

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 program no more than twice in a one year period; and

WHEREAS, the Board of County Commissioners annually updates 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 2016-034; 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 2016-034, and desires to revise Exhibit "A" of Ordinance 2016-034 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 2016-034; 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 Program. Exhibit "A" of Ordinance 2016-034 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: _____
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

Annual Update - Preliminary Reading - December 6, 2016

	FY 2017 BUDGETED	FY 2018 PROJECTED	FY 2019 PROJECTED	FY 2020 PROJECTED	FY 2021 PROJECTED	TOTAL PROJECTED
Local Option Gas Taxes Total	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)	-165,225,000
LESS Engineering Operating	(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	50,540,000
LESS 5% STATUTORY RESERVES	(505,400)	(505,400)	(505,400)	(505,400)	(505,400)	-2,527,000
OCEAN AVENUE LOAN REPAYMENT	(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	8,573,600	8,573,600	8,573,600	8,573,600	42,868,000
INTEREST EARNINGS	771,624	771,624	771,624	771,624	771,624	3,858,120
MISCELLANEOUS	7,758,358 A	2,880,000 B	0	0	0	10,638,358
IMPACT FEES USED FOR PROJECTS	72,232,000	20,937,000	22,774,000	14,305,000	15,047,000	145,295,000
PROPORTIONATE SHARE USED FOR PROJECTS	1,722,344	0	0	0	507,732	2,230,076
TOTAL CURRENT REVENUES	91,057,926	33,162,224	32,119,224	23,650,224	24,899,956	204,889,554
BALANCES FORWARD	256,496	267,422	689,646	947,870	718,094	256,496
CARRY FORWARD	41,000,000	16,000,000	21,000,000	11,000,000	10,000,000	99,000,000
TOTAL REVENUES	132,314,422	49,429,646	53,808,870	35,598,094	35,618,050	304,146,050
PROJECT COSTS AS PROPOSED	132,047,000	48,740,000	52,861,000	34,880,000	35,080,000	303,608,000
REVENUES LESS PROJECT COSTS	<u>267,422</u>	<u>689,646</u>	<u>947,870</u>	<u>718,094</u>	<u>538,050</u>	<u>538,050</u>

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 2017 thru FY 2021.
 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 \$758,358 for construction of Northlake Blvd. and Military Trail Intersection in FY 2017.
 Additional funds include \$7,000,000 from the Atlantic Ave. Agreement.
- B 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 2018.

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

Annual Update - Preliminary Reading - December 6, 2016

PROJECT	LIMITS	DESCRIPTION	FY 2017		FY 2018		FY 2019		FY 2020		FY 2021	
			Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
6th Ave. S.	over Lake Osborne Dr.	Bridge Replacement			150	R			6,000	C		
10th Ave. N.	Boutwell Rd.	Intersection Improvements	50	D/R			200	R			750	C
45th St.	Military Tr.	Intersection Improvements	50	D/R			150	R			1,500	C
60th St. N.	140th Ave. to E. of 120th Ave. N.	2.1 mi. 3/5L	1,200	D/R			2,500	R/M			9,000	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	1,500	C								
Australian Ave.	Palm Beach Lakes Blvd.	Intersection Improvements	1,500	C								
Benoist Farms Rd.	S.R. 80 to Belvedere Rd.	0.9 mi, 3 L			700	R			5,200	C		
Boynton Beach Blvd.	Acme Dairy Rd.	Intersection Improvements	230	C								
Boynton Beach Blvd.	Florida's Turnpike Southbound Entrance/Exit	Intersection Improvements					801	P				
Camino Real Rd./Boca Club	over Intracoastal Waterway	Bridge Rehabilitation	12,000	D/C								
Center St.	Thelma Ave. to Woodland Estates Dr.	0.3 mi, 3 L	1,300	C								
Church St.	Limestone Creek Rd. to W. of Central Blvd.	0.5 mi, 3 L			1,200	C						
Clint Moore Rd.	Oaks Club Drive to Long Lake Dr.	0.8 mi, 6 L	500	D/R			200	R/M			2,500	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	960	D/R/M	5,000	R/M			5,000	C		
Connector	Lyons Rd. to Acme Dairy Rd.	0.5 mi, 2/3 L	900	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				
CR 880 (Old SR 80)	over C-51 Canal	Bridge Replacement	100	D/R/M			3,500	C				
Davis Rd.	over L.W.D.D. L-6 Canal	Bridge Replacement-Culvert			600	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)	900	C								
Flavor Pict Rd.	S.R. 7 to Lyons Rd.	1.0 mi, 2 L	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)			100	R			3,300	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)

Annual Update - Preliminary Reading - December 6, 2016

PROJECT	LIMITS	DESCRIPTION	FY 2017		FY 2018		FY 2019		FY 2020		FY 2021	
			Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
Florida Mango Rd.	Edgewater Drive to Barbados Rd.	0.6 mi, 3 L (L.W.D.D. L-8 Canal Bridge Replacement)	50	R			1,600	C				
Florida Mango Rd.	Barbados Rd. to N. of Myrica Rd.	0.7 mi, 3 L (L.W.D.D. L-7 Canal Culvert)	430	D			900	R			3,100	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)				1,900	C					
Florida Mango Rd.	over L.W.D.D. L-5 Canal	Bridge Replacement-Culvert	100	D/R	680	C						
Forest Hill Blvd.	Military Tr.	Intersection Improvements	150	P			1,650	P	750	P	1,500	P
Gateway Blvd.	Military Trail	Intersection Improvements	500	R					1,100	C		
Gateway Blvd.	High Ridge Rd	Intersection Improvements					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	30	D	340	C/P						
Gun Club Rd.	over L.W.D.D. E-3 Canal	Bridge Improvements	900	C								
Haverhill Rd.	N. of Caribbean Blvd. to Bee Line Hwy.	1.6 mi, 5 L	9,000	C								
Hood Rd.	E. of Florida's Turnpike to W. of Central Blvd.	1.2 mi, 4 L	12,650	C								
Hood Rd.	Central Blvd.	Intersection Improvements	1,300	C								
Indiantown Rd.	Jupiter Farms Rd.	Intersection Improvements	1,250	C								
Jog Rd.	over Florida's Turnpike	Slope Stabilization				680	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)	1,500	C								
Kirk Rd.	over L.W.D.D. L-5 Canal	Bridge Replacement-Culvert	650	C								
Lake Worth Rd.	Jog Rd.	Intersection Improvements				630	C					
Lawrence Rd.	Ponza Place to Lantana Road	0.7 mi, 3 L	300	D/R			100	R			1,900	C
Linton Blvd.	Military Tr.	Intersection Improvements				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	9,700	C								
Lyons Rd.	N. of L.W.D.D. L-14 Canal to Lake Worth Rd.	1.1 mi, 4 L				5,000	C					
Lyons Rd.	Lake Worth Rd. to S. of L.W.D.D. L-11 Canal	0.5 mi, 3 L				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

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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 2017		FY 2018		FY 2019		FY 2020		FY 2021	
				Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
	Northlake Blvd.	E. of Seminole Pratt Whitney Rd. to E. of Hall Blvd.	1.0 mi, 4 L	4,300	C								
	Northlake Blvd.	E. of Hall Blvd. to Coconut Blvd.	2.4 mi, 4 L					9,200	C				
	Northlake Blvd.	S.R. 710 to Military Tr.	Safety Improvements & Resurfacing	1,500	C								
	Northlake Blvd.	Military Tr.	Intersection Improvements	1,517	C								
	Okeechobee Blvd.	Skees Road	Intersection Improvements	340	C								
	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			10,350	C				
	Palmetto Park Rd.	E. of Military Trail to I-95	Intersection Improvements	200	D/R	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				
	Palmwood Rd.	750 ft. N. of Donald Ross Rd. to Susan Ave.	Slope Stabilization	1,320	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						
	Purdy Ln.	Forest Hill Elem. To E. Major Dr.	0.2 mi, 3 L (LWDD E-3 Canal Bridge Replacement)	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	1,870	S/D/R/M/C	3,000	S/D/R/M/C	3,000	S/D/R/M/C	1,000	D/R/M/C	1,200	D/R/M/C
	Reserve-Intersections	Countywide	Design, R/W, Mitigation & Construction	2,450	D/R/M/C	4,330	D/R/M/C	1,300	D/R/M/C	3,200	D/R/M/C	600	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	5,000	D/R/C	5,000	D/R/C	5,000	D/R/C	5,000	D/R/C	5,000	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

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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 2017		FY 2018		FY 2019		FY 2020		FY 2021	
				Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
	Roebuck Rd.	Jog Rd. to Haverhill Rd.	1.0 mi, 5 L	4,600	C								
	Royal Palm Beach Blvd.	M-Canal to S. of Orange Blvd.	1.0 mi, 3/5 L			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.	Orange Blvd. to S. of Northlake Blvd.	1.8 mi, 4/6 L	8,400	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	600	C								
	Silver Beach Rd.	E. of Congress Ave. to Old Dixie Hwy.	0.9 mi, 2 L & 3 L	6,000	R/C								
	Southern Blvd.	Lyons Rd./Sanbury's Way	Intersection Improvements	2,100	P								
	Summit Blvd.	over L.W.D.D. E-3 Canal	Bridge Improvements	300	C								
	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								
	Woolbright Rd.	Military Tr. to Lawrence Rd.	Resurfacing, Safety and Drainage Improvements	1,100	C								
	Yamato Rd.	Lakeridge Blvd. to W. of Florida's Turnpike	1.1 mi, 5/6 L	600	D/R			200	R/M			3,500	C

Project Totals

132,047

48,740

52,861

34,880

35,080

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