village of Valor; 2) Waterview Apartments at Mangonia Park; 3) Isaiah Clark Apartments and 4) Drexel Road Senior Apartments. Details and specifics of each project are included in the best and final Proposal Summaries. Two (2) of the four (4) developers were unable to reach the County’s requests for HBLP funding to be no more than 15% of the total project costs; however, those two (2) developers were able to reduce their requests to under 25% of total project costs.

5. REGULAR AGENDA

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

1. SUMMARY (cont'd.):

Project Name	Total Project Cost	Best & Final HBLP Funding Request	Recommended HBLP Funding	% of Total Project Cost	Total Number of Units	Number of County-Assisted Units
Village of Valor	\$26,671,165	\$5,800,000	\$5,800,000	21.75%	54	54
Waterview Apartments at Mangonia Park	\$52,482,788	\$13,000,000	\$13,000,000	24.77%	140	140
Isaiah Clark Apartments	\$49,115,933	\$7,362,478	\$7,362,478	14.99%	125	125
Drexel Road Senior Apartments	\$90,009,224	\$13,185,000	\$13,185,000	14.65%	222	222
<b>TOTAL</b>	<b>\$218,279,110</b>	<b>\$39,347,478</b>	<b>\$39,347,478</b>	<b>N/A</b>	<b>541</b>	<b>541</b>

The best and final proposal for the Isaiah Clark Apartments restructured the capitalization of the project and included potential SAIL and Low Income Housing Tax Credits funding as part of the restructure. The Housing Bond funding award is contingent on Florida Housing Finance Corporation (FHFC) approval of SAIL funding and 4% Housing Credits for Isaiah Clark Apartments, which will provide an estimated \$27 million toward the project. As a requirement of the SAIL application process, all other financing must be committed, which would include a funding commitment from the County. The best and final proposal for the Drexel Road Senior Apartments restructured the capitalization of the project and included potential SAIL (Live Local SAIL Financing) funding as part of the restructure. The Housing Bond funding award is contingent on FHFC award of SAIL funding for Drexel Road Senior Apartments, which will provide an estimated \$20.5 million in funding toward the project. As a requirement of the SAIL application process, all other financing must be committed, which would include a funding commitment from the County. 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, and 7 (HJF)

5. REGULAR AGENDA

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

2. 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. in the amount of \$14,900,000;
2. Residences of Lake Worth Beach by Richman Lake Worth Apartments, LLC. in the amount of \$13,000,000;

**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; and

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

**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). At the May 7, 2024 Board of County Commissioners (BCC) Meeting, staff was directed to work with the developers to revised proposals where rents are based on a maximum of 110% of Area Median Income (AMI) and County funds do not exceed 15% of the total project costs. Staff was further directed to obtain best and final proposals from developers and bring back updated recommendations on June 4, 2024. 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%. Staff received a "best and final" for the following three (3) proposals: 1) Gallery at Sunset Park; 2) Residences of Lake Worth Beach; and 3) Judge Rodgers Court. While most of the developers were unable to reach the County's requests for HBLP funding to be no more than 15% of the total project costs, each developer was able to reduce their request from the County to 25% or under. All developers were able to meet the County's requests for the 110% AMI rental cap. Details and specifics of each project are included in the Proposal Summaries.

5. REGULAR AGENDA

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

2. SUMMARY (cont'd.):

Project Name	Total Project Cost	Best & Final HBLP Funding Request	Recommended HBLP Funding	% of Total Project Cost	Total Number of Units	Number of County-Assisted Units
Gallery at Sunset Park	\$60,206,187	\$14,900,000	\$14,900,000	24.75%	145	145
Residences of Lake Worth Beach	\$67,037,207	\$13,000,000	\$13,000,000	19.39%	195	165
Sub Total	\$127,243,394	\$27,900,000	\$27,900,000	N/A	340	310
Judge Rodgers Court	\$58,685,560	\$8,802,832	0	15.00%	150	45
<b>GRAND TOTAL:</b>	<b>\$185,928,954</b>	<b>\$36,702,832</b>	<b>\$27,900,000</b>	<b>N/A</b>	<b>490</b>	<b>355</b>

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 and 7 (HJF)

5. REGULAR AGENDA

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

3. Staff recommends motion to approve:

- A) creation of three (3) 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 \$164,511 in the General Fund from Contingency Reserves to the Economic Development Fund; and
- C) a Budget Amendment of \$164,511 in the Economic Development Fund to recognize the transfer and appropriate funding for the three (3) 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 three (3) 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 (3<sup>rd</sup>) 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. 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 June 4, 2024 BCC Meeting. Countywide (HJF)

5. REGULAR AGENDA

E. 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

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

2. **Staff will present:** FY 2025 Proposed Budget Presentations. **SUMMARY:** Staff will present an overview of the FY2025 Proposed Budget for several of the larger departments. Departments to be presented are:

1. Environmental Resources Management
2. Information Systems Services
3. Parks & Recreation
4. Planning, Zoning, & Building

Consolidated Budget information will be presented at the June 11, 2024 Budget Workshop. Countywide (DB)

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JUNE 4, 2024

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

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JUNE 4, 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

**JUNE 4, 2024**

**8. COMMISSIONER COMMENTS**

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

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

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

**District 4 – COMMISSIONER MARCI WOODWARD**

**District 5 - COMMISSIONER MARIA SACHS**

**District 6 - COMMISSIONER SARA BAXTER**

**District 7 – COMMISSIONER MACK BERNARD**

**JUNE 4, 2024**

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

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**JUNE 4, 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."