

Agenda Item #:

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

4-B-1

Meeting Date: October 4, 2011

{ } Consent
{ } Workshop

{X} Regular
{ } Public Hearing

Department:

Submitted By: Engineering & Public Works
Submitted For: Streetscape Section

I. EXECUTIVE BRIEF

Motion and Title: Staff requests Board direction on:

- A) **Adopting** a Resolution to approve Amendment Number Eight to the County Incentive Grant Program Agreement R2001-2157 (Agreement) with the State of Florida Department of Transportation (FDOT) to provide for a reallocation of up to \$1,000,000 of the existing matching roadway construction funding for median beautification on Okeechobee Boulevard from State Road 7 to Florida's Turnpike (Improvements) and a Maintenance Memorandum of Agreement (MMOA) to ensure the maintenance of the Improvements;
- B) **Approving** an exception to the 2002 policy that restricts Palm Beach County's (County) installation of median beautification to areas that are unincorporated and not contiguous to a municipality;
- C) **Approving** an Interlocal Agreement with the City of West Palm Beach (City) under which the City agrees to accept all maintenance obligations for the Improvements; and
- D) **Authorizing** the County Engineer or his designee to issue a Task Authorization not-to-exceed \$1,000,000 to construct the Improvements utilizing the Annual Roadway Landscaping Contract.

SUMMARY: If the funding is not approved, the FDOT will be responsible for mowing the medians and swales along this 3+ mile stretch of road. They currently mow approximately seven times per year. Adoption of the resolution to approve Amendment Number Eight and approve the MMOA will establish a reallocation of up to \$1,000,000 of budgeted but unused roadway construction funding for the Improvements and will obligate the County to maintain the Improvements. The County will then pass the maintenance obligations to the City. Approval of the Interlocal Agreement will obligate the City to accept all maintenance responsibilities for the Improvements. In accordance with the terms of the original Agreement, 50/50 (County/FDOT) matching funding would be utilized to install the Improvements. The County's one-time cost of \$500,000 is available in the roadway project's previously approved budget.

Districts 2 & 6 (MRE)

Background and Justification: On December 18, 2001, the Board of County Commissioners (Board) approved the Agreement with FDOT for the eight laning of Okeechobee Boulevard from west of State Road 7 to Florida's Turnpike (Project). The Agreement was approved by FDOT on February 28, 2002, and provides the County with financial assistance for the Project.

(continued on Page 3)

Attachments:

- 1. Location Sketch
- 2. County Incentive Grant Program Amendment Eight (7 originals)
- 3. Original County Incentive Grant Program Agreement
- 4. Maintenance Memorandum of Agreement with FDOT (4 Originals)
- 5. Interlocal Agreement with City (3 Originals)
- 6. Resolution (7 originals)

Recommended by: _____

Division Director

Date

Approved By: _____

County Engineer

9/26/11
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2011	2012	2013	2014	2015
Capital Expenditures	\$1,000,000	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	(\$500,000)	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	\$500,000	-0-	-0-	-0-	-0-

ADDITIONAL FTE
POSITIONS (Cumulative) _____

Is Item Included in Current Budget? Yes x No _____
Budget Acct No.: Fund 3503 Dept. 361 Unit 0730 Object 6551
Program

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

The scope of the grant has been amended to include funding for median beautification. There is no fiscal change to the grant. Current approved funding for the project covers the required match. The County Engineer or his designee will be authorized to issue a task order under the annual landscaping contract in order to complete this change for up to \$1,000,000.

C. Departmental Fiscal Review: Shirley White

III. REVIEW COMMENTS

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

[Signature] 8/18/2011
OFMB JS
8/17/11 8/16/11 8/16/11 8/14/11
cc

[Signature] 8/19/11
Contract Dev. and Control
8-19-11 B. Wheeler

B. Approved as to Form and Legal Sufficiency:

[Signature] 8/23/11
Assistant County Attorney

This item complies with current County policies.

At the time of our review, the interlocal Agreement with WAB was not executed.

C. Other Department Review:

Department Director

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

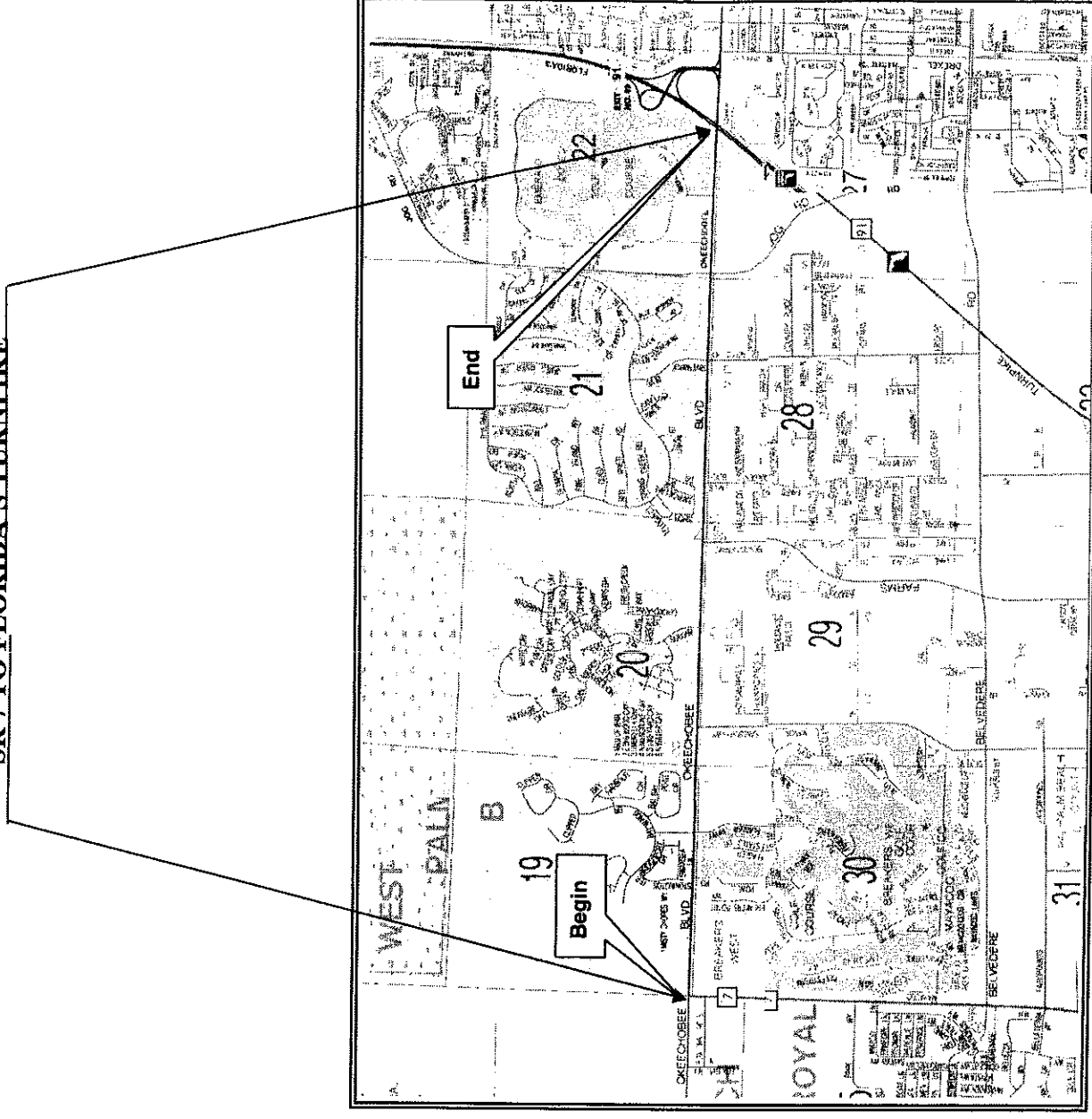
(Background and Justification, continued from Page 1)

Amendment Number One (R2004-0546) revised the Project schedule. Amendment Number Two (R2006-1060) revised the Project limits, funding amounts and schedule. Amendment Number Three (R2007-0455) approved additional funds. Amendment Number Four (R2008-0303) extended the contract time and modified the limits to cover a greater portion of the Project. Amendments Number Five (R2010-0558) and Six extended the expiration date of the Agreement. Amendment Number Seven (R2011-0714) extended the expiration date of the Agreement from June 30, 2011 to December 31, 2011, and added the E-Verify requirement, per Executive Order 11-02 by Florida's Governor. Amendment Number Eight will establish a reallocation of up to \$1,000,000 of budgeted, but unused roadway construction funding for the Improvements. In accordance with the terms of the original Agreement, as was the case with the road project, 50/50 (County/FDOT) matching funding would be utilized to install the Improvements.

Approval of an exception to the policy that restricts the County's installation of median beautification to areas that are unincorporated and not contiguous to a municipality will enable staff to proceed with the installation of the Improvements. Approval of the MMOA will obligate the County to provide ongoing maintenance of the Improvements; however approval of the Interlocal Agreement with the City will delegate all the maintenance responsibilities for the Improvements to the City.

ATTACHMENT 1

LOCATION MAP
SR 704/ OKEECHOBEE BOULEVARD
SR 7 TO FLORIDA'S TURNPIKE



LOCATION MAP