

ORDINANCE NO. 2016-

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 PROGRAM AND REVISED LIST OF PROJECTS CONTAINED IN EXHIBIT "A"; IMPLEMENTATION OF 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; 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 2015-049; 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 2015-049 and desires to revise Exhibit "A" of Ordinance 2015-049 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 2015-049; 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 PROGRAM

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 2015-049 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 _____, 2016.

Sharon R. Bock, Clerk & Comptroller
Circuit Courts

Palm Beach County Florida, by its
Board of County Commissioners

By: _____
Deputy Clerk

By: _____
Mary Lou Berger, Mayor

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

By: _____
Assistant County Attorney

EFFECTIVE DATE: Filed with the Department of State on the ____ day of _____, 2016.

PALM BEACH COUNTY FIVE YEAR ROAD PROGRAM - EXHIBIT A

Mid-year Adjustment - Preliminary Reading - July 12, 2016

	FY 2016 BUDGETED	FY 2016 PROJECTED	FY 2017 PROJECTED	FY 2018 PROJECTED	FY 2019 PROJECTED	FY 2020 PROJECTED	TOTAL PROJECTED
Local Option Gas Taxes Total	49,679,000	49,679,000	49,679,000	49,679,000	49,679,000	49,679,000	248,395,000
LESS Mass Transit (Palm Tran) Share	(33,045,000)	(33,045,000)	(33,045,000)	(33,045,000)	(33,045,000)	(33,045,000)	(165,225,000)
LESS Engineering Operating	(6,526,000)	(6,526,000)	(6,526,000)	(6,526,000)	(6,526,000)	(6,526,000)	(32,630,000)
REMAINING ROAD PROGRAM ALLOCATION	10,108,000	10,108,000	10,108,000	10,108,000	10,108,000	10,108,000	50,540,000
LESS 5% STATUTORY RESERVES	(505,400)	0	(505,400)	(505,400)	(505,400)	(505,400)	(2,021,600)
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	8,573,600	9,079,000	8,573,600	8,573,600	8,573,600	8,573,600	43,373,400
INTEREST EARNINGS	771,624	817,110	771,624	771,624	771,624	771,624	3,903,606
MISCELLANEOUS	0	0	10,230,000 A	0	0	0	10,230,000
IMPACT FEES USED FOR PROJECTS	39,466,000	37,415,000	70,723,000	25,231,000	9,024,000	17,894,000	160,287,000
TOTAL CURRENT REVENUES	48,811,224	47,311,110	90,298,224	34,576,224	18,369,224	27,239,224	217,794,006
BALANCES FORWARD	585,386	585,386	506,496	854,720	900,944	759,168	585,386
CARRY FORWARD	9,000,000	6,000,000	33,000,000	3,000,000	8,000,000	5,000,000	55,000,000
TOTAL REVENUES	58,396,610	53,896,496	123,804,720	38,430,944	27,270,168	32,998,392	273,379,392
PROJECT COSTS AS PROPOSED	57,890,000	53,390,000	122,950,000	37,530,000	26,511,000	32,780,000	273,161,000
REVENUES LESS PROJECT COSTS	506,610	506,496	854,720	900,944	759,168	218,392	218,392

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 2016 thru FY 2020.

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 CIGP funds) up to \$2,880,000 for right-of-way acquisition of Congress Ave., N. of Northlake Blvd. to Alt. A-1-A in FY 2017.

FDOT (anticipates CIGP funds) up to \$350,000 for construction of Northlake Blvd. and Military Trail Intersection in FY 2017.

Additional funds include \$7,000,000 from the Atlantic Ave. Agreement.

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

Mid-Year Adjustment - Preliminary Reading - July 12, 2016

PROJECT	LIMITS	DESCRIPTION	FY 2016		FY 2017		FY 2018		FY 2019		FY 2020	
			Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
6th Ave. S.	over Lake Osborne Dr.	Bridge Replacement	1,200	D/R			150	R			6,000	C
45th. Street	E. of Haverhill Rd. to W. of Military Trail	0.1 mi, 6 L	50	D			50	R				
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			1,500	C						
Australian Ave.	Palm Beach Lakes Blvd.	Intersection Improvements	170	D	1,500	C						
Australian Ave.	W 10th St. to 300' N of W 13th. St	Intersection Improvements	1,150	D/R/C								
Benoist Farms Rd.	S.R. 80 to Belvedere Rd.	0.9 mi, 3 L	720	D/R			700	R			5,200	C
Boynton Beach Blvd.	Florida's Turnpike Southbound Entrance/Exit	Intersection Improvements							801	P		
Camino Real Rd./Boca Club	over Intracoastal Waterway	Bridge Rehabilitation			9,000	D/C						
Center St.	Thelma Ave. to Woodland Estates Dr.	0.3 mi, 3 L	50	R	900	C						
Church St.	Limestone Creek Rd. to W. of Central Blvd.	0.5 mi, 3 L	350	D/R/M			1,200	C				
Clint Moore Rd.	E. of Congress Ave. to E. of L.W.D.D. E-4 Canal	0.3 mi, 6 L (LWDD E-4 Canal Bridge Replacement)	150	D			100	R			1,500	C
Congress Ave.	N. of Okeechobee Blvd. to Ware Dr.	0.1 mi, 5 L (W.P.B. "F" Canal Bridge Replacement - Culvert)			50	R	500	C				
Congress Ave.	Palm Beach Lakes Blvd.	Intersection Improvements			400	R			2,000	C		
Congress Ave.	N. of Northlake Blvd. to Alt. A-1-A	0.6 mi, 2 L & 3 L	50	D	5,760	R/M					5,000	C
Connector	Lyons Rd. to Acme Dairy Rd.	0.5 mi, 2/3 L			1,250	C						
Coral Ridge Dr.	S. County Regional Park N. Entrance to 750' N.	0.1 mi, 2 L			800	C						
CR 880 (Old SR 80)	Rehabilitation/Heavy Maintenance	Rehabilitation	1,000	C	1,000	C	1,000	C	1,000	C		
CR 880 (Old SR 80)	over C-51 Canal	Bridge Replacement							2,200	C		
Drexel Rd.	Fair Green Rd. to 15th Ln. N.	0.1 mi, 3 L (L.W.D.D. L-2 Canal Bridge Replacement - Culvert)			800	C						
Flavor Pict Rd.	S.R. 7 to Lyons Rd.	1.0 mi, 2 L	80	D/R	4,500	C						
Florida Mango Rd.	10th Ave. North to Edgewater Drive	0.9 mi, 3 L (L.W.D.D. L-9 & L-10 Canals Bridge Replacements)	900	D/R			100	R			3,300	C
Florida Mango Rd.	Edgewater Drive to Barbados Rd.	0.6 mi, 3 L (L.W.D.D. L-8 Canal Bridge Replacement)	220	D	50	R			1,600	C		
Florida Mango Rd.	N. of Myrica Rd. to Summit Blvd.	0.5 mi, 3 L (L.W.D.D. L-6 Canal Bridge Replacement - Culvert)	250	D/R			1,900	C				
Garden Rd.	S. of FDOT Canal to S of Blue Heron Blvd.	0.3 mi, 3 L (FDOT Canal Bridge Replacement - Culvert)	1,200	C								

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

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

Mid-Year Adjustment - Preliminary Reading - July 12, 2016

PROJECT	LIMITS	DESCRIPTION	FY 2016		FY 2017		FY 2018		FY 2019		FY 2020	
			Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
Gateway Blvd.	Military Trail	Intersection Improvements			500	R					1,100	C
Gateway Blvd.	High Ridge Rd	Intersection Improvements			100	R			1,180	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	100	R/P	300	C/P						
Haverhill Rd.	Lantana Rd. to S. of LWDD L-14 Canal	0.9 mi, 4 L	3,500	C								
Haverhill Rd.	S. of LWDD L-14 Canal to Lake Worth Rd.	1.3 mi, 5 L	8,800	R/M/C								
Haverhill Rd.	N. of Caribbean Blvd. to Bee Line Hwy.	1.6 mi, 5 L	500	D/M/C	9,000	C						
Hood Rd.	E. of Florida's Turnpike to W. of Central Blvd.	1.2 mi, 4 L			6,400	C						
Hood Rd.	Central Blvd.	Intersection Improvements	200	R/M			1,000	C				
Indiantown Rd.	Jupiter Farms Rd.	Intersection Improvements	50	D	1,250	C						
Jog Rd.	S. of Clint Moore Rd. to Linton Blvd.	Safety Improvements & Resurfacing	1,500	C								
Jog Rd.	S. of Hypoluxo Rd. to 10th Ave. N.	Safety Improvements & Resurfacing	2,100	C								
Jog Rd.	Roebuck Rd.	Intersection Improvements	920	D/C								
Kirk Rd.	S. of L.W.D.D. L-7 Canal to Pot O'Gold St.	0.1 mi, 3 L (L.W.D.D. L-7 Canal Bridge Replacement - Culvert)			800	C						
Lake Worth Rd.	Jog Rd.	Intersection Improvements	300	S/D/R	630	C						
Linton Blvd.	Military Tr.	Intersection Improvements	380	R			1,500	C				
Lyons Rd.	Hillsboro Canal to S.W. 18th Street	0.3 mi, 6 L			2,300	C						
Lyons Rd.	Clint Moore Rd. to Atlantic Ave.	3.0 mi, 4 L	100	D	9,700	C						
Lyons Rd.	Lantana Rd. to N. of L.W.D.D. L-14 Canal	0.9 mi, 4 L	6,120	C								
Lyons Rd.	N. of L.W.D.D. L-14 Canal to Lake Worth Rd.	1.1 mi, 4 L	400	D/R			5,000	C				
Lyons Rd.	Lake Worth Rd. to S. of L.W.D.D. L-11 Canal	0.5 mi, 3 L	300	D			2,500	C				
Lyons Rd.	S. of L.W.D.D. L-11 Canal to N. of L.W.D.D. L-10 Canal	0.6 mi, 2/3 L									100	P
Northlake Blvd.	E. of Seminole Pratt Whitney Rd. to Grapeview Blvd.	1.5 mi, 4 L	500	D/R	7,000	C						
Northlake Blvd.	Grapeview Blvd. to Coconut Blvd.	2.0 mi, 4 L	200	R					7,000	P/C		
Northlake Blvd.	S.R. 710 to Military Tr.	Safety Improvements & Resurfacing			1,500	C						
Northlake Blvd.	Military Tr.	Intersection Improvements			1,500	C						

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

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	PROJECT	LIMITS	DESCRIPTION	FY 2016		FY 2017		FY 2018		FY 2019		FY 2020	
				Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
	Okeechobee Blvd.	Church St.	Intersection Improvements			1,000	R			1,200	C		
	Old Dixie Hwy.	Yamato Rd. to Linton Blvd.	3.0 mi, 3 L	2,000	R/M			10,350	C				
	Old Dixie Hwy.	Park Ave. to Northlake Blvd.	0.9 mi, 3 L	3,500	C								
	Palmetto Park Rd.	E. of Military Trail to I-95	Intersection Improvements	200	D/M			800	C				
	Palmetto Park Rd.	SW 7th Ave. to SW 5th Ave.	0-2 mi 4/6L (LWDD E-4 Canal, El Rio Canal, Bridge Replacement)			3,300	D/R/C						
	Palmetto Park Rd. Bascule Bridge	over Intracoastal Waterway	Rehab/Painting							2,500	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.	Central Blvd.	Intersection Improvements					500	C				
	PGA Blvd.	Military Tr.	Intersection Improvements					1,800	C				
	PGA Blvd.	Ellison Wilson Rd.	Intersection Improvements	550	C								
	Purdy Ln.	Forest Hill Elem. To E. Major Dr.	0.2 mi, 3 L (LWDD E-3 Canal Bridge Replacement)	80	D	2,300	R/C						
	Recording Fees	Countywide	Right-of-Way	20	R	20	R	20	R	20	R	20	R
	Reserve-Bridges/Culverts/Pipes	Countywide	Rehab./Repair/Replacement	900	S/D/R/M/C	6,330	S/D/R/M/C	1,100	S/D/R/M/C	1,900	S/D/R/M/C	700	D/R/M/C
	Reserve-Intersections	Countywide	Design, R/W, Mitigation & Construction	4,160	D/R/M/C	5,550	D/R/M/C	1,550	D/R/M/C	800	D/R/M/C	5,450	D/R/M/C
	Reserve-Pavement Markings	Countywide	Pavement Markings	400	D/R/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-Railroad Crossings	Countywide	Rehabilitation/Upgrade	600	D/C/P	600	D/C/P	600	D/C/P	600	D/C/P	600	D/C/P
	Reserve-Resurfacing	Countywide	Resurfacing	2,000	D/R/C								
	Reserve-R/W	Countywide	Land Acquisition	300	R	300	R	300	R	300	R	300	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									100	D/M
	Roebuck Rd.	Jog Rd. to Haverhill Rd.	1.0 mi, 5 L	250	D/R	3,200	C						
	Royal Palm Beach Blvd.	M-Canal to S. of Orange Blvd.	1.0 mi, 3/5 L	400	R/M			3,700	C				
	Sandalfoot Blvd.	State Road 7	0.1 mi, 5 L (LWDD E-1 Canal Bridge Replacement)			2,100	C						
	Seminole Pratt Whitney Rd.	Seminole Ridge H.S. to 60th St. North	1.2 mi, 6 L	160	D/P	800	P/C						

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	PROJECT	LIMITS	DESCRIPTION	FY 2016		FY 2017		FY 2018		FY 2019		FY 2020	
				Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
	Seminole Pratt Whitney Rd.	Orange Blvd. to S. of Northlake Blvd.	1.8 mi, 4/6 L			7,400	C						
	Seminole Pratt Whitney Rd.	Northlake Blvd.	Intersection Improvements			4,200	C						
	Sherwood Forest Blvd.	over L.W.D.D. L-8 Canal	Bridge Improvements	100	D/R	600	C						
	Silver Beach Rd.	E. of Congress Ave. to Old Dixie Hwy.	0.9 mi, 2 L & 3 L			4,500	C						
	Southern Blvd.	Lyons Rd./Sanbury's Way	Intersection Improvements			2,100	P						
	S.R. 7	S.R. 710 to S. of 150th Ct. N.	Right-of-Way	50	R/P								
	S.W. 3rd. St.	State Road 7	0.1 mi, 3 L (LWDD E-1 Canal Bridge Replacement)			1,850	C						
	S.W. 18th St.	Military Tr.	Intersection Improvements			1,500	C						
	Toney Penna Dr.	Old Dixie Hwy.	Intersection Improvements	800	C								
	Woolbright Rd.	Military Tr. to Lawrence Rd.	Resurfacing, Safety and Drainage Improvements			1,100	C						
			Project Totals	53,390		122,950		37,530		26,511		32,780	

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