Agenda Item #:

5 D-1

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: June 3, 2008

[]Consent[]Workshop

[X] Regular [] Public Hearing

Department:

Submitted By: Engineering and Public Works Submitted For: Right-of-Way Acquisition Section

Project No.: 1998506

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to direct: staff to begin the process of filing Eminent Domain proceedings against the City of West Palm Beach to acquire the necessary Right-of-Way, Easements and Water Management Areas required for the construction of Jog Road from Roebuck Road to 45th Street, (Project).

SUMMARY: This action will direct staff to begin the process of eminent domain to acquire the necessary land needed for the Project.

Districts 2 and 6 (PM)

Background and Justification: On March 11, 2008, the Board of County Commissioners granted approval to appraise and acquire rights-of-way for projects shown on the Five-Year Road Program. The Right-of-Way, Easements and Water Management Areas (Land) is owned by the City of West Palm Beach (City). Palm Beach County (County) has been negotiating since 2005 with the City to acquire the needed land. As part of those negotiations, the County included changes in the initial roadway design to address comments and requests from the City. These changes resulted in a layout showing a larger right-of-way area than would have been required for the original design of the Project. Negotiations with the City to acquire the needed land have not been successful. In order to proceed with the Project, it is necessary for the County to begin taking steps toward the filing of eminent domain to acquire the needed land. The County intends to acquire only what is needed to satisfy the minimum roadway design, as dictated by the County's Comprehensive Plan. This approach will also result in a reduction of environmental impacts and construction costs that would have resulted from complying with the City's requests. Staff will prepare the actual eminent domain documents, (including legals and sketches) for action at a future Board meeting.

Attachments:

1. Location Map

Recommended by:			
		Division Director	Date
Approved by:	ろ、	T. Webel	5/21/08
	J	County Engineer	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years Capital Expenditures Operating Costs External Revenues Program Income (County) In-Kind Match (County)	2008 <u>-0-</u> -0- -0- -0- -0- -0-	2009 -0- -0- -0- -0- -0-	2010 -0- -0- -0- -0- -0-	2011 0- 0- 0- -0- -0-	2012
NET FISCAL IMPACT # ADDITIONAL FTE POSITIONS (Cumulative) Is Item Included in Current Budget Acct No.: Fund Progr	Dept	 Yes Unit Ob	 ject	 No	

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

This item has no additional fiscal impact.

C. Departmental Fiscal Review: ____

R. 2 Wand S/13/08

III. <u>REVIEW COMMENTS</u>

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

<u>ATURICHU</u> OFMB X 5.15.08 SN 102 VO

- C. Other Department Review:

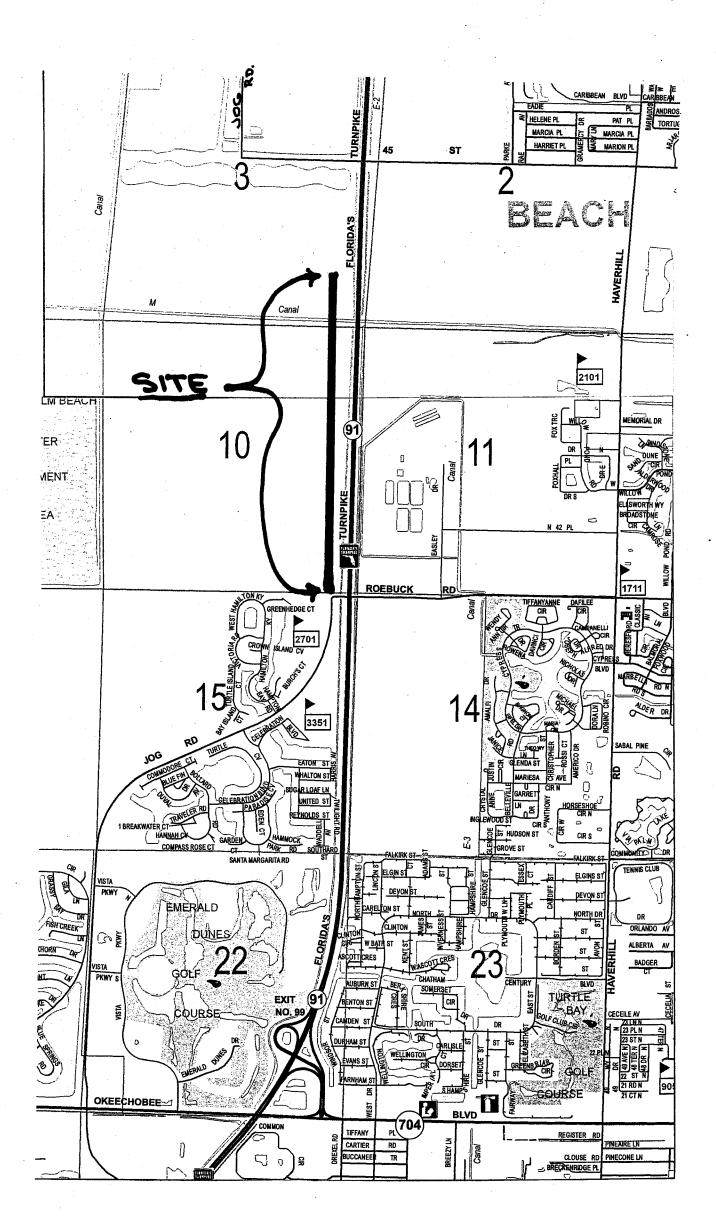
Department Director

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

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16/08 Contract De



MAP