

Agenda Item #:

3A-3

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: July 22, 2008

☒ Consent
☐ Ordinance

☐ Regular
☐ Public Hearing

Department:

Submitted By: Legislative Affairs

Submitted For: Administration

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: a resolution in opposition to the privatization of Alligator Alley; opposing any State or federal legislation or administrative action that would have the effect of privatizing Alligator Alley; opposing foreign investors purchasing any portion of Alligator Alley; opposing any privatization agreement that pertains to Alligator Alley; supporting the requirement that any hearings in consideration of privatization of Alligator Alley be held in Broward and Collier Counties; and supporting the requirement that a portion of revenues generated from tolls continue to be funneled back into Broward and Collier Counties for projects within each county.

Summary: At the request of Commissioner Karen T. Marcus, the Board directed staff to draft this resolution. Countywide (DW)

Background and Justification:

Attachment:

1. Resolution

Recommended by:


Department Director

Date

7/21/08

Approved by:


Assistant County Administrator

Date

7/10/08

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2008	2009	2010	2011	2012
Capital Expenditures	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Operating Costs	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
External Revenues	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Program Income (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
In-Kind Match (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
NET FISCAL IMPACT		<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes _____ No _____
Budget Account No.: Fund _____ Department _____ Unit _____
Object _____ Program _____

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

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

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

There is no Fiscal Impact associated with this item.

AWillhite 7-15-08
OFMB *7/15/08* *VO 07/11*

Dr. J. Jacob 7/16/08
Contract Development and Control
7/16/08

B. Legal Sufficiency:

[Signature] *7/21/08*
Assistant County Attorney

C. Other Department Review:

Department Director

REVISED 10/95
ADM FORM 01

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

RESOLUTION NO. R-2008-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, IN OPPOSITION TO THE PRIVATIZATION OF ALLIGATOR ALLEY; OPPOSING ANY STATE OR FEDERAL LEGISLATION OR ADMINISTRATIVE ACTION THAT WOULD HAVE THE EFFECT OF PRIVATIZING ALLIGATOR ALLEY; OPPOSING FOREIGN INVESTORS PURCHASING ANY PORTION OF ALLIGATOR ALLEY; OPPOSING ANY PRIVATIZATION AGREEMENT THAT PERTAINS TO ALLIGATOR ALLEY; SUPPORTING THE REQUIREMENT THAT ANY HEARINGS IN CONSIDERATION OF PRIVATIZATION OF ALLIGATOR ALLEY BE HELD IN BROWARD AND COLLIER COUNTIES; AND SUPPORTING THE REQUIREMENT THAT A PORTION OF REVENUES GENERATED FROM TOLLS CONTINUE TO BE FUNNELED BACK INTO BROWARD AND COLLIER COUNTIES FOR PROJECTS WITHIN EACH COUNTY.

WHEREAS, Alligator Alley is a 78 mile section of Interstate 75 in South Florida connecting Collier County and Broward County; and

WHEREAS, during fiscal year (FY) 2007, approximately 8.3 million toll transactions on Alligator Alley produced approximately \$23.5 million in revenues. Operations and maintenance costs for that same period were approximately \$6.1 million; and

WHEREAS, consistent with Section 334.30, Florida Statutes, the Florida Department of Transportation (FDOT) has issued a Request for Qualifications for concessionaire to lease Alligator Alley; and

WHEREAS, under the Federal Highway Administration's continued ownership of the road and through the oversight of the FDOT, the prospective lessee will operate, maintain and collect the tolls for a period of 50-75 years; and

WHEREAS, presumably only a portion of the toll revenues collected will continue to be returned to the respective county where the tolls are collected; and

WHEREAS, the Florida Department of Transportation did not reasonably or adequately notify, advise or seek the input or consensus of the officiating bodies of Collier County and Broward County with respect to the respective leasing of Alligator Alley prior to issuing the Request for Qualifications.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:

1. The Board opposes any state or federal legislation or administrative action that would have the effect of privatizing Alligator Alley.
2. The Board opposes foreign investors purchasing any portion of Alligator Alley.
3. The Board opposes any privatization agreement that pertains to Alligator Alley.
4. The Board supports the requirement that any hearing in consideration of privatizing Alligator Alley be held in Broward and Collier Counties.

5. The Board supports the requirement that a portion of revenues generated from toll roads within Broward and Collier Counties continue to be funneled back into Broward and Collier Counties for projects within each county.

The foregoing resolution was offered by Commissioner _____ who moved for its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

Commissioner Addie L. Greene, Chairperson
Commissioner John F. Koons, Vice Chair
Commissioner Karen T. Marcus
Commissioner Robert J. Kanjian
Commissioner Mary McCarty
Commissioner Burt Aaronson
Commissioner Jess R. Santamaria

The Chairperson thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2008.

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____

Assistant County Attorney

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS
SHARON R. BOCK, CLERK & COMPTROLLER

By: _____

Deputy Clerk