

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date:	December 19, 2017	() Consent	(X) Regular
Department		() Workshop	() Public Hearing
Submitted By:	<u>Environmental Resources Management</u>		
Submitted For:	<u>Environmental Resources Management</u>		

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

A) **adopt** a Resolution approving a Joint Participation Agreement (JPA) with the State of Florida Department of Transportation (FDOT) for the FDOT mitigation project (Project) within the Loxahatchee Slough, Pond Cypress and Pine Glades Natural Areas in association with the extension of SR-7 from Okeechobee Blvd. northward to Northlake Blvd (SR-7 Extension);

B) **adopt** a Resolution authorizing the Mayor to request the FDOT to convey surplus property to be utilized for the public purpose of providing environmental mitigation for the Everglades Snail Kite resulting from impacts associated with the SR-7 Extension;

C) **approve** a Memorandum of Agreement (MOA) with the FDOT to establish that the County shall provide mitigation and maintenance services to fulfill the mitigation commitments associated with construction of the SR-7 Extension and for the FDOT to compensate for these services as provided in the JPA;

D) **approve** a JPA with the FDOT for an amount not to exceed \$5,385,788 to be disbursed in three reimbursement payments over approximately three years for specific deliverables set forth in the JPA. The payments reimburse for staff time and land acquisition and management costs for maintaining mitigation areas in the Loxahatchee Slough, Pond Cypress, and Pine Glades Natural Areas consistent with the management practices of the Natural Areas Program and in accordance with the State and Federal permits for the SR-7 Extension;

E) **approve** a Budget Amendment of \$2,000,000 which includes \$1,550,000 for land management and \$450,000 for land acquisition costs in FY 2018 in the Environmental Resources Natural Areas Fund (Fund 1226) to recognize the revenues from the FDOT through the JPA in FY2018; and

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Attachments:

1. Resolution for Joint Participation Agreement
2. Resolution requesting surplus State land
3. Joint Participation Agreement
4. Memorandum of Agreement
5. Budget Amendment (1226)

Recommended by:	<u>Michael Stull</u>	<u>12/8/17</u>
	Department Director	Date

Approved by:	<u></u>	<u></u>
	Deputy County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2018	2019	2020	2021	2022
Capital Expenditures	\$450,000				
Operating Costs	\$1,550,000	\$3,000,000	\$385,788		
External Revenues	(\$2,000,000)	(\$3,000,000)	(\$385,788)	()	()
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT	-0-	-0-	-0-	-0-	-0-
# ADDITIONAL FTE POSITIONS (Cumulative)					

Is Item Included in Current Budget? Yes ☐ No ☒

Does this item include the use of federal funds? Yes ☐ No ☒

Budget Account No.:

Fund Department Unit Object Program

B. Recommended Sources of Funds/Summary of Fiscal Impact:

Florida Department of Transportation—Funds will be deposited in the Natural Areas Fund (Fund 1226) for land acquisition and management expenses required to maintain the mitigation areas in the Loxahatchee Slough, Pond Cypress, and Pine Glades Natural Areas.
Disbursement: FY 2018 \$2,000,000, FY 2019 \$3,000,000, proposed FY2020 \$385,788

C. Department Fiscal Review: *L. Neary*

III. REVIEW COMMENTS

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

OFMB

Contract Development and Control

B. Legal Sufficiency:

Assistant County Attorney

C. Other Department Review:

Department Director

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F) authorize the County Administrator, or designee, to sign all future time extensions, task assignments, certifications and other documents associated with the MOA or JPA and any necessary minor amendments to the documents that do not substantially change the scope of work or terms and conditions of the MOA or JPA.

Summary: The MOA and JPA provide the necessary funding to implement the land acquisition and management activities listed in the Scope of Services (Exhibit A) of the JPA. These activities will maintain an area of the Loxahatchee Slough and Pond Cypress Natural Areas in the vicinity of the existing SR-7 right-of-way alignment, as well as provide mitigation in the Pine Glades Natural Area for wetland impacts from the SR-7 Extension. The mitigation and maintenance associated with the JPA constitute another perpetual obligation for the Natural Areas Program. FDOT funding reimburses staff costs for exotic vegetation and animal control, prescribed fire regimens, vegetation monitoring, and site security relative to the mitigation areas in perpetuity. There are no matching requirements. All anticipated costs associated with the FDOT mitigation work will be the responsibility of FDOT. Districts 1 and 6 (AH)

Background and Policy: The SR-7 Extension requires mitigation for the impact to snail kites and the wetlands along the road right-of-way. FDOT requested assistance with maintaining the natural lands associated with SR-7 Extension to satisfy the permitting agencies' mitigation requirements. All anticipated costs for the maintenance effort will be the responsibility of FDOT. Funds will be dispersed upon submittal of an invoice to the FDOT in accordance with the methodology and deliverables stipulated in the JPA.