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Agenda Item #: **3-C-5**

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: August 14, 2018

☒ **Consent**

☐ **Regular**

☐ **Workshop**

☐ **Public Hearing**

Department: Engineering and Public Works

Submitted By: Engineering and Public Works

Submitted For: Roadway Production Division

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: eleven resolutions to initiate eminent domain proceedings by declaring the acquisition of properties designated as parcels 107, 123, 124, 125, 126, 127, 128, 129, 130 and 131 as fee simple road right-of-way and parcels 307, 323, 324, 325, 326, 327, 329, 330, 331 and 334 as temporary construction easements as necessary for the construction of roadway improvements on Silver Beach Road from east of Congress Avenue to east of Old Dixie Highway/President Barack Obama Highway (Project).

SUMMARY: Adoption of these resolutions will initiate eminent domain proceedings pursuant to Chapters 73, 74, 127, and Section 337.27, Florida Statutes as amended, against twenty parcels having a total appraised value of \$203,840. The parcels are necessary for the construction of a three lane roadway with new drainage, sidewalks, bike lanes and traffic signals on Silver Beach Road from east of Congress Avenue to east of Old Dixie Highway/President Barack Obama Highway. To date, the property owners have not accepted the offers to purchase made by Palm Beach County (County) and attempts to negotiate the purchases have been unsuccessful. Eminent domain proceedings are necessary to acquire the parcels at this time in order to expedite construction of the Project, which is funded in the current Five Year Road Program. District 7 (MAB)

Background and Justification: The acquisition of parcels 107, 123, 124, 125, 126, 127, 128, 129, 130, 131, 307, 323, 324, 325, 326, 327, 329, 330, 331 and 334 is for a public purpose and necessity, which is deemed to be in the best interest of the County. The Engineering Department recommends the Board of County Commissioners' approval.

Attachments:

1. Location Map
2. Resolution for Parcels 107 and 307 with Exhibit "A" and Exhibit "B" (2)
3. Resolution for Parcels 123 and 323 with Exhibit "A" and Exhibit "B" (2)
4. Resolution for Parcels 124 and 324 with Exhibit "A" and Exhibit "B" (2)
5. Resolution for Parcels 125 and 325 with Exhibit "A" and Exhibit "B" (2)
6. Resolution for Parcels 126 and 326 with Exhibit "A" and Exhibit "B" (2)
7. Resolution for Parcels 127 and 327 with Exhibit "A" and Exhibit "B" (2)
8. Resolution for Parcel 128 with Exhibit "A" and Exhibit "B" (2)
9. Resolution for Parcels 129 and 329 with Exhibit "A" and Exhibit "B" (2)
10. Resolution for Parcels 130 and 330 with Exhibit "A" and Exhibit "B" (2)
11. Resolution for Parcels 131 and 331 with Exhibit "A" and Exhibit "B" (2)
12. Resolution for Parcel 334 with Exhibit "A" and Exhibit "B" (2)

Recommended by:

Department Director

18 JULY 2018
Date

Approved by:

Assistant County Administrator

7/18/18
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2018	2019	2020	2021	2022
Capital Expenditures	<u>\$203,840</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Operating Costs	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
External Revenues	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Program Income (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
In-Kind Match (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
NET FISCAL IMPACT	<u>\$203,840</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
# ADDITIONAL FTE					
POSITIONS (Cumulative)					

Is Item Included in Current Budget?

Yes X No

Does this item include the use of federal funds?

Yes No X

Budget Account No:

Fund 3501 Dept 361 Unit 0994 Object 6120

Recommended Sources of Funds/Summary of Fiscal Impact:

Road Impact Fee Fund - Zone 1

Silver Beach Rd/E of Congress to Old Dixie Hwy

Appraised value of 10 parcels \$203,840.00

Fee Simple Acquisitions:	10
Permanent Easements:	0
Temporary Construction Easement:	10

C. Departmental Fiscal Review:

Alicia Kovalainen

III. REVIEW COMMENTS

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

Ralph P. ... 7/3/16
OFMB

7/3/16
7/3/16

Ann J. Jacobson 7/10/16
Contract Dev. and Control
7/14/16 *R*

B. Approved as to Form and Legal Sufficiency:

Mary Ann Brown
Assistant County Attorney

C. Other Department Review:

Department Director

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

