Agenda Item #: 4-C-2

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

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Meeting Date: De	cember 6, 2011	{}	Consent Workshop	{X } Regular	
	y: Engineerin	g & P	ublic Works		
		====	=======================================	=======================================	
	<u>I. EXE</u>	CUTI	VE BRIEF		
Motion and Title beautification on Oke	: Staff reques echobee Boulevard	ts Bo	oard direction State Road 7 to	n: regarding the median o Florida's Turnpike.	
SUMMARY: At the November 15 th Board of County Commissioners (BCC) meeting, the BCC directed staff to bring back an agenda item regarding the potential landscaping project on Okeechobee Boulevard. At the October 4th BCC meeting, the Board rejected the agreements that were required to allow the potential almost \$1 million {50% state/50% local(PBC)} project to move forward and directed staff to get with the City to discuss options. No funding or scope change options have been received from the City since the item was originally heard. The FDOT is requiring the project to have all required documents (CIGP agreement amendment and beautification permit) adopted by Palm Beach County by December 31, 2011 (the last Board meeting is December 20 th). <u>Districts 2 &6 (MRE)</u>					
Background and Ju	stification:				
Staff contacted the City regarding options after the item was rejected by the Board. It was understood that those options could include, but would not be limited to, a reduced project and/or funding participation by the City. The City responded that their budget restrictions would not allow them to contribute any capital funds for the project.					
Commissioner Burdick also asked staff to research the potential for implementing an MSTU for properties along the corridor to cover the local government \$500,000 match. The PBC MSTU ordinance would apply to unincorporated properties, and along this corridor, more than 50% of the front footage is within two municipalities (Royal Palm Beach and West Palm Beach). Having reviewed the specifics associated with this project, staff believes the requirements of an MSTU assessment in this instance are extremely difficult, if not impossible, to meet. Even if the County could establish the requisite benefit, the MSTU ordinance could be used only if the cities adopt implementing ordinances authorizing us to assess properties within their boundaries. (continued on page 3)					
Attachments: 1. List of prop	erties along Okeech	nobee	Boulevard		
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Recommended by:_					
	Division Directo	pr		Date	
Approved By:	5, 1. Will			11/29/11	
	√ County Enginee	er		/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) NET FISCAL IMPACT # ADDITIONAL FTE POSITIONS (Cumulative)	2012 \$ -0- -0- -0- -0- \$ -0-	2013 -0- -0- -0- -0- -0- -0-	2014 -0- -0- -0- -0- -0-	2015 -0- -0- -0- -0- -0- -0-	2016 -0- -0- -0- -0- -0-
Is Item Included in Co	No				
Budget Acct No.: Fund	Deg	ptPro	Unit_ ogram	_ Object	

Recommended Sources of Funds/Summary of Fiscal Impact:

Based upon the Board's direction an agenda item will be submitted with the fiscal impact of the project if approved.

C.	Departmental Fiscal Review:
A.	OFMB Fiscal and/or Contract Dev. and Control Comments:
	OFMB Single (1130 III (1130 III) (1130 III (1130 III (1130 III (1130 III (1130 III (1130 III (11

B. Approved as to Form and Legal Sufficiency:

Assistant County Attorney

C. Other Department Review:

Department Director

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

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Background and Justification (continued):

Staff identified 67 properties along the corridor, ranging from McDonalds, multiple car dealerships and various HOAs/POAs. In addition, six individual residential properties with front footages as large, or larger, than several of the commercial tracts are included in the list. During the assessment process, the County would have to address the issue of HOAs/POAs being assessed, as their funding source is from properties not immediately adjacent to Okeechobee Boulevard and their documents may not allow expenditures outside their boundaries. Our MSTU has also not been previously used to assess commercial properties. Staff does not believe there is time to develop, and then adopt, the required revised plans, permits and ordinances prior to the December deadline.

One of the biggest impediments at this late date is the timing of the FDOT grant monies. Staff has been told that the money will not be made available unless all appropriate agreements/amendments are executed prior to the current grant expiration date of December 31, 2011. Staff asked for more time, but was told the state needs to know the decision as soon as possible. If the documents are executed, the County will have until June 30, 2012, to complete the beautification project.

Commissioner Burdick has stated that she believes the agreements with FDOT and the City of West Palm Beach should be approved as they were presented on the October 4th agenda. Some of her reasons for supporting the project include: the availability of the 50/50 state grant – given the State's funding situation, it is not likely that grants will be easy to come by to landscape the project in the future; the project has been cooperatively planned and developed and is almost ten years in the making; officials and City residents have been supportive of the project, with the City committing to maintain the project in 2001 correspondence from former Mayor Daves, and the City reaffirming the commitment in the interlocal agreement they executed earlier this year; this beautification project is in keeping with the County's long standing median beautification program, a program that includes over 50 miles of roadway medians throughout the County; but, unlike other median beautification projects the County has done, this project will have no ongoing maintenance costs to the County, resulting in an annual savings of almost \$50,000; this corridor has been identified by the City as one of the City's "gateways" and will benefit not only the adjacent properties, but the over 50,000 daily drivers along the corridor; City and County residents worked for over a year with County staff developing the final plans and plant pallets; and, the City and County have worked cooperatively in many projects in the past, including the current South Cove project, where the City has allowed the County's contractor to stage his equipment and materials in a large portion of the City's Currie Park - at no cost to the County. Palm Beach County ERM staff estimates this resulted in a savings of \$300-400,000 for the South Cove project.

ATTACHMENT 1

LIST OF PROPERTIES ALONG OKEECHOBEE BOULEVARD

North side property owners (properties in municipalities shown in italics)

Suntrust Bank

Walgreens

Wells Fargo

Iberia Bank

Lennar Land Partners (Baywinds HOA)

Baywinds Community Association (HOA)

7 Eleven (Mobil gas station)

Equity One (Publix shopping center)

BankAtlantic

Grande Apartments

Andros Isle Prop Owners Assoc

Shichedanz/Oakton Bldg Group

Oakton Commons LLC

Palm Beach Community Bank

City of West Palm Beach (fire station)

Riverwalk HOA

Dolphin Stations LLC (BP Gas)

Linpro Investments (Walmart Shopping center /Walgreens)

M2 Real Estate holdings (Burger King)

Smyrna Land Co (Duffy's)

Rare Hospitality (Longhorn)

Ciment Norman Tr (Chase Bank)

Design Arts of Palm Beach (office center)

Vista Center Assoc

Emerald Dunes Acquisition LLC (Emerald Dunes Golf course)

Total-25 properties

South Side property owners

SSL Okeechobee (in Royal Palm Beach)

Breakers Pointe HOA

Breakers West Dev Corp (maintenance facility)

Breakers Palm Beach (golf course) (large frontage)

Breakers West Association (370 feet of frontage)

Worthington HOA (650 feet of frontage)

Palisades HOA (650 feet of frontage)

Dolphin Stations LLC (BP gas station)

Bimini Twist LLC

Okee Storage Partners (110 feet of frontage)

Six individual property owners in Thousand Pines (each with 240 feet of frontage)

Grace Fellowship (Berean Church)

Dean property (private home)

Capstone Residential (stalled apt complex)

Okee Medical Partners

42 K LLC

School District of Palm Beach County

Golden Lakes Village HOA (entry road - 78 feet of frontage)

Branch Banking & Trust (former Wachovia site)

Golden Shoppes LLC

RLK LLC (Hulett headquarters)

Golden Lakes Plaza POA

South Side property owners (continued)

Land Rover LLC

JAG Palm Beach LLC (vacant)

Okee Petroleum (gas station)

YH trading (gas station)

Hector Corp (Powerhouse gym)

Napleton's Palm Beach (Acura dealership)

Harry Ozar TR (Taco Bell)

McDonald's

Black Diamond Trust (CVS)

Hess gas station

Bank of America

Home Depot (small frontage – entry road)

Wendy's

Tropical Finance Credit Union

Arrigo Dodge

Total 42 properties