

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: June 5, 2012

☐ Consent ☒ Regular
☐ Workshop ☐ Public Hearing

Department:

Submitted By: Engineering & Public Works
Submitted For: Roadway Production Division

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve on preliminary reading and advertise for public hearing on Tuesday, June 19, 2012 at 9:30 a.m.:

An Ordinance amending Ordinance No. 85-40, as amended, establishing an amended Five Year Road Program; providing for title; purpose; adoption of revised Five Year Road Program and revised list of projects contained in Exhibit "A"; implementation of the Program; modification of Program; funding of other roadway improvements, interpretation of exhibit; repeal of laws in conflict; severability; inclusion in the Code of Laws and Ordinances; and effective date.

SUMMARY: A Mid Year Modification of the Palm Beach County Five Year Road Program is contemplated in the Traffic Performance Standards and allows the Board of County Commissioners, through the adoption of an ordinance, to delete projects from the Program two times a year. Exhibit "A" to the Ordinance is a list of proposed projects for the next five years and contains certain changes and modifications. This list is submitted for the Board of County Commissioners' consideration on preliminary reading today, with the final list to be approved with the Ordinance at public hearing on Tuesday, June 19, 2012.

Countywide (MRE)

Background and Justification: This approach is consistent with the Board's general direction.

Attachments:

1. Ordinance with Exhibit "A" (2 Originals)

Recommended By:

Omelio A. Fernandez 5/7/12 [Signature]
Division Director Date

Approved By:

Dej T. Webb 5/16/12
County Engineer Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2012	2013	2014	2015	2016
Capital Expenditures	<u>\$31.1M</u>	<u>\$30.1M</u>	<u>\$37.1M</u>	<u>\$13.1M</u>	<u>\$60.1M</u>
Operating Costs	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
External Revenues	<u>(\$31.7M)</u>	<u>(\$30.4M)</u>	<u>(\$37.9M)</u>	<u>(\$13.9M)</u>	<u>(\$61.8M)</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>(\$ 0.6M)</u>	<u>(\$ 0.3M)</u>	<u>(\$ 0.8M)</u>	<u>(\$ 0.8M)</u>	<u>(\$ 1.7M)</u>
# ADDITIONAL FTE POSITIONS (Cumulative)					

Is Item Included in Current Budget?	Yes X	No
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Budget Acct No.: Fund _____ Dept. _____ Unit _____ Object _____
Program _____

Recommended Sources of Funds/Summary of Fiscal Impact:

The Five Year Road Program is funded from Gasoline Taxes and Impact Fees, including the interest on these two sources of funds, as well as Grants and Developer Contributions.

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

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

B. Approved as to Form and Local Office

In J. Jacobs 5721112
Contract Dev. and Control
5-18-12 *B. White*

B. Approved as to Form and Legal Sufficiency:

Marlene R. Little 5/17/12
Assistant County Attorney

C. Other Department Review:

Department Director

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

ORDINANCE NO. 2012-

**ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS
OF PALM BEACH COUNTY, FLORIDA, AMENDING ORDINANCE NO. 85-40,
AS AMENDED, ESTABLISHING AN AMENDED FIVE YEAR ROAD PROGRAM;
PROVIDING FOR TITLE; PURPOSE; ADOPTION OF REVISED FIVE YEAR ROAD
PLAN AND REVISED LIST OF PROJECTS CONTAINED IN EXHIBIT "A";
IMPLEMENTATION OF PLAN; MODIFICATION OF PLAN; FUNDING OF OTHER
ROADWAY IMPROVEMENTS, INTERPRETATION OF EXHIBIT; REPEAL OF
LAWS IN CONFLICT; SEVERABILITY; INCLUSION IN THE CODE OF LAWS AND
ORDINANCES; EFFECTIVE DATE.**

WHEREAS, by Ordinance 85-40, the County established a Five Year Road Program setting forth the road projects to be funded, designed and constructed by the County within the next five years; and

WHEREAS, Ordinance 85-40 required annual updates of the road projects by December of each year and permits modifications of the plan no more than twice in a one year period; and

WHEREAS, the Board of County Commissioners annually updated Ordinance 85-40 by enacting Ordinances in each fiscal year. by amending the attachment identified as Exhibit "A" to each of the Ordinances; and

WHEREAS, the last adopted Ordinance was 2011-036; and

WHEREAS, the Board has considered the funding and timing of road projects for the next five years as set forth in Exhibit "A" to Ordinance 2011-036 and desires to revise Exhibit "A" of Ordinance 2011-036 to reflect such changes; and

WHEREAS, the Board wishes to amend the Five Year Road Program Ordinance by amending Exhibit "A" and enacting a new Exhibit "A" to this Ordinance.

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

SECTION I

Ordinance 85-40, as amended by the last adopted Ordinance 2011-036; and is hereby amended.

TITLE

This Ordinance shall be known as the "Palm Beach County Five Year Road Program Ordinance."

PURPOSE

The Palm Beach County Comprehensive Plan, Transportation Element, is designed to be used as a guide to meet existing and future ground transportation needs of the County including major roadways within incorporated municipalities. The element analyzes the primary transportation network within the County to determine system deficiencies and identify improvements.

The Board of County Commissioners now desires to codify in this Ordinance a reasonably attainable program of roadway construction for the next five years and match the construction of the projects with available funding.

The further purpose of this Ordinance is to encourage the prioritization of projects, provide for better timing of right-of-way acquisition and provide improved planning for financial funding mechanisms.

ADOPTION OF REVISED FIVE YEAR ROAD PLAN

The list of projects for the Five Year Road Program set forth in Exhibit "A," of Ordinance 85-40, as amended, is hereby modified as set forth in a new Exhibit "A", attached hereto and incorporated herein, and is hereby adopted as the Five Year Road Plan. Exhibit "A" of Ordinance 2011-036 is hereby deleted and replaced with the new Exhibit "A", attached hereto.

IMPLEMENTATION OF PROGRAM

The County Administrator and the County Engineer are directed to implement the Five Year Road Program by taking such actions as are necessary to cause the construction of the roadway segments indicated on the Program, make periodic reports to the Board of County Commissioners with regard to the progress of the projects and to bring all necessary agreements and budget amendments to accomplish the project to the Board of County Commissioners for consideration.

MODIFICATION OF PROGRAM

Each year prior to December, the Board of County Commissioners shall consider an amendment to this Ordinance modifying the list of projects contained on Exhibit "A" to create a viable list of funded projects for the succeeding five years.

From time to time during each year, the Board of County Commissioners, by resolution, may shift funding within the program to promote the more efficient construction of the projects. Deletions, substitutions and additions of entire construction projects from Exhibit "A" may only be accomplished by Ordinance of the Board of County Commissioners. Deletions of projects may be accomplished no more frequently than twice a year.

FUNDING OF OTHER ROADWAY IMPROVEMENTS, INTERPRETATION OF EXHIBIT

This Ordinance shall not be construed to prevent the Board of County Commissioners from constructing other roadway improvements which are not listed on Exhibit "A," provided the projects are funded from sources which will not delete or delay projects included on Exhibit "A."

It is recognized that Exhibit "A" depicting limits of the various projects, length of projects, type of work, timetables and costs are approximations that will require modification and updating by the County Administrator based upon more detailed information and bidding results; provided that the following changes may only be made by the County Commission:

- (a) Changes that increase or decrease the total approved appropriations of the program.
- (b) Changes requiring funding from a reserve account.
- (c) Changes increasing a Board approved project budget by more than five percent.
- (d) Changes which significantly affect the scope, nature, or phasing of a capital project.

REPEAL OF LAWS IN CONFLICT

All local laws and ordinances applying to the unincorporated area of Palm Beach County in conflict with any provisions of this Ordinance are hereby repealed.

SEVERABILITY

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of this Ordinance.

INCLUSION IN THE CODE OF LAWS AND ORDINANCES

The provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of Palm Beach County, Florida. The sections of this Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

EFFECTIVE DATE

The provisions of this Ordinance shall become effective upon filing with the Department of State.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, this _____ day of _____, 2012.

Sharon R. Bock, Clerk & Comptroller
Circuit Courts

By: _____
Deputy Clerk

Palm Beach County Florida, by its
Board of County Commissioners

By: _____
Shelley Vana, Chair

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

By: _____
Assistant County Attorney

EFFECTIVE DATE: Filed with the Department of State on the ____ day of _____, 2012.

PALM BEACH COUNTY FIVE YEAR ROAD PROGRAM - EXHIBIT A

Mid-Year Adjustment - Preliminary Reading - June 5, 2012

	FY 2012 BUDGETED	FY 2012 ESTIMATED	FY 2013 PROJECTED	FY 2014 PROJECTED	FY 2015 PROJECTED	FY 2016 PROJECTED	TOTAL PROJECTED
Local Option Gas Taxes Total	44,513,000	45,372,000	46,280,000	46,280,000	46,280,000	46,280,000	230,492,000
LESS Mass Transit (Palm Tran) Share	(31,619,000)	(31,945,273)	(32,176,500)	(32,176,500)	(32,176,500)	(32,176,500)	(160,651,273)
LESS Engineering Operating (Road Maintenance and Streetscape)	(4,360,000)	(4,152,727)	(4,644,000)	(4,644,000)	(4,644,000)	(4,644,000)	(22,728,727)
REMAINING ROAD PROGRAM ALLOCATION	8,534,000	9,274,000	9,459,500	9,459,500	9,459,500	9,459,500	47,112,000
LESS 5% STATUTORY RESERVES	(702,723)	0	(472,975)	(472,975)	(472,975)	(472,975)	(2,594,623)
Recurring Annual Expenses:							
GLADES AREA ROADS	700,000	700,000	700,000	700,000	700,000	700,000	3,500,000
STREET LIGHTING	1,600,000	1,600,000	1,600,000	1,600,000	1,600,000	1,600,000	8,000,000
OCEAN AVENUE LOAN REPAYMENT	4,528,000	4,519,600	3,782,942	3,159,236	2,622,396	2,159,193	16,243,367
GAS TAX AVAILABLE FOR NEW ALLOCATIONS	1,003,277	2,454,400	2,903,583	3,527,289	4,064,129	4,527,332	16,774,010
INTEREST EARNINGS	1,160,460	220,896	261,322	317,456	365,772	407,460	1,509,661
BOND PROCEEDS	0	0	0	0	0	50,000,000	50,000,000
MISCELLANEOUS	9,452,000 A	4,504,799 A	100,000 B	6,147,375 C	3,236,000 D	0 E	13,988,174
IMPACT FEES USED FOR PROJECTS	16,861,000	20,114,000	20,580,000	17,597,000	5,458,000	6,038,000	69,787,000
TOTAL CURRENT REVENUES	28,476,737	27,294,095	23,844,905	27,589,120	13,123,901	60,972,792	152,824,813
BALANCES FORWARD	372,524	372,524	562,619	312,524	786,644	795,545	372,524
CARRY FORWARD	17,000,000	4,000,000	6,000,000	10,000,000	0	0	20,000,000
TOTAL REVENUES	45,849,261	31,666,619	30,407,524	37,901,644	13,910,545	61,768,337	173,197,337
PROJECT COSTS AS PROPOSED	45,304,000	31,104,000	30,095,000	37,115,000	13,115,000	60,075,000	171,504,000
REVENUES LESS PROJECT COSTS	545,261	562,619	312,524	786,644	795,545	1,693,337	1,693,337

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 3% in FY 2012 thru FY 2016.

Interest earnings on gas taxes are shown on this sheet.

Interest earnings on impact fees remain within each impact fee area and are not shown above.

Footnotes:

A FDOT (anticipates JPA) (LAP funds) \$2,678,799 for right of way in FY 2012 and \$1,236,000 for construction in FY 2015 for Community Dr. & Military Tr. Intersection.

FDOT (TRIP funds) \$1,826,000 for the construction of S.R. 7 & Southern Blvd.

B FDOT (anticipates CIGP funds) up to \$100,000 for design of Northlake Blvd. and Military Tr. Intersection in FY 2013.

C FDOT (Florida Turnpike JPA) \$147,375 for Jog Road, N. of S.R. 710 to N. of Florida's Turnpike Entrance.

Donald Ross Rd. and I-95 \$6,000,000 Scripps Florida Phase II/Briger Proportionate Share Agreement.

D FDOT (CIGP funds) up to \$1,999,125 for the construction of Donald Ross Rd. and I-95 Interchange Modifications. Reimbursement expected to be \$1,750,000 or 50% of \$3,500,000.

FDOT (anticipates CIGP funds) up to \$250,000 for right-of-way acquisition of Northlake Blvd. and Military Tr. Intersection in FY 2015

FDOT (anticipates JPA) (LAP funds) \$2,678,794 for right of way in FY 2012 and \$1,236,000 for construction in FY 2015 for Community Dr. & Military Tr. Intersection.

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

Mid-Year Adjustment - Preliminary Reading - June 5, 2012

	PROJECT	LIMITS	DESCRIPTION	FY 2012		FY 2013		FY 2014		FY 2015		FY 2016	
				Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
	10th Ave. N.	Military Tr.	Intersection Improvements	150	S/D			800	R			400	C
	10th Ave. N.	Boutwell Rd.	Intersection Improvements	100	S/D								
	10th Ave. North	Bridge over Keller Canal	Bridge Improvements	1,100	C								
	45th St.	I-95 to Congress Ave.	0.5 mi, 8 L	130	S								
	60th Street North	W. of Royal Palm Beach Blvd. to E. of Royal Palm Beach Blvd.	0.5 mi, 3 L			2,900	C						
	60th Street North	E. of Royal Palm Beach Blvd. to S.R. 7 Extension	0.8 mi, 3 L	2,100	C								
	A-1-A (Carlin Park)	Bridge	Bridge Replacement	200	D			750	C				
	Admin. Support/Equipment	Countywide	Staff support and Computer Equip. for Program	370	P	370	P	370	P	370	P	370	P
	Annual Contract Advertising	Countywide	Advertising	10	P	10	P	10	P	10	P	10	P
	Atlantic Ave.	Florida's Turnpike	Intersection Improvements			50	D			280	C		
	Australian Ave.	Okeechobee Blvd.	Ramp Modifications	200	S/D								
	Australian Ave.	7th St. to 15th St.	0.6 mi, 5/6 L	300	R	2,300	C						
	Belvedere Rd.	Haverhill Rd.	Intersection Improvements	20	R	260	C						
	Belvedere Rd.	Military Tr.	Intersection Improvements					800	R			1,400	C
	Camino Real Rd./Boca Club	over Intracoastal Waterway	Approach Bridge Span Rehabilitation	1,300	D/M	5,000	D/M/C						
	Caroline Ave.	Crossing over L.W.D.D. L-3 Canal	Bridge Replacement	370	C								
	Central Blvd.	Indiantown Rd.	Intersection Improvements	300	R	1,000	R/C						
	Central Blvd.	C-18 Canal to Church St.	0.3 mi, 2 L			1,500	C						
	Clint Moore Rd.	Jog Rd. to Military Tr.	1.5 mi, 6 L									100	D/R
	Community Dr.	Military Tr.	Intersection Improvements	2,679	R					1,600	C		
	Congress Ave.	Hypoluxo Rd. to Donnelly Dr.	0.7 mi, 4 L			1,100	C						
	Congress Ave.	S. of Lantana Rd. to Lantana Rd.	0.3 mi, 6 L			800	C						
	Congress Ave.	Palm Beach Lakes Blvd.	Intersection Improvements			100	S						
	Congress Ave.	N. of Northlake Blvd. to Alt. A-1-A	0.6 mi, 2 L & 3 L	100	S/D	1,500	D/R/M	800	R/M	2,000	P		
	Donald Ross Road	and I-95	Interchange Modifications					6,000	P/C				
	Forest Hill Blvd.	Military Tr.	Intersection Improvements	160	S								

Legend - Phases(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 - Preliminary Reading - June 5, 2012

	PROJECT	LIMITS	DESCRIPTION	FY 2012		FY 2013		FY 2014		FY 2015		FY 2016	
				Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
	Glades Rd.	Butts Rd.	Intersection Improvements			50	D	100	R			200	C
	Glades Rd.	Florida's Turnpike	Intersection Improvements			100	D			220	C		
	Hatton Hwy.	Bridge over PDD Main Canal 2	Bridge Replacement	350	D			1,950	C				
	Haverhill Rd.	Lantana Rd. to S. of L.W.D.D. L-14 Canal	0.9 mi, 4 L	100	D/R			2,600	C				
	Haverhill Rd.	S. of L.W.D.D. L-14 Canal to Lake Worth Rd.	1.3 mi, 4 L & 5 L	600	R/M			7,600	R/M/C				
	Intersection Program	Countywide	Design, R/W & Construction	200	D/R/M/C	500	D/R/M/C	500	D/R/M/C	500	D/R/M/C	500	D/R/M/C
	Jog Rd.	N. of S.R. 710 to N. of Florida's Turnpike Entr.	0.7 mi, 4 L	6,540	M/C								
	Kirk Rd.	Bridge over LWDD L-9 Canal	Bridge Replacement	150	D	500	C						
	Lake Worth Rd.	Jog Rd.	Intersection Improvements	150	D			500	R			630	C
	Linton Blvd.	Military Tr.	Intersection Improvements			210	D/S	200	R	300	R	280	C
	Lyons Rd.	Kimberly Blvd	Intersection Improvements	50	S/D	100	C						
	Lyons Rd.	Lantana Rd. to Lake Worth Rd.	2.0 mi, 4 L	250	R/M	1,300	R/M			1,300	R/M/P	1,000	R/M/P
	Lyons Rd.	Lake Worth Rd. to N. of L.W.D.D. L-10 Canal	1.0 mi, 2 L			1,000	R/M			3,000	P		
	Northlake Blvd.	Seminole Pratt Whitney Rd. to Coconut Blvd.	3.4 mi, 4 L									2,000	R/M
	Northlake Blvd.	Military Tr.	Intersection Improvements			200	D			500	R		
	Okeechobee Blvd.	Church St.	Intersection Improvements			10	D	200	S/D				
	Old Dixie Hwy.	Park Ave. to Northlake Blvd.	0.9 mi, 3 L	500	D/R	3,000	R/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
	PGA Blvd.	Military Tr.	Intersection Improvements	120	S/D			600	R			150	C
	Recording Fees	Countywide	Right-of-Way	20	R	20	R	20	R	20	R	20	R
	Reserve-Bridges	Countywide	Rehab./Replacement			500	S/D/R/M/C	500	S/D/R/M/C	500	S/D/R/M/C	500	S/D/R/M/C
	Reserve-Plans/Align.	Countywide	Study, Design & Mitigation	100	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	100	R	200	R	200	R	200	R	200	R
	Reserve-Roads	Countywide	Roadway Improvements	500	P/C								
	Reserve-Traffic Calming	Countywide	Minor Improvements	15	D/C	15	D/C	15	D/C	15	D/C	15	D/C
	Reserve-Traffic Signals	Countywide	Mast Arms	200	D/C	600	D/C	600	D/C	600	D/C	600	D/C

Legend - Phases(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 - Preliminary Reading - June 5, 2012

	PROJECT	LIMITS	DESCRIPTION	FY 2012		FY 2013		FY 2014		FY 2015		FY 2016	
				Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
	Roebuck Rd.	S.R. 7 to Jog Rd.	3.0 mi, 4 L									50,000	M/C
	Roebuck Rd.	Haverhill Rd.	Intersection Improvements	70	D	100	C						
	S.R. 7 Extension	Persimmon Blvd. to 60th St.	1.0 mi, 2/4 L	4,700	C								
	Seminole Pratt Whitney Rd.	S. of M Canal to S. of Orange Blvd.	1.3 mi, 4/6 L	5,300	R/M/C								
	Seminole Pratt Whitney Rd.	Orange Blvd. to S. of Northlake Blvd.	1.8 mi, 4/6 L					6,800	C				
	Seminole Pratt Whitney Rd.	Northlake Blvd.	Intersection Improvements					3,500	C				
	Silver Beach Rd.	E. of Congress Ave. to Old Dixie Hwy.	0.9 mi, 2 L & 3 L			3,100	C						

PROJECT TOTALS

31,104

30,095

37,115

13,115

60,075