THIS ITEM IS OVER 50 PAGES;
MAY BE VIEWED IN THE
MINUTES DEPARTMENT

**Agenda Item #: 3-C-8**

**PALM BEACH COUNTY**
**BOARD OF COUNTY COMMISSIONERS**
**AGENDA ITEM SUMMARY**

==========

**Meeting Date:** January 10, 2017 **[X] Consent** **[ ] Regular** **[ ] Workshop** **[ ] Public**

**Department:** Engineering and Public Works

**Submitted By:** Engineering and Public Works

**Submitted For:** Land Development Division

==========

## I. EXECUTIVE BRIEF

**Motion and Title: Staff recommends motion to approve:** an Interlocal Agreement (Agreement) with the City of West Palm Beach (City) regarding open cuts on Palm Beach County (County) maintained thoroughfare and non-thoroughfare roads.

**SUMMARY:** The City has agreed to follow the policies and procedures set forth by the County regarding open cuts on County roads. However, the City is requesting that it not be required to provide surety for the open cuts, as required by Land Development Division PPM EL-O-3605 and PPM EL-O-3606, but instead be bound by the terms and conditions of this Agreement requiring them to make any required repairs upon request by the County. Similar agreements have been executed with several other municipalities and special districts.

Districts 1, 2, 6, 7 (PM)

**Background and Justification:** County policy is to require a guarantee be posted for any construction in County rights-of-way that result in the open cutting of the pavement. The City has requested that the County instead enter into an Agreement which would relieve the City from posting surety but require them to make any required repairs upon request by the County. This new Agreement will remain in effect until termination by either party.

The proposed Agreement is consistent with Section 163.01 of Florida Statutes, known as the Florida Interlocal Cooperation Act of 1969.

**Attachments:**
1. Interlocal Agreement with Exhibit "A" (2)
2. Self-Insurance Certificate dated 11-22-16
3. City of West Palm Beach Resolution 328-16

==========

**Recommended by:** S. J. Webb 12/6/16
**Department Director** **Date**

**Approved by:** 1/3/17
**Assistant County Administrator** **Date**

f:\land_dev\board actions\misc-bdactions\inter-local & misc agreements\west palm beach\west palm beach inter-local agreement agenda 01-10-17 - 2.doc

## II. FISCAL IMPACT ANALYSIS

**A. Five Year Summary of Fiscal Impact:**

| Fiscal Years | 2017 | 2018 | 2019 | 2020 | 2021 |
|---|---|---|---|---|---|
| Capital Expenditures | $ -0- | -0- | -0- | -0- | -0- |
| Operating Costs | -0- | -0- | -0- | -0- | -0- |
| External Revenues | -0- | -0- | -0- | -0- | -0- |
| Program Income (County) | -0- | -0- | -0- | -0- | -0- |
| In-Kind Match (County) | -0- | -0- | -0- | -0- | -0- |
| NET FISCAL IMPACT | $ ** | -0- | -0- | -0- | -0- |
| # ADDITIONAL FTE POSITIONS (Cumulative) | | | | | |

**Is Item Included in Current Budget? Yes No**

**Budget Acct No.: Fund__ Dept.__ Unit__ Object**
**Program**

**Recommended Sources of Funds/Summary of Fiscal Impact:**

**This item has no fiscal impact.

**C. Departmental Fiscal Review:** _____

## III. REVIEW COMMENTS

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

12/7/16
PGD 12/7 **OFMB** ET 12/6

**Contract Dev. and Control**
12/29/16

**B. Approved as to Form and Legal Sufficiency:**

_____
**Assistant County Attorney**

**C. Other Department Review:**

_____
**Department Director**

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



F:\COMMON\WP\AGENDAPAGE2\AGNPGTWO2017\00.NO IMPACT.DOC