

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

Agenda Item #:

41

AGENDA ITEM SUMMARY

Meeting Date: July 22, 2014

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:

- A) Approve Road Program Findings of Fact (per Article 12.11.6.3 of the Unified Land Development Code) with a majority affirmative vote that the deletion of four construction projects will not result in any link or intersection on the road network operating at greater than the Adopted level of service, and no development projects are phased to this construction. The four projects that have met this criteria are the deletion of construction of Community Drive and Military Trail; Ellison Wilson Road, south of Juno Isles Boulevard to north of Ascot Road; Jog Road, Glades Road to Yamato Road; and Indiantown Road, Jupiter Farms Road to west of Florida's Turnpike; and
- B) Adopt an Ordinance to amend Ordinance No. 85-40, as amended, establishing an amended Five Year Road Program (Program); providing for title; purpose; adoption of revised program and revised list of projects contained in Exhibit "A"; implementation of the program; modification of the 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: In accordance with Article 12.11.6.6 of the Unified Land Development Code, and prior to the deletion of any construction project from Palm Beach County's (County) Program, the Board of County Commissioner's (Board) must determine that the Findings of Fact have been made. See Attachment "1".

Since the development and adoption of the County's Program on December 17, 2013, the progress and evolution of current and near term projects has continued to be monitored. Traffic counts, costs and revenues have been updated. Revisions are being proposed to modify the Program to reflect this updated information.

A mid year ordinance amendment with a preliminary reading and a Public Hearing is required in order to accomplish this. On July 1, 2014, the Board approved this amendment on preliminary reading and authorized advertisement for today's Public Hearing for final adoption.

Countywide (MRE)

Background and Policy Issues: The attached Findings of Fact require a majority affirmative vote for approval. The adoption of this Mid Year Ordinance to the County's Program is consistent with the Board's general direction.

Attachment:

1. Findings of Fact Inter-Office Memo for deletion of Five Year Road Program Construction projects.
2. Ordinance with Exhibit "A"

Recommended By: Donelso A. Fernandez 7/9/14
Division Director Date

Approved By: Sy J. Well 7/9/14
County Engineer Date



INTEROFFICE MEMORANDUM

Department of Engineering
and Public Works
P.O. Box 21229
West Palm Beach, FL 33416-1229
(561) 684-4000
FAX: (561) 684-4050
www.pbcgov.com

DATE: July 9, 2014
TO: Commissioner Priscilla A. Taylor, Mayor &
The Board of County Commissioners
THRU: George T. Webb, P.E. *GTW*
County Engineer
FROM: Omelio A. Fernandez, P.E., Director *Omelio A. Fernandez*
Roadway Production Division
**RE: ROAD PROGRAM MID-YEAR ADJUSTMENT
PUBLIC HEARING – July 22, 2014
FINDINGS OF FACT**

**Palm Beach County
Board of County
Commissioners**

- Priscilla A. Taylor, Mayor
- Paulette Burdick, Vice Mayor
- Hal R. Valeche
- Shelley Vana
- Steven L. Abrams
- Mary Lou Berger
- Jess R. Santamaria

County Administrator

Robert Weisman

Per Article 12.M.3.B of the Unified Land Development Code, prior to approving the deletion of any construction project from the County's Five-Year Road Program, the BCC must find:

- 1) That the deletion of the construction Project will not result in any Link or intersection on the road network operating at greater than the Adopted LOS as defined in this Article if such Link would not have operated at greater than the Adopted LOS as defined in this Article had the Project been constructed as originally programmed in the adopted Five-Year Road Program; and
- 2) That no Project which was approved and phased based upon such Assured Construction would be denied Building Permits because of the deletion of the construction.

If both findings can be made, then the construction Project may be eliminated by a majority vote except, if the Project is in the current fiscal year, in which case a majority plus one vote is required.

If only the second finding can be made, then a Project not in the current fiscal year could be deleted by a majority plus one vote.

"An Equal Opportunity
Affirmative Action Employer"



However, in no case may a Project be deleted when the second finding cannot be made. Note that Article 12.B.2.F.2 of the ULDC also addresses the question of deletion of a construction project from the PBC Five Year Road Program Ordinance to which a Project was approved and phased. This section states that, "Building Permits for development that was phased to that Assured construction shall be issued, but not sooner than the end of the fiscal year construction was to commence."

Article 12.M.3.A of the Unified Land Development Code defines "deletion of a construction Project" as "the elimination of the construction Project, the failure to let a road construction contract, the removal of or failure to establish funding of the construction Project, the material reduction in the scope of work or funding (as it affects the construction Project), or the postponement of the construction Project in the Five-Year Road Program for more than two years beyond the year the construction was originally programmed in the 1988-92 Five-Year Road Program or in the Five-Year Road Program in which the construction was first added after 1987."

Four (4) projects to be deleted in the proposed mid-year adjustment to the 5-year road program meet this definition. In order to assist the BCC in making the determination regarding Findings 1 and 2 for this project, the following substantial competent evidence has been provided:

1. Community Drive and Military Trail Intersection Improvements:

Construction of intersection improvements is currently scheduled for FY 2015. Construction of the project has been removed from the proposed program.

Finding 1

Based on the 2013 peak season counts the intersection is operating at LOS C. Because the intersection is currently operating within the Adopted LOS, Finding 1 is met.

Finding 2

There are no development projects which are phased to this construction. Finding 2 is met.

Because both findings can be made and the project is not in the current fiscal year, a majority vote is required.



2. Jog Road from Glades Road to Yamato Road Expansion:

Construction of this improvement is currently scheduled for FY 2018. Construction of the project has been removed from the proposed program.

Finding 1

The 2013 peak season daily volume to capacity ratio for this segment is 0.86, which corresponds to LOS D. Because the link is currently operating within the Adopted LOS, Finding 1 is met.

Finding 2

There are no development projects which are phased to this construction. Finding 2 is met.

Because both findings can be made and the project is not in the current fiscal year, a majority vote is required.

3. Indiantown Road from Jupiter Farms Rd to W of Florida's Turnpike:

Construction of this improvement is currently scheduled for FY 2016. Construction of the project has been removed from the proposed program.

Finding 1

The 2013 peak season daily volume to capacity ratio for this segment is 0.87, which corresponds to LOS D. Because the link is currently operating within the Adopted LOS, Finding 1 is met.

Finding 2

There are no development projects which are phased to this construction. Finding 2 is met.

Because both findings can be made and the project is not in the current fiscal year, a majority vote is required.



4. Ellison Wilson Rd from S of Juno Isles Blvd to N of Ascott Rd:

Construction of this improvement is currently scheduled for FY 2015. Construction of the project has been removed from the proposed program.

Finding 1

The 2013 peak season daily volume to capacity ratio for this segment is 0.41, which corresponds to LOS B. Because the link is currently operating within the Adopted LOS, Finding 1 is met.

Finding 2

There are no development projects which are phased to this construction. Finding 2 is met.

Because both findings can be made and the project is not in the current fiscal year, a majority vote is required.

GTW:OAF:DW:rac

CC: Tanya McConnell, P.E., Deputy County Engineer
Steve Carrier, P.E., Assistant County Engineer
Marlene Everitt, Assistant County Attorney
Morton Rose, P.E., Asst. Director, Roadway Production Division
David Young, P.E., Special Projects Manager, Roadway Production Div.
Kathleen Farrell, P.E., Thoroughfare Roads Manager
Kim Graham, P.E., Asst. Director, Traffic Division
Dan Weisberg, P.E., Director, Traffic Division

ORDINANCE NO.

ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING ORDINANCE NO. 85-40, AS AMENDED, STABLISHING 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 Board of County Commissioners (Board) established a Five Year Road Program setting forth the road projects to be funded, designed and constructed by Palm Beach County (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 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 2013-032; 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 2013-032 and desires to revise Exhibit "A" of Ordinance 2013-032 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 2013-032; 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 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 2013-032 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 with regard to the progress of the projects and to bring all necessary agreements and budget amendments to accomplish the projects to the Board for consideration.

MODIFICATION OF PROGRAM

Each year prior to December, the Board 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, 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. Deletions of projects may be accomplished no more frequently than twice a year.

FUNDING OF OTHER ROADWAY IMPROVEMENTS, INTERPRETATION OF EXHIBIT "A"

This Ordinance shall not be construed to prevent the County 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 Board:

- (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 _____, 2014.

Sharon R. Bock, Clerk & Comptroller
Circuit Courts

Palm Beach County Florida, by its
Board of County Commissioners

By: _____
Deputy Clerk

By: _____
Priscilla A. Taylor, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____
Assistant County Attorney

EFFECTIVE DATE: Filed with the Department of State on the _____ day of _____, 2014.

PALM BEACH COUNTY FIVE YEAR ROAD PROGRAM - EXHIBIT A

Mid-Year Adjustment - Public Hearing - July 22, 2014

	FY 2014 BUDGETED	FY 2014 PROJECTED	FY 2015 PROJECTED	FY 2016 PROJECTED	FY 2017 PROJECTED	FY 2018 PROJECTED	TOTAL PROJECTED
Local Option Gas Taxes Total	46,565,000	45,870,000	45,994,000	45,994,000	45,994,000	45,994,000	229,846,000
LESS Mass Transit (Palm Tran) Share	(32,264,000)	(32,135,000)	(32,197,000)	(32,197,000)	(32,197,000)	(32,197,000)	(160,923,000)
LESS Engineering Operating (Road Maintenance and Streetscape)	(4,764,000)	(4,260,000)	(4,260,000)	(4,260,000)	(4,260,000)	(4,260,000)	(21,300,000)
REMAINING ROAD PROGRAM ALLOCATION	9,537,000	9,475,000	9,537,000	9,537,000	9,537,000	9,537,000	47,623,000
LESS 5% STATUTORY RESERVES	(476,850)	0	(476,850)	(476,850)	(476,850)	(476,850)	(1,907,400)
OCEAN AVENUE LOAN REPAYMENT	(1,029,000)	(1,029,000)	(1,029,000)	(1,029,000)	(1,029,000)	(1,029,000)	(5,145,000)
<i>GAS TAX AVAILABLE FOR NEW ALLOCATIONS</i>	<i>8,031,150</i>	<i>8,446,000</i>	<i>8,031,150</i>	<i>8,031,150</i>	<i>8,031,150</i>	<i>8,031,150</i>	<i>40,570,600</i>
INTEREST EARNINGS	722,804	760,140	722,804	722,804	722,804	722,804	3,651,354
BOND PROCEEDS	0	0	0	0	0	80,000,000	80,000,000
MISCELLANEOUS	397,000	397,000 A	2,231,218 B	1,710,000 C	7,000,000 D	2,500,000 E	13,838,218
IMPACT FEES USED FOR PROJECTS	18,576,000	8,693,000	24,337,000	13,680,000	40,700,000	21,039,000	108,449,000
TOTAL CURRENT REVENUES	27,726,954	18,296,140	35,322,172	24,143,954	56,453,954	112,292,954	246,509,172
BALANCES FORWARD	6,650,308	6,650,308	1,206,448	717,620	541,573	115,527	6,650,308
CARRY FORWARD	13,000,000	0	17,000,000	9,000,000	2,000,000	0	28,000,000
TOTAL REVENUES	47,377,262	24,946,448	53,528,620	33,861,573	58,995,527	112,408,480	281,159,480
PROJECT COSTS AS PROPOSED	46,910,000	23,740,000	52,811,000	33,320,000	58,880,000	112,280,000	281,031,000
REVENUES LESS PROJECT COSTS	467,262	1,206,448	717,620	541,573	115,527	128,480	128,480

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 2014 thru FY 2018.

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 (Florida Turnpike JPA) \$147,375 for Jog Road, N. of S.R. 710 to N. of Florida's Turnpike Entrance in FY 2014.
FDOT (CIGP funds) up to \$250,000 for design of Congress Ave., N. of Northlake Blvd. to Alt. A-1-A in FY 2014.
- B FDOT (anticipates LAP funds) up to \$2,231,218 for CR 880 (Old SR 80) Rehabilitation/Maintenance in FY 2015.
- C FDOT (anticipates CIGP funds) up to \$1,360,000 for right-of-way acquisition of Congress Ave., N. of Northlake Blvd. to Alt. A-1-A in FY 2016.
FDOT (anticipates CIGP funds) up to \$350,000 for construction of Northlake Blvd. and Military Trail Intersection in FY 2016.
- D Additional funds include \$7,000,000 from the Atlantic Ave. Agreement.
- E FDOT (anticipates CIGP funds) up to \$2,500,000 for construction of Congress Ave., N. of Northlake Blvd. to Alt. A-1-A in FY 2018.

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

Mid-Year Adjustment - Public Hearing- July 22, 2014

PROJECT	LIMITS	DESCRIPTION	FY 2014		FY 2015		FY 2016		FY 2017		FY 2018	
			Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
10th Ave. N.	Military Tr.	Intersection Improvements	450	C								
60th Street North	W. of Royal Palm Beach Blvd. to E. of Royal Palm Beach Blvd.	0.5 mi, 3 L			5,600	C						
A-1-A (Carlin Park)	Bridge	Bridge Replacement	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	20	P	20	P	20	P	20	P	20	P
Atlantic Ave.	Florida's Turnpike	Intersection Improvements			500	C						
Australian Ave.	7th St. to 15th St.	0.6 mi, 5/6 L	500	R	2,600	C						
Camino Real Rd./Boca Club	over Intracoastal Waterway	Approach Bridge Span Rehabilitation					6,000	D/M/C				
Church St.	Limestone Creek Rd. to W. of Central Blvd.	0.5 mi, 3 L	100	D			50	R/M			250	C
Congress Ave.	N. of Northlake Blvd. to Alt. A-1-A	0.6 mi, 2 L & 3 L	800	D/R/M			2,720	R/M			5,000	C
CR 880 (Old SR 80)	over C-51 Canal	Bridge Replacement	10	D	490	D					2,200	C
CR 880 (Old SR 80)	Rehabilitation/Heavy Maintenance	Rehabilitation	2,000	C	3,231	C	1,000	C	1,000	C	1,000	C
Flavor Pict Rd.	SR 7 to Lyons Rd.	1.0 mi, 2 L			100	M			4,500	C		
Glades Area	R&R Throughout the Glades	Repair/Reconstruction	700	C	700	C	700	C	700	C	700	C
Glades Rd.	Butts Rd.	Intersection Improvements	50	D	100	R	200	C				
Glades Rd.	Florida's Turnpike	Intersection Improvements			220	C						
Hatton Hwy.	Bridge over PWCD Canal No. 2	Bridge Replacement	3,100	C								
Haverhill Rd.	Lantana Rd. to S. of L.W.D.D. L-14 Canal	0.9 mi, 4 L					2,100	C				
Haverhill Rd.	S. of L.W.D.D. L-14 Canal to Lake Worth Rd.	1.3 mi, 4 L & 5 L					7,600	R/M/C				
Haverhill Rd.	N. of Caribbean Blvd. to Bee Line Hwy.	1.6 mi, 5 L	200	D/R	500	R/M			9,000	C		
Hood Rd.	E. of Florida's Turnpike to W. of Central Blvd.	1.2 mi, 4 L			200	M/R			6,400	C		
Hood Rd.	Central Blvd.	Intersection Improvements	100	S/D			200	R/M			1,000	C
Jog Rd.	Roebuck Rd. to S. of 45th Street	1.9 mi, 4 L									30,000	R/M/C
Kirk Rd.	Bridge over LWDD L-9 Canal	Bridge Replacement	600	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 - Public Hearing- July 22, 2014

PROJECT	LIMITS	DESCRIPTION	FY 2014		FY 2015		FY 2016		FY 2017		FY 2018	
			Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
Lake Worth Rd.	Jog Rd.	Intersection Improvements					630	C				
Linton Blvd.	Military Tr.	Intersection Improvements	200	R	300	R	280	C				
Lyons Rd.	Hillsboro Canal to SW 18th Street	0.3 mi, 6 L			100	R			2,000	C		
Lyons Rd.	Clint Moore Rd. to Atlantic Ave.	3.0 mi, 4 L			2,800	R/M			9,700	C		
Lyons Rd.	Lantana Rd. to N. of LWDD L-14 Canal	0.9 mi, 4 L							4,000	C		
Lyons Rd.	N. of LWDD L-14 Canal to Lake Worth Rd.	1.1 mi, 4 L									2,500	P
Lyons Rd.	Lake Worth Rd. to N. of L.W.D.D. L-10 Canal	1.1 mi, 2/3 L									100	P
Northlake Blvd.	E. of Seminole Pratt Whitney Rd. to E. of Hall Blvd.	1.0 mi, 4 L					3,000	C				
Northlake Blvd.	E. of Hall Blvd. to Coconut Blvd.	2.4 mi, 4 L					2,000	R/M		8,500	C	
Northlake Blvd.	Military Tr.	Intersection Improvements							700	C		
Old Dixie Hwy.	Yamato Rd. to Linton Blvd.	3.0 mi, 3 L	1,500	D			2,000	R/M			10,500	C
Old Dixie Hwy.	Park Ave. to Northlake Blvd.	0.9 mi, 3 L	2,200	R	2,800	C						
Palmetto Park Rd.	Boca Del Mar Dr. to Palmetto Circle N.	Pedestrian Overpass	150	D								
Palmetto Park Rd.	over L.W.D.D. E-4 Canal (El Rio Canal)	Bridge Replacement	500	D			2,600	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	350	D	1,100	D/R	600	C				
Purdy Ln.	Forest Hill Elem to E. Major Dr.	0.2 mi, 3 L					1,100	C				
Recording Fees	Countywide	Right-of-Way	20	R	20	R	20	R	20	R	20	R
Reserve-Bridges	Countywide	Rehab./Repair/Replacement	3,980	S/D/R/M/C	3,970	S/D/R/M/C	2,610	S/D/R/M/C	2,500	S/D/R/M/C	500	S/D/R/M/C
Reserve-Intersections	Countywide	Design, R/W, Mitigation & Construction	1,670	S/D/R/M/C	2,320	S/D/R/M/C	800	S/D/R/M/C	3,750	S/D/R/M/C	1,900	S/D/R/M/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	20	D/C	20	D/C	20	D/C	20	D/C	20	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									50,000	M/C
Roebuck Rd.	Jog Rd. to Haverhill Rd.	1.0 mi, 5 L	200	D/R	150	M/R			3,200	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 - Public Hearing- July 22, 2014

	PROJECT	LIMITS	DESCRIPTION	FY 2014		FY 2015		FY 2016		FY 2017		FY 2018	
				Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
	Royal Palm Beach Blvd.	M-Canal to S. of Orange Blvd.	1.0 mi, 3/5 L	700	D/R			300	R/M			3,700	C
	S.W. 3rd. St.	S.R. 7 to E. of S.R. 7	0.1 mi, 3 L			1,200	C						
	Sandalfoot Blvd.	S.R. 7 to E. of S.R. 7	0.1 mi, 5 L			1,400	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	R/M/C						
TOTALS				23,740		52,811		33,320		58,880		112,280	

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

ORDINANCE NO.

ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING ORDINANCE NO. 85-40, AS AMENDED, STABLISHING 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 Board of County Commissioners (Board) established a Five Year Road Program setting forth the road projects to be funded, designed and constructed by Palm Beach County (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 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 2013-032; 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 2013-032 and desires to revise Exhibit "A" of Ordinance 2013-032 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 2013-032; 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 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 2013-032 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 with regard to the progress of the projects and to bring all necessary agreements and budget amendments to accomplish the projects to the Board for consideration.

MODIFICATION OF PROGRAM

Each year prior to December, the Board 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, 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. Deletions of projects may be accomplished no more frequently than twice a year.

FUNDING OF OTHER ROADWAY IMPROVEMENTS, INTERPRETATION OF EXHIBIT "A"

This Ordinance shall not be construed to prevent the County 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 Board:

- (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 _____, 2014.

Sharon R. Bock, Clerk & Comptroller
Circuit Courts

Palm Beach County Florida, by its
Board of County Commissioners

By: _____
Deputy Clerk

By: _____
Priscilla A. Taylor, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____
Assistant County Attorney

EFFECTIVE DATE: Filed with the Department of State on the ____ day of _____, 2014.

PALM BEACH COUNTY FIVE YEAR ROAD PROGRAM - EXHIBIT A

Mid-Year Adjustment - Public Hearing - July 22, 2014

	FY 2014 BUDGETED	FY 2014 PROJECTED	FY 2015 PROJECTED	FY 2016 PROJECTED	FY 2017 PROJECTED	FY 2018 PROJECTED	TOTAL PROJECTED
Local Option Gas Taxes Total	46,565,000	45,870,000	45,994,000	45,994,000	45,994,000	45,994,000	229,846,000
LESS Mass Transit (Palm Tran) Share	(32,264,000)	(32,135,000)	(32,197,000)	(32,197,000)	(32,197,000)	(32,197,000)	(160,923,000)
LESS Engineering Operating (Road Maintenance and Streetscape)	(4,764,000)	(4,260,000)	(4,260,000)	(4,260,000)	(4,260,000)	(4,260,000)	(21,300,000)
REMAINING ROAD PROGRAM ALLOCATION	9,537,000	9,475,000	9,537,000	9,537,000	9,537,000	9,537,000	47,623,000
LESS 5% STATUTORY RESERVES	(476,850)	0	(476,850)	(476,850)	(476,850)	(476,850)	(1,907,400)
OCEAN AVENUE LOAN REPAYMENT	(1,029,000)	(1,029,000)	(1,029,000)	(1,029,000)	(1,029,000)	(1,029,000)	(5,145,000)
GAS TAX AVAILABLE FOR NEW ALLOCATIONS	8,031,150	8,446,000	8,031,150	8,031,150	8,031,150	8,031,150	40,570,600
INTEREST EARNINGS	722,804	760,140	722,804	722,804	722,804	722,804	3,651,354
BOND PROCEEDS	0	0	0	0	0	80,000,000	80,000,000
MISCELLANEOUS	397,000	397,000 A	2,231,218 B	1,710,000 C	7,000,000 D	2,500,000 E	13,838,218
IMPACT FEES USED FOR PROJECTS	18,576,000	8,693,000	24,337,000	13,680,000	40,700,000	21,039,000	108,449,000
TOTAL CURRENT REVENUES	27,726,954	18,296,140	35,322,172	24,143,954	56,453,954	112,292,954	246,509,172
BALANCES FORWARD	6,650,308	6,650,308	1,206,448	717,620	541,573	115,527	6,650,308
CARRY FORWARD	13,000,000	0	17,000,000	9,000,000	2,000,000	0	28,000,000
TOTAL REVENUES	47,377,262	24,946,448	53,528,620	33,861,573	58,995,527	112,408,480	281,159,480
PROJECT COSTS AS PROPOSED	46,910,000	23,740,000	52,811,000	33,320,000	58,880,000	112,280,000	281,031,000
REVENUES LESS PROJECT COSTS	467,262	1,206,448	717,620	541,573	115,527	128,480	128,480

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 2014 thru FY 2018.

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 (Florida Turnpike JPA) **\$147,375** for Jog Road, N. of S.R. 710 to N. of Florida's Turnpike Entrance in FY 2014.
FDOT (CIGP funds) up to **\$250,000** for design of Congress Ave., N. of Northlake Blvd. to Alt. A-1-A in FY 2014.
- B FDOT (anticipates LAP funds) up to **\$2,231,218** for CR 880 (Old SR 80) Rehabilitation/Maintenance in FY 2015.
- C FDOT (anticipates CIGP funds) up to **\$1,360,000** for right-of-way acquisition of Congress Ave., N. of Northlake Blvd. to Alt. A-1-A in FY 2016.
FDOT (anticipates CIGP funds) up to **\$350,000** for construction of Northlake Blvd. and Military Trail Intersection in FY 2016.
- D Additional funds include **\$7,000,000** from the Atlantic Ave. Agreement.
- E FDOT (anticipates CIGP funds) up to **\$2,500,000** for construction of Congress Ave., N. of Northlake Blvd. to Alt. A-1-A in FY 2018.

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

Mid-Year Adjustment - Public Hearing- July 22, 2014

PROJECT	LIMITS	DESCRIPTION	FY 2014		FY 2015		FY 2016		FY 2017		FY 2018	
			Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
10th Ave. N.	Military Tr.	Intersection Improvements	450	C								
60th Street North	W. of Royal Palm Beach Blvd. to E. of Royal Palm Beach Blvd.	0.5 mi, 3 L			5,600	C						
A-1-A (Carlin Park)	Bridge	Bridge Replacement	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	20	P	20	P	20	P	20	P	20	P
Atlantic Ave.	Florida's Turnpike	Intersection Improvements			500	C						
Australian Ave.	7th St. to 15th St.	0.6 mi, 5/6 L	500	R	2,600	C						
Camino Real Rd./Boca Club	over Intracoastal Waterway	Approach Bridge Span Rehabilitation					6,000	D/M/C				
Church St.	Limestone Creek Rd. to W. of Central Blvd.	0.5 mi, 3 L	100	D			50	R/M			250	C
Congress Ave.	N. of Northlake Blvd. to Alt. A-1-A	0.6 mi, 2 L & 3 L	800	D/R/M			2,720	R/M			5,000	C
CR 880 (Old SR 80)	over C-51 Canal	Bridge Replacement	10	D	490	D					2,200	C
CR 880 (Old SR 80)	Rehabilitation/Heavy Maintenance	Rehabilitation	2,000	C	3,231	C	1,000	C	1,000	C	1,000	C
Flavor Pict Rd.	SR 7 to Lyons Rd.	1.0 mi, 2 L			100	M			4,500	C		
Glades Area	R&R Throughout the Glades	Repair/Reconstruction	700	C	700	C	700	C	700	C	700	C
Glades Rd.	Butts Rd.	Intersection Improvements	50	D	100	R	200	C				
Glades Rd.	Florida's Turnpike	Intersection Improvements			220	C						
Hatton Hwy.	Bridge over PWCD Canal No. 2	Bridge Replacement	3,100	C								
Haverhill Rd.	Lantana Rd. to S. of L.W.D.D. L-14 Canal	0.9 mi, 4 L					2,100	C				
Haverhill Rd.	S. of L.W.D.D. L-14 Canal to Lake Worth Rd.	1.3 mi, 4 L & 5 L					7,600	R/M/C				
Haverhill Rd.	N. of Caribbean Blvd. to Bee Line Hwy.	1.6 mi, 5 L	200	D/R	500	R/M			9,000	C		
Hood Rd.	E. of Florida's Turnpike to W. of Central Blvd.	1.2 mi, 4 L			200	M/R			6,400	C		
Hood Rd.	Central Blvd.	Intersection Improvements	100	S/D			200	R/M			1,000	C
Jog Rd.	Roebuck Rd. to S. of 45th Street	1.9 mi, 4 L									30,000	R/M/C
Kirk Rd.	Bridge over LWDD L-9 Canal	Bridge Replacement	600	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 - Public Hearing- July 22, 2014

PROJECT	LIMITS	DESCRIPTION	FY 2014		FY 2015		FY 2016		FY 2017		FY 2018	
			Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
Lake Worth Rd.	Jog Rd.	Intersection Improvements					630 C					
Linton Blvd.	Military Tr.	Intersection Improvements	200 R		300 R		280 C					
Lyons Rd.	Hillsboro Canal to SW 18th Street	0.3 mi, 6 L			100 R				2,000 C			
Lyons Rd.	Clint Moore Rd. to Atlantic Ave.	3.0 mi, 4 L			2,800 R/M				9,700 C			
Lyons Rd.	Lantana Rd. to N. of LWDD L-14 Canal	0.9 mi, 4 L							4,000 C			
Lyons Rd.	N. of LWDD L-14 Canal to Lake Worth Rd.	1.1 mi, 4 L									2,500 P	
Lyons Rd.	Lake Worth Rd. to N. of L.W.D.D. L-10 Canal	1.1 mi, 2/3 L									100 P	
Northlake Blvd.	E. of Seminole Pratt Whitney Rd. to E. of Hall Blvd.	1.0 mi, 4 L				3,000 C						
Northlake Blvd.	E. of Hall Blvd. to Coconut Blvd.	2.4 mi, 4 L				2,000 R/M			8,500 C			
Northlake Blvd.	Military Tr.	Intersection Improvements							700 C			
Old Dixie Hwy.	Yamato Rd. to Linton Blvd.	3.0 mi, 3 L	1,500 D				2,000 R/M				10,500 C	
Old Dixie Hwy.	Park Ave. to Northlake Blvd.	0.9 mi, 3 L	2,200 R		2,800 C							
Palmetto Park Rd.	Boca Del Mar Dr. to Palmetto Circle N.	Pedestrian Overpass	150 D					2,600 C				
Palmetto Park Rd.	over L.W.D.D. E-4 Canal (El Rio Canal)	Bridge Replacement	500 D									
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	350 D		1,100 D/R		600 C					
Purdy Ln.	Forest Hill Elem to E. Major Dr.	0.2 mi, 3 L			1,100 C							
Recording Fees	Countywide	Right-of-Way	20 R		20 R		20 R		20 R		20 R	
Reserve-Bridges	Countywide	Rehab./Repair/Replacement	3,980 S/D/R/M/C		3,970 S/D/R/M/C		2,610 S/D/R/M/C		2,500 S/D/R/M/C		500 S/D/R/M/C	
Reserve-Intersections	Countywide	Design, R/W, Mitigation & Construction	1,670 S/D/R/M/C		2,320 S/D/R/M/C		800 S/D/R/M/C		3,750 S/D/R/M/C		1,900 S/D/R/M/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	20 D/C		20 D/C		20 D/C		20 D/C		20 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									50,000 M/C	
Roebuck Rd.	Jog Rd. to Haverhill Rd.	1.0 mi, 5 L	200 D/R		150 M/R				3,200 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 - Public Hearing- July 22, 2014

	PROJECT	LIMITS	DESCRIPTION	FY 2014		FY 2015		FY 2016		FY 2017		FY 2018	
				Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
	Royal Palm Beach Blvd.	M-Canal to S. of Orange Blvd.	1.0 mi, 3/5 L	700	D/R			300	R/M			3,700	C
	S.W. 3rd. St.	S.R. 7 to E. of S.R. 7	0.1 mi, 3 L			1,200	C						
	Sandalfoot Blvd.	S.R. 7 to E. of S.R. 7	0.1 mi, 5 L			1,400	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	R/M/C						
TOTALS				23,740		52,811		33,320		58,880		112,280	

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