

ORDINANCE NO. 2020 -

**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, Palm Beach County (County) established a Five Year Road Program (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 requires 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 (BCC) 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 2019-041; and

WHEREAS, the BCC has considered the funding and timing of road projects for the next five years as set forth in **Exhibit "A"** to Ordinance 2019-041, and desires to revise **Exhibit "A"** of Ordinance 2019-041 to reflect such changes; and

WHEREAS, the BCC 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 2019-041 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 BCC 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 2019-041 is hereby deleted and replaced with the new **Exhibit "A"**, attached hereto.

IMPLEMENTATION OF PROGRAMS

The County Administrator and the County Engineer are directed to implement the 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 BCC with regard to the progress of the projects and to bring all necessary agreements and budget amendments to accomplish the projects to the BCC for consideration.

MODIFICATION OF PROGRAM

Each year prior to December, the BCC 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 BCC, 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 BCC 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 is an approximation 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 BCC:

- (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 BCC 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 the 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 _____, 2020.

Sharon R. Bock, Clerk & Comptroller
Circuit Courts

Palm Beach County Florida, by its
Board of County Commissioners

By: _____
Deputy Clerk

By: _____
Dave Kerner,
Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: ybh
Yelizaveta B. Herman
Assistant County Attorney

EFFECTIVE DATE: Filed with the Department of State on the ____ day of _____,
2020.

PALM BEACH COUNTY FIVE YEAR ROAD PROGRAM - EXHIBIT A

Mid-Year Adjustment - Preliminary Reading - June 16, 2020

	FY 2020 BUDGETED	FY 2020 PROJECTED	FY 2021 PROJECTED	FY 2022 PROJECTED	FY 2023 PROJECTED	FY 2024 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	(1,050,848)	(1,050,848)	(1,046,190)	(1,041,037)	(1,035,387)	(1,031,692)	-5,205,154
<i>GAS TAX AVAILABLE FOR NEW ALLOCATIONS</i>	<i>8,551,752</i>	<i>9,057,152</i>	<i>8,556,410</i>	<i>8,561,563</i>	<i>8,567,213</i>	<i>8,570,908</i>	<i>43,313,246</i>
INTEREST EARNINGS	335,518	210,572	270,564	335,616	105,672	100,709	1,023,132
MISCELLANEOUS	11,817,200	1,917,200 A	7,705,000 B	7,615,640 C	450,000 D	0 E	17,687,840
IMPACT FEES USED FOR PROJECTS	38,740,000	20,595,000	52,183,000	28,247,000	12,058,000	19,055,000	132,138,000
PROPORTIONATE SHARE USED FOR PROJECTS	5,706,939	5,517,419	2,115,000	143,000	5,152,000	5,400,678	18,328,097
GAS TAX RESERVE USED FOR PROJECTS	25,000,000	12,000,000	18,500,000	25,000,000	2,000,000	1,500,000	59,000,000
TOTAL CURRENT REVENUES	90,151,409	49,297,343	89,329,974	69,902,819	28,332,885	34,627,295	271,490,315
BALANCES FORWARD	98,763	98,763	876,106	956,080	1,008,898	601,783	98,763
TOTAL REVENUES	90,250,172	49,396,106	90,206,080	70,858,898	29,341,783	35,229,078	271,589,078
PROJECT COSTS AS PROPOSED	90,060,000	48,520,000	89,250,000	69,850,000	28,740,000	35,200,000	271,560,000
REVENUES LESS PROJECT COSTS	190,172	876,106	956,080	1,008,898	601,783	29,078	29,078

General note on interest projections:

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.

See Footnotes A, B C and D, on page 2 of 6

Footnotes:

A Infrastructure Sales Tax includes **\$150,000** in FY 2020 and \$450,000 in FY 2023 for CR 880, Sam Senter Rd. over SFWMD Ocean Canal.

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 (\$380,000 in FY 2018, \$1,000,000 in FY 2019 and **\$1,500,000** in FY 2020)

Haverhill Commons **\$267,200** contribution for the construction of Haverhill Rd., S. of Ceceile Ave. to N. of Century Blvd.

B FDOT (anticipates CIGP funds) up to **\$505,000** for Construction/CEI in FY 2021 for SR 7/Weisman Way Intersection Improvements.

Infrastructure Sales Tax includes **\$500,000** in FY 2021 for Congress Ave. and Palm Beach Lakes Blvd. Intersection Improvements

Infrastructure Sales Tax includes **\$700,000** in FY 2021 for Florida Mango Rd. over LWDD L-8 Canal Bridge Construction

Infrastructure Sales Tax includes **\$6,000,000** in FY 2021 for 6th Ave. South over Lake Osborne Drive Bridge Construction

C Lyons Rd./Sansbury's Way, Forest Hill Blvd. to Okeechobee Blvd (Buffered Bike Lanes). This project was approved under TPA 2018 Local Initiative and based on the submitted estimates, Palm Beach County will have to fund design \$1,100,000 in FY 2020 and \$1,354,360 for Construction in FY 2022, FDOT will fund **\$4,215,640** (Total Construction Cost \$5,570,000).

Infrastructure Sales Tax includes **\$2,700,000** in FY 2022 for CR 880 over C-51 Bridge Construction

Infrastructure Sales Tax includes **\$700,000** in FY 2022 for Florida Mango Rd. over LWDD L-9 Canal Bridge Construction

D Infrastructure Sales Tax includes \$150,000 in FY 2020 and **\$450,000** in FY 2023 for CR 880, Sam Senter Rd. over SFWMD Ocean Canal.

Mid-Year Adjustment - Preliminary Reading - June 16, 2020

PROJECT	LIMITS	DESCRIPTION	FY 2020		FY 2021		FY 2022		FY 2023		FY 2024			
			Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase		
6th Ave. S.	over Lake Osborne Dr.	Bridge Replacement					8,500	C						
10th Ave. N.	Boutwell Rd.	Intersection Improvements				750	C							
45th St.	E. of Haverhill Rd. to E. of Military Trail	0.6 mi., 6 L				2,160	C							
60th St. N.	W. of 140th Ave. N. to Avocado Blvd.	0.8 mi., 3L	1,600	S/D/R				100	D/R/M					
60th St. N.	Avocado Blvd. to E. of 120th Ave. N.	1.6 mi. 3L	200	R/M				7,000	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		
Boca Rio Rd.	Palmetto Park Rd. to Glades Rd.	1.3 mi, 4/5 L	10	D		1,700	D/R							
Benoist Farms Rd.	S.R. 80 to Belvedere Rd.	0.9 mi, 3 L					5,200	C						
Blue Heron Blvd.	Australian Ave.	Intersection Improvements					350	C						
Blue Heron Blvd.	Congress Ave.	Intersection Improvements					400	C						
Camino Real	Military Trail to SW 7th Ave.	Milling, Resurfacing and Safety Improvements	840	C										
Center Street	Loxahatchee River Rd. to Alt. A-1-A	1.7 mi., 3 L								10	D	1,300	D/R	
Church St.	Limestone Creek Rd. to W. of Central Blvd.	0.5 mi, 2 L	500	D/R				2,000	R/M/C					
Clint Moore Rd.	Oaks Club Drive to Long Lake Dr.	0.8 mi, 6 L					2,500	C						
Clint Moore Rd.	Jog Rd.	Intersection Improvements					780	C						
Clint Moore Rd.	Military Tr.	Intersection Improvements	1,700	R				1,600	C					
Coconut Blvd.	S. of 78th Place North to S. of Northlake Blvd.	1.3 mi. 5 L					1,500	R				4,300	C	
Congress Ave.	Palm Beach Lakes Blvd.	Intersection Improvements					2,000	C						
Congress Ave.	N. of Northlake Blvd. to Alt. A-1-A	0.6 mi, 2 L & 3 L	3,000	R				6,000	R/C					
CR 880	Belle Glade to Twenty Mile Bend	Rehabilitation/Heavy Maintenance	1,000	C	1,000	C	1,000	C	1,000	C	1,000	C	1,000	C
CR 880	Sam Senter Rd. over SFWMD Ocean Canal	Intersection Improvements & Bridge Replacement	1,300	D/R/M						2,500	C			
CR 880	over C-51 Canal	Bridge Replacement						3,500	C					
Donald Ross Rd.	Bascule Bridge	Equipment					8,000	C						
Donald Ross Rd.	Prosperity Farms Rd. to E. of Ellison Wilson Rd.	0.7 mi, 6 L	550	D/R								1,900	C	
Flavor Pict Rd.	Lyons Rd. to Hagen Ranch Rd.	1.7 mi, 4 L								10	D	4,780	S/D/R	

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

Mid-Year Adjustment - Preliminary Reading - June 16, 2020

PROJECT	LIMITS	DESCRIPTION	FY 2020		FY 2021		FY 2022		FY 2023		FY 2024		
			Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	
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)					3,300	C					
Florida Mango Rd.	Edgewater Drive to S. of Barbados Rd.	0.6 mi, 3 L (L.W.D.D. L-8 Canal Bridge Replacement)				1,900	C						
Florida Mango Rd.	S. of Barbados Rd. to Myrica Rd.	0.7 mi, 3 L (L.W.D.D. L-7 Canal Culvert Replacement)				3,100	C						
Florida Mango Rd.	Myrica Rd. to Summit Blvd.	0.5 mi, 3 L (L.W.D.D. L-6 Canal Bridge Replacement - Culvert)						2,200	C				
Forest Hill Blvd.	Military Tr.	Intersection Improvements	4,000	P		2,400	P						
Gateway Blvd.	Military Trail	Intersection Improvements					2,100	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
Gun Club Rd.	Forest Estates Drive to LWDD E-3 Canal	0.5 mi., 3 L	100	R/M				2,340	C				
Hagen Ranch Rd.	Atlantic Ave.	Intersection Improvements	100	R/C									
Haverhill Rd.	Hypoluxo Rd. to Lantana Rd.	1.0 mi., 4 L	10	D		450	D/R					2,360	C
Haverhill Rd.	S. of Ceceile Ave. to N. of Century Blvd.	Intersection Improvements, 0.2 mi., 4/6 L	340	D/R						1,200	C		
Hypoluxo Rd.	Jog Rd.	Intersection Improvements					1,600	C					
Jog Rd.	Lake Worth Rd.	Intersection Improvements (Add SBR)	600	R		1,000	C						
Kirk Rd.	LWDD L-7 Canal to Summit Blvd.	0.5 mi, 3/5 L	100	R/M				3,200	C				
Kirk Rd.	Summit Blvd. to Gun Club Rd.	0.8 mi, 3/5 L					100	R/M			3,950	C	
Lawrence Rd.	S. of Ponza Place to Lantana Road	0.8 mi, 3 L					2,200	C					
Linton Blvd.	Military Tr.	Intersection Improvements					2,100	C					
Lyons Rd.	Atlantic Ave. to S. of Flavor Pict Rd.	2.4 mi, 4 L	10	D		3,820	D/R						
Lyons Rd.	S. of Flavor Pict Rd. to Boynton Beach Blvd.	3.0 mi, 4 L					100	R/M			8,000	C	
Lyons Rd.	N. of L.W.D.D. L-14 Canal to Lake Worth Rd.	1.1 mi, 4 L				700	D/R/C						
Lyons Rd.	Lake Worth Rd. to S. of L.W.D.D. L-11 Canal	0.5 mi, 3 L				300	R/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		
Lyons Rd./Sansbury's Way	Forest Hill Blvd. to Okeechobee Blvd.	Buffered Bike Lanes	1,090	D				5,570	C				
Melaleuca Lane	Jog Rd.	Intersection Improvements					500	R			2,300	C	

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PROJECT	LIMITS	DESCRIPTION	FY 2020		FY 2021		FY 2022		FY 2023		FY 2024	
			Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
Miner Rd.	Military Trail to Lawrence Rd.	0.6 mi, 3 L	750	D/R/M			500	R/M			3,800	C
Miner Rd.	High Ridge Rd	Intersection Improvements	300	S/D			800	R/M			1,200	C
Northlake Blvd.	E. of Seminole Pratt Whitney Rd. to E. of Hall Blvd.	1.0 mi, 4 L	800	C								
Northlake Blvd.	E. of Hall Blvd. to Coconut Blvd.	2.4 mi, 4 L	4,400	C	5,600	C						
Okeechobee Blvd.	Jog Road	Intersection Improvements			600	R			900	C		
Okeechobee Blvd.	Haverhill Rd.	Intersection Improvements			650	C						
Okeechobee Blvd.	Church St.	Intersection Improvements			1,200	C						
Old Dixie Hwy.	Yamato Rd. to S. of Linton Blvd.	3.0 mi, 3 L	2,000	R	3,500	R					2,000	C
Palmetto Park Rd.	Lyons Rd.	Intersection Improvements	100	R			900	C				
Palmetto Park Rd.	E. of Military Trail to I-95	Intersection Improvements					800	C				
Palmetto Park Rd. Bascule Bridge	over Intracoastal Waterway	Rehab/Painting					2,500	C				
PGA Blvd.	Military Tr.	Intersection Improvements					2,000	R/C				
Recording Fees	Countywide	Right-of-Way	20	R	20	R	20	R	20	R	20	R
Reserve-Bridges/Structures/Culverts/Pipes	Countywide	Rehab./Repair/Replacement	5,600	D/R/M/C	500	D/R/M/C	1,350	D/R/M/C	500	D/R/M/C	500	D/R/M/C
Reserve-Drainage	Countywide	Study, Design, R/W, Mitigation & Construction	500	S/D/R/M/C	800	S/D/R/M/C	500	S/D/R/M/C	500	S/D/R/M/C	500	S/D/R/M/C
Reserve-Intersections	Countywide	Design, R/W, Mitigation & Construction	4,690	D/R/M/C	5,550	D/R/M/C	5,200	D/R/M/C	940	D/R/M/C	1,130	D/R/M/C
Reserve-Pavement Markings	Countywide	Pavement Markings	400	D/R/C	400	D/R/C	400	D/R/C	400	D/R/C	400	D/R/C
Reserve-Study/Plans/Align.	Countywide	Study, Design & Mitigation	300	S/D/M	300	S/D/M	300	S/D/M	300	S/D/M	300	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	2,000	D/R/C	2,000	D/R/C	2,000	D/R/C	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	Rehabilitation/Upgrade	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
Royal Palm Beach Blvd.	N. of Persimmon Blvd. to N. of M Canal	1.1 mi, 5 L					950	R/M				
Royal Palm Beach Blvd.	M Canal to S. of Orange Blvd.	1.0 mi, 5 L					500	R	6,000	R/C		

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

Mid-Year Adjustment - Preliminary Reading - June 16, 2020

PROJECT	LIMITS	DESCRIPTION	FY 2020		FY 2021		FY 2022		FY 2023		FY 2024	
			Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
Royal Palm Beach Blvd. / Orange Blvd. / Coconut Blvd.	S. of Orange Blvd. to S. of 78th Place North	1.6 mi, 5 L	2,000	D/R			400	R				
Sidewalk Program	Countywide	Sidewalks	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
Seminole Pratt Whitney Rd.	Orange Blvd. to S. of Northlake Blvd.	1.8 mi, 4/6 L	600	C								
Seminole Pratt Whitney Rd.	Northlake Blvd.	Intersection Improvements	400	C								
S.E. 23rd Ave.	Federal Highway	Intersection Improvements				850	C					
Sherwood Forest Blvd.	Lake Worth Rd. to N. of 10th. Ave. North	1.0 mi., 3 L	10	D	400	D/R					3,500	C
Sims Rd.	Lakes of Delray Blvd. to Atlantic Ave.	0.6 mi, 3 L	10	D	1,000	D/R						
State Road 7	Weisman Way	Intersection Improvements				1,010	C					
S.W.18th Street	Boca Rio Rd.	Intersection Improvements				900	C					
Woolbright Rd.	Seacrest Blvd.	Intersection Improvements	300	R/M			1,060	C				
Yamato Rd.	Lakeridge Blvd. to W. of Florida's Turnpike	1.4 mi, 6 L				5,400	C					
PROJECT TOTALS			48,520		89,250		69,850		28,740		35,200	

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