

5-B-1

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: April 1, 2008

<input type="checkbox"/>	Consent	<input checked="" type="checkbox"/>	Regular
<input type="checkbox"/>	Workshop	<input type="checkbox"/>	Public Hearing

Department:

Submitted By: Engineering & Public Works

Submitted For: Office of the County Engineer

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Allowing previously installed paver brick sidewalks within the Pheasant Walk development to remain, with the requirements that the individual property owners provide appropriate insurance coverage and indemnify the County.

Summary: Approval of this item will allow the homeowners of Pheasant Walk to have their previously installed paver bricks remain in the sidewalk portion of their driveways, and prevent further action by Palm Beach County Code Enforcement.

District: 4 (MRE)

Background and Justification: Current Palm Beach County (County) policy allows pavers to be used on private property for driveways, and also on driveways that are within the public right-of-way, but does not allow for those pavers to be used for the sidewalk area that would run through the driveway. Twelve (12) homeowners within Pheasant Walk have constructed driveways using paver bricks within the sidewalk areas. This is against County policy and violation notices have been issued by Code Enforcement. After review of this particular paver brick issue, staff has concluded that the best option would be to allow each homeowner within Pheasant Walk, with existing paver brick sidewalks, to apply to the County for a permit for the pavers. The permit would include conditions that would require the owner to indemnify the County and to add the County as an additional insured to an appropriate insurance policy. These indemnification and insurance requirements are similar to the process used when the County permits landscaping in the County right-of-way. These are public roadways and the installation of pavers has previously been determined to be a long-term maintenance issue. Staff is making this recommendation based on the fact that multiple installations have occurred in the same neighborhood and those violations of the standard have only recently come to light.

Attachments:

1. Location Map

Recommended By:

Deputy County Engineer

Date

Approved By:

[Signature]
for County Engineer

3/19/08

Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2008	2009	2010	2011	2012
Capital Expenditures	\$ -0-	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	\$ -0-	-0-	-0-	-0-	-0-

ADDITIONAL FTE

POSITIONS (Cumulative)

Is Item Included in Current Budget?

Yes

No

Budget Acct No.: Fund Dept. Unit Object
Program

B. Recommended Sources of Funds/Summary of Fiscal Impact:

This item has no additional fiscal impact.

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

Jan Dutt 3/20/08
OFMB
3/20/08 3/20/08

An J. Jacoby 3/21/08
Contract Dev. and Control
3/21/08

B. Approved as to Form and Legal Sufficiency:

Marlene K. [Signature] 3/24/08
Assistant County Attorney

C. Other Department Review:

Department Director

This summary is not to be used as a basis for payment.

I:\WP\Agenda\Page2\Agnpgtwo2008\No Impact

