

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

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Meeting Date: September 15, 2009 Consent [] Regular
 [] Workshop [] Public Hearing

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

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I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve:

- A) A blanket approval for appraisal and acquisition of the lands, rights-of-way, and easements on all Fiscal Year 2009 and Fiscal Year 2010 projects as identified in the Mid Year Adjustment to the Five Year Road Program, as adopted on July 21, 2009;and
- B) The employment of all experts, including but not limited to real estate appraisers, engineers, certified public accountants, business damage experts, and other experts deemed necessary to appraise and acquire the before mentioned lands, rights-of-way and easements.

SUMMARY: On July 21, 2009, the Board of County Commissioners adopted the Mid Year Adjustment to the Five Year Road Program for Fiscal Year 2009 through Fiscal Year 2013. Approval of this item will provide for the acquisitions necessary to accomplish the road goals set therein.

Countywide (PK)

Background and Justification: On December 3, 1985, the Board of County Commissioners (Board) approved and adopted Ordinance No. 85-40 establishing the Five Year Road Program.

Each year since 1987, the Board has granted blanket approval to appraise and acquire the lands, rights-of-way, and easements for projects on the adopted Five Year Road Program during each Fiscal Year.

Therefore, the Right-of-Way Acquisition Section is recommending a blanket approval to appraise and acquire lands, rights-of-way, and easements, and to approve the employment of all experts, including but not limited to real estate appraisers, engineers, certified public accountants, business damage experts, and other experts deemed necessary for projects on said budgeted Five Year Road Program that will be undertaken during the Fiscal Year 2009 and the Fiscal Year 2010 . The approval of this item will speed up the lengthy process of acquiring lands, rights-of-way, and easements.

Attachment:

- 1. Adopted Mid Year Adjustment to the Five Year Road Program
- =====

Recommended by:

	_____ Division Director	_____ Date
Approved by:	<u> S. T. Webb </u> County Engineer	<u> 9/18/09 </u> Date

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II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2009	2010	2011	2012	2013
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-

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:

* The fiscal impact is indeterminable at this time. There are sufficient funds in the project accounts to cover the acquisition of parcels once proceedings are ready for negotiations.

C. Departmental Fiscal Review: atwillhite

III. REVIEW COMMENTS

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

 John D. White 8-21-09
 na 8-19-09 OFMB **NO** 8/21/09 CN 8/19/09

 June J. Anderson 8/25/09
 Contract Dev. and Control

B. Approved as to Form and Legal Sufficiency:
 Paul F. Jones 8/26/09
 Assistant County Attorney

C. Other Department Review:

 Department Director

PALM BEACH COUNTY FIVE YEAR ROAD PROGRAM - EXHIBIT A

Mid-Year Adjustment - Adopted - July 21, 2009

	FY 2009 BUDGETED	FY 2009 ESTIMATED	FY 2010 PROJECTED	FY 2011 PROJECTED	FY 2012 PROJECTED	FY 2013 PROJECTED	TOTAL PROJECTED
GASOLINE/DIESEL TAX - TOTAL (PALM BEACH COUNTY)	47,587,000	44,074,524	44,074,000	44,074,000	44,074,000	44,074,000	220,370,524
GASOLINE/DIESEL TAX - MASS TRANSIT (PALM TRAN SHARE)	12,811,000	11,691,061	11,691,000	11,691,000	11,691,000	11,691,000	58,455,061
GASOLINE/DIESEL TAX - MASS TRANSIT (TRANSFER FROM ENGINEERING SHARE)	18,760,000	18,760,000	14,500,000	14,500,000	14,500,000	14,500,000	76,760,000
GASOLINE/DIESEL TAX - ROADS (REMAINING ENGINEERING SHARE)	16,016,000	13,623,463	17,883,000	17,883,000	17,883,000	17,883,000	85,155,463
INTEREST EARNINGS	4,173,120	3,886,016	3,885,960	3,885,960	3,885,960	3,885,960	19,429,856
LESS 5% STATUTORY RESERVES	-1,947,456	0	-1,813,448	-1,813,448	-1,813,448	-1,813,448	-7,253,792
BOND PROCEEDS	0	0	0	78,750,000	0	0	78,750,000
MISCELLANEOUS	21,657,000 A	8,100,000 A	54,099,000 B	21,615,000 C	7,950,000 D	800,000 E	92,564,000
IMPACT FEES USED FOR PROJECTS	6,471,000	8,569,000	8,279,000	4,941,000	7,458,000	11,699,000	40,946,000
TOTAL CURRENT REVENUES	65,129,664	52,938,479	96,833,512	139,761,512	49,863,512	46,954,512	386,351,527
BALANCES FORWARD	1,991,000	1,991,000	584,479	559,991	621,503	1,405,015	1,991,000
AVAILABLE RESERVES	19,000,000	5,000,000	6,000,000	3,000,000	0	5,000,000	19,000,000
TOTAL REVENUES	86,120,664	59,929,479	103,417,991	143,321,503	50,485,015	53,359,527	407,342,527
DEBT SERVICE	0	0	0	0	-6,300,000	-6,300,000	-12,600,000
PROJECT COSTS AS PROPOSED	85,850,000	59,345,000	102,858,000	142,700,000	42,780,000	46,860,000	394,543,000
REVENUES LESS PROJECT COSTS	270,664	584,479	559,991	621,503	1,405,015	199,527	199,527

General note on interest projections:

Projections for interest earnings assume that average cash balances will approximate 3.0 times the current year revenue projections at an interest rate of 4.0%. Interest earnings on gas taxes are shown on this sheet. Interest earnings on impact fees are included in the amount of impact fees used for projects shown above.

See Footnotes A, B, C, D and E on Page 2 of 6.

- A DEVELOPER (Agreement) to fund \$4,737,000 (\$2,300,000 FY09 & \$2,437,000 FY10) for Design, Right-of-Way and Construction of Forest Hill Blvd. & Jog Rd. Intersection.**
DEVELOPER (anticipates Share) \$300,000 for the Construction of Forest Hill Blvd. & SR 7 Intersection.
FDOT \$23,983,000 JPA (CIGP-2 \$3,570,000; CIGP-3 \$2,930,000; and TRIP \$17,483,000) for construction of Okeechobee Blvd., SR 7 to Florida's Turnpike. Based on bids received and pending Change Orders, only \$14,500,000 expected from FDOT. Contract Award requires Gas Tax Funds, reimbursement will be reflected in Area "T" FY09 \$5,500,000 & FY10 \$9,000,000.
- B TOWN OF JUPITER (anticipates Agreement) to fund Design, Right-of-Way and Construction of triple left turn lanes on the Central Blvd. south approach to Indiantown Rd. (\$250,000 D FY10, \$260,000 R/M FY10, \$500,000 C FY11).**
FDOT (SIS funds) \$350,000 for Design and Construction of Blue Heron Blvd. & Congress Ave. Phase I FY10.
FDOT (SIS funds) \$400,000 for Design of Blue Heron Blvd. & Congress Ave. Phase II FY10 .
Anticipates (JPA) with FDOT (SIS Funds) \$4,968,000 FY10 for construction of Blue Heron Blvd. & Congress Ave. Phase II .
DEVELOPER contribution of \$133,000 for the Construction of Congress Ave./Park Ave. Intersection.
DEVELOPER (Agreement) to fund \$4,737,000 (\$2,300,000 FY09 & \$2,437,000 FY10) for Design, Right-of-Way and Construction of Forest Hill Blvd. & Jog Rd. Intersection.
FLORIDA TURNPIKE (JPA) \$3,700,000 for Construction of 45th St., over Florida's Turnpike.
FDOT (Reimbursement) \$3,500,000 for S.R. 7, Okeechobee Blvd. to Northlake Blvd. PD&E Study.
FDOT (LAP Agreement) \$1,145,311 for Construction of Congress Ave. & Hypoluxo Rd. FY10.
FDOT (CIGP funds) \$850,000 FY10 (\$350,000 for Design & \$500,000 for Right-of-Way) and \$7,295,000 FY11 for Construction for Lyons Rd., N. of W. Atlantic Ave. to S. of Boynton Beach Blvd.
FDOT \$4,482,304 Joint Participation Agreement for Alt. A-1-A S. of Frederick Small Rd. to Center St. Contract Award requires \$2,918,000 from Gas Tax Funds, reimbursement of \$2,918,000 will be reflected in Area "T" FY10, and the remaining \$1,564,304 will be in IFA "1".
FDOT reimbursement of \$1,826,000 (\$926,000 TRIP & \$900,000 JPA) for construction of S.R. 7 and Southern Blvd. Intersection. Contract Award requires Gas Tax Funds, reimbursement will be reflected in Area "T" FY10.
FDOT \$5,400,596 TRIP FY10 & FY11 for construction of Jog Rd., S. of 45th St. to N. of 45th St. Contract Award requires Gas Tax Funds, reimbursement will be reflected in Area "T" FY10 \$3,400,596 & FY11 \$2,000,000.
FDOT \$23,983,000 JPA (CIGP-2 \$3,570,000; CIGP-3 \$2,930,000; and TRIP \$17,483,000) for construction of Okeechobee Blvd., SR 7 to Florida's Turnpike.
Based on bids received and pending Change Orders, only \$14,500,000 expected from FDOT. Contract Award requires Gas Tax Funds, reimbursement will be reflected in Area "T" FY09 \$5,500,000 & FY10 \$9,000,000.
Anticipates JPA with FDOT in the amount of \$6,367,550 FY10 and CIGP in the amount of \$1,780,130 FY10 for the construction of Congress Ave., Lantana Rd. to S. of Melaleuca Ln. in Area "T" FY10.
Contract Award requires Gas Tax Funds, reimbursement will be reflected in Area "T" FY10.
CIGP in the amount of \$2,250,000 in FY10 for the construction of Hypoluxo Rd., Jog Rd. to Military Tr. Contract Award requires Gas Tax Funds, reimbursement will be reflected in Area "T" FY10.
FDOT - Federal Stimulus American Recovery & Reinvestment Act (ARRA) \$7,000,000 FY10 for construction of Military Tr., Clint Moore Rd. to Lake Worth Rd.
- C TOWN OF JUPITER (anticipates Agreement) to fund Design, Right-of-Way and Construction of triple left turn lanes on the Central Blvd. south approach to Indiantown Rd. (\$250,000 D FY10, \$260,000 R/M FY10, \$500,000 C FY11).**
FDOT (LAP funds) \$2,200,000 for Construction of Community Dr. & Military Tr. Intersection FY11.
FDOT (SIS funds) \$1,600,000 & (TRIP funds) \$800,000 FY09 for Construction of Okeechobee Blvd., Australian Ave. to Tamarind Ave./Parker Ave. Reimbursement of \$1,600,000 FY11 and \$800,000 FY13.
FDOT (CIGP funds) \$850,000 FY10 (\$350,000 for Design & \$500,000 for Right-of-Way) and \$7,295,000 FY11 for Construction for Lyons Rd., N. of W. Atlantic Ave. to S. of Boynton Beach Blvd.
FDOT \$12,020,000 TRIP FY11 & FY12 for construction of Jog Rd., Roebuck Rd. to S. of 45th St. Contract Award requires Gas Tax Funds, reimbursement will be reflected in Area "T" FY11 \$8,020,000 & FY12 \$4,000,000.
FDOT \$5,400,596 TRIP FY10 & FY11 for construction of Jog Rd., S. of 45th St. to N. of 45th St. Contract Award requires Gas Tax Funds, reimbursement will be reflected in Area "T" FY10 \$3,400,596 & FY11 \$2,000,000.
- D FDOT (CIGP funds) up to \$5,140,000 (\$762,000 in FY11 & \$4,378,000 in FY 12) for Construction for Palmetto Park Rd., W. of Jog Rd. to W. of Military Tr. Reimbursement in FY12 expected to be \$3,950,000 or 50% of \$7,900,000.**
FDOT \$12,020,000 TRIP FY11 & FY12 for construction of Jog Rd., Roebuck Rd. to S. of 45th St. Contract Award requires Gas Tax Funds, reimbursement will be reflected in Area "T" FY11 \$8,020,000 & FY12 \$4,000,000
- E FDOT (SIS funds) \$1,600,000 & (TRIP funds) \$800,000 FY09 for Construction of Okeechobee Blvd., Australian Ave. to Tamarind Ave./Parker Ave. Reimbursement of \$1,600,000 FY11 and \$800,000 FY13.**

PALM BEACH COUNTY FIVE YEAR ROAD PROGRAM - EXHIBIT A (\$'s IN 1,000'S)

Mid-Year Adjustment - Adopted - July 21, 2009

PROJECT	LIMITS	DESCRIPTION	FY 2009		FY 2010		FY 2011		FY 2012		FY 2013	
			Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
45th Street	Pinewood Ave. to US 1	0.4 mi, 4/5 L	210	S/D			750	R				
60th Street	W. of Royal Palm Beach Blvd. to S.R. 7 Extension	1.0 mi, 3 L	250	R/M			9,980	P				
Annual Contract Advertising	Countywide	Advertising	10	P	10	P	10	P	10	P	10	P
Australian Ave.	N. of I-95 to S. of Okeechobee Blvd.	0.5 mi, 6 L			1,930	C						
Belvedere Rd.	Haverhill Rd. and Military Tr.	Intersection Improvements	620	D/R			480	R			2,430	C
Boca Rio Rd.	Palmetto Park Rd. to Boca Lago Blvd.	0.4 mi, 5 L			2,180	C						
* Central Blvd.	Indiantown Rd.	Intersection Improvements			260	R	540	C				
Central Blvd.	Indiantown Rd. to Longshore Dr.	Intersection Improvements			100	R/M	1,080	R/M/C				
Clint Moore Rd.	Jog Rd. to Military Tr.	1.5 mi, 6 L			10	D	410	D	230	R	3,000	R/P
* Community Dr.	Military Tr.	Intersection Improvements	590	R/M			2,380	C				
Computer Equipment	Staff support equipment for program	Equipment	180	P	180	P	180	P	180	P	180	P
* Congress Ave.	Hypoluxo Rd.	Intersection Improvements			1,190	C						
Congress Ave.	S. of Lantana Rd. to Lantana Rd.	0.3 mi, 6 L			3,950	C						
* Congress Ave.	Lantana Rd. to S. of Melaleuca Ln.	1.3 mi, 6 L	10,700	C								
CR 880 (Old SR 80)	Rehabilitation/Heavy Maintenance	Rehabilitation	500	C	500	C	500	C	500	C	500	C
Glades Area	R&R Throughout the Glades	Repair / Reconstruction	700	C	700	C	700	C	700	C	700	C
Hatton Hwy.	at H.G.W.C.D. E-2 Canal	Bridge Replacement			1,700	C						
Haverhill Rd.	Okeechobee Blvd.	Intersection Improvements			1,340	R						
Haverhill Rd.	Dyer Blvd.	Intersection Improvements	10	R			1,510	C				
Hypoluxo Rd.	I-95	Intersection Improvements			320	C						
* Intersection Program	Countywide	Design, R/W & Construction	1,675	D/R/C	11,208	D/R/C	400	D/R/C	1,430	D/R/C	250	D/R/C
* Intracoastal Crossings	Countywide	Bascule Bridge Rehab./Replacement	4,000	S/D/R/M			35,000	S/D/R/M/C	3,000	S/D/R/M	100	S/D/R/M
* Jog Rd.	Roebuck Rd. to S. of 45th Street	1.9 mi, 4 L			24,040	R/M/C						
Jog Rd.	N. of S.R. 710 to N. of Florida's Turnpike Entr.	0.7 mi, 4 L	10	D	1,000	D/R/M			1,500	R/M	4,600	M/P
Lantana Rd.	High Ridge Rd. to Southbound I-95	0.2 mi, 3 L			370	C						
Lawrence Rd.	S. of C. Stanley Weaver Canal to N. of C. Stanley Weaver Canal	0.2 mi, 4 L	1,400	C								

*See Footnotes, Phase(s): B=Beautification; C=Construction; D=Design; L=Street Lights; M=Mitigation; P=Payment; R=R/W Acq.; S=Study

PALM BEACH COUNTY FIVE YEAR ROAD PROGRAM - EXHIBIT A (\$'s IN 1,000'S)

Mid-Year Adjustment - Adopted - July 21, 2009

PROJECT	LIMITS	DESCRIPTION	FY 2009		FY 2010		FY 2011		FY 2012		FY 2013	
			Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
Lyons Rd.	Lantana Rd. to Lake Worth Rd.	2.0 mi, 4 L			10 D		500 D					1,730 R/M
Lyons Rd.	S. of L.W.D.D. L-11 Canal to N. of L.W.D.D. L-10 Canal	1.0 mi, 2 L	200 D/R/M		300 R/M				500 R/M			1,800 P
Military Tr.	Clint Moore Rd. to Lake Worth Rd.	Milling, Resurfacing & Safety Improv.			7,000 C							
Northlake Blvd.	Seminole Pratt Whitney Rd. to Coconut Blvd.	3.4 mi, 4 L	1,000 R/M						1,600 R/M			400 R/M
Okeechobee Blvd.	W. of E Rd. to E. of Folsom Rd.	1.3 mi, 4/6 L										100 R/M
* Okeechobee Blvd.	Australlian Ave. to Tamarind Ave./Parker Ave.	0.2 mi, 8 L			3,200 C							
Old Dixie Hwy.	Park Ave. to Northlake Blvd.	0.9 mi, 3 L			500 D/R/M							3,000 C
Palmetto Park Rd.	0.7 mi. W. of Powerline Rd. to 0.5 mi. W. of Military Tr.	1.7 mi, 8 L			500 D/R/M				7,200 R/M/P			2,800 R/M/P
Palmetto Park Rd.	0.5 mi. W. of Military Tr. To I-95	1.0 mi, 8 L					7,900 C					
Pathway Program	Countywide	Pathways	1,500 D/R/C		1,500 D/R/C		1,500 D/R/C		1,500 D/R/C			1,500 D/R/C
Recording Fees	Countywide	Right-of-Way	20 R		20 R		20 R		20 R			20 R
Reserve-Beautification	Unincorporated Area, O.T.I.S. Program	Design & Construction	1,000 D/C		1,000 D/C		1,000 D/C		1,000 D/C			1,000 D/C
Reserve-Plans/Align.	Countywide	Study, Design & Mitigation	200 S/D/M		200 S/D/M		200 S/D/M		200 S/D/M			200 S/D/M
Reserve-R/W	Countywide	Land Acquisition	200 R		200 R		200 R		200 R			200 R
Reserve-Traffic Calming	Countywide	Minor Improvements	50 D/C		50 D/C		50 D/C		50 D/C			50 D/C
Reserve-Traffic Signals	Countywide	Mast Arms	600 D/C		600 D/C		600 D/C		600 D/C			600 D/C
Roebuck Rd.	S.R. 7 to Jog Rd.	3.0 mi, 4 L	8,700 R/M				43,750 M/C					
S.R. 7 Extension	Persimmon Blvd. to 60th St.	1.0 mi, 2/4 L	450 M				5,960 C					
Seminole Pratt Whitney Rd.	SR 80 to S. of Okeechobee Blvd.	1.4 mi, 4 L					6,060 C					
Seminole Pratt Whitney Rd.	S. of Okeechobee Blvd. to N. of Sycamore Dr.	2.8 mi, 4 L				12,580 C						
Seminole Pratt Whitney Rd.	M Canal to Orange Blvd.	1.3 mi, 4 L							400 R/M			100 R/M
Seminole Pratt Whitney Rd.	Orange Blvd. to S. of Northlake Blvd.	1.8 mi, 4 L							400 R/M			100 R/M
Seminole Pratt Whitney Rd.	Northlake Blvd.	Intersection Improvements							400 R/M			100 R/M
Seminole Pratt Whitney Rd.	Northlake Blvd. to Bee Line Hwy.	6.9 mi, 2/4 L					500 R/M		500 R/M			600 R/M
Silver Beach Rd.	E. of Congress Ave. to Old Dixie Hwy.	0.9 mi, 2 L & 3 L				3,330 C						
Street Lighting	Countywide	Street Lighting	1,600 D/C		1,600 D/C		1,600 D/C		1,600 D/C			1,600 D/C

*See Footnotes, Phase(s): B=Beautification; C=Construction; D=Design; L=Street Lights; M=Mitigation; P=Payment; R=R/W Acq.; S=Study

PALM BEACH COUNTY FIVE YEAR ROAD PROGRAM - EXHIBIT A (\$'s IN 1,000'S)

Mid-Year Adjustment - Adopted - July 21, 2009

PROJECT	LIMITS	DESCRIPTION	FY 2009		FY 2010		FY 2011		FY 2012		FY 2013	
			Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
Streetscape	Countywide	Operation & Maintenance	2,210	B	2,320	B	2,440	B	2,560	B	2,690	B
Transfer to Mass Transit	Countywide	Subsidy	18,760	P	14,500	P	14,500	P	14,500	P	14,500	P
Transfer to Rd. Maintenance	Countywide	Maintenance	2,000	P	2,000	P	2,000	P	2,000	P	2,000	P
Woolbright Rd.	I-95	Intersection Improvements			460	C						
			59,345		102,858		142,700		42,780		46,860	

*See Footnotes, Phase(s): B=Beautification; C=Construction; D=Design; L=Street Lights; M=Mitigation; P=Payment; R=R/W Acq.; S=Study

Mid-Year Adjustment - Adopted - July 21, 2009

**PALM BEACH COUNTY FIVE YEAR ROAD PROGRAM - EXHIBIT A
FOOTNOTES TO LINE ITEMS CONTAINED IN THE PLAN**

CENTRAL BLVD. AND INDIANTOWN RD. INTERSECTION IMPROVEMENTS: Anticipates Agreement with the Town of Jupiter.

COMMUNITY DR AND MILITARY TR. INTERSECTION IMPROVEMENTS: Anticipates Florida Department of Transportation (LAP) funds towards the construction.

CONGRESS AVE. AND HYPOLUXO RD. INTERSECTION IMPROVEMENTS: Anticipates Florida Department of Transportation (LAP) funds towards the construction.

CONGRESS AVE. - LANTANA RD. TO S. OF MELALEUCA LN: Anticipates Florida Department of Transportation (LAP) funds towards the construction.

INTERSECTION PROGRAM: Anticipates Joint Participation Agreement with Florida Department of Transportation for: Blue Heron Blvd. and Congress Ave. (Phase 1 & 2); Forest Hill Blvd. and Congress Ave.; S.R. 7 and Southern Blvd. Anticipates Developer funds for: Congress Ave. and Park Ave.; Forest Hill Blvd. and Jog Rd.; Forest Hill Blvd. and S.R. 7.

INTRACOASTAL CROSSINGS: Includes Ocean Ave., NE 8th St./George Bush Blvd. and Camino Real/Boca Club W.

JOG RD.- ROEBUCK RD. TO S. OF 45TH ST.: Anticipates Florida Department of Transportation (TRIP) funds towards the construction.

OKEECHOBEE BLVD. - AUSTRALIAN AVE. TO TAMARIND AVE./PARKER AVE: Anticipates Florida Department of Transportation (SIS & TRIP) funds towards the construction.