

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

Meeting Date: September 14, 2021 **Consent** **Regular**
 Ordinance **Public Hearing**

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

- A) adopt** a Resolution approving a License in favor of the State of Florida Department of Transportation (FDOT) for the occupancy and use of a portion of the Fire Station No. 31 property located in the City of Lake Worth Beach to allow for the relocation of existing signage and a signalization cabinet; and
- B) approve** a License in favor of FDOT.

Summary: FDOT is currently in the planning and design stages for improvements to the Lake Worth Road corridor between Raulerson Drive and the Palm Beach State College entrance. As a part of the roadway project, the traffic signals along Lake Worth Road at Fire Station No. 31 will be upgraded. The County will grant FDOT a license to occupy and use a portion of said property solely for relocating signage and a signalization cabinet. The license is subject to a Resolution authorizing its adoption. **(Property & Real Estate Management) District 3 (HJF)**

Background and Justification: The County will grant FDOT a license to occupy and use a portion of the Fire Station No. 31 property for relocating existing signage and a signalization cabinet. FDOT will also conduct sloping, grading, tying in, harmonizing and reconnecting existing property features with the roadway improvements to be constructed by FDOT. The license shall continue until the completion of the roadway improvements, but no later than December 31, 2023.

Attachments:

- 1. Location Map
- 2. Resolution
- 3. License

Recommended By:  8/11/2021
Department Director **Date**

Approved By:  8/19/21
County Administrator **Date**

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2021	2022	2023	2024	2025
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	=====	=====	=====	=====	=====
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget: Yes _____ No X

Does this item include the use of federal funds? Yes _____ No X

Budget Account No: Fund N/A Dept _____ Unit _____ Object _____

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

This item has no fiscal impact

Fixed Asset Number N/A

C. Departmental Fiscal Review: *Karen Lopez*

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

Luz M. ... 8/17/21
OFMB *JA 8-16-21* LM
8/16

Dr. S. ... 8/17/21
Contract Development and Control
8-17-21 *Jim*

B. Legal Sufficiency:

[Signature] 8/17/21
Assistant County Attorney

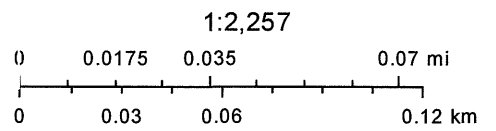
C. Other Department Review:

Department Director

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




Attachment No. 1
Location Map - Page 1 of 1



09-LA.12-07/18

This instrument prepared under the direction of:

Elizabeth S. Quintana, Esq. 
District Four Assistant General Counsel

Document prepared by:

Grace K. Abel (Rev. 07/27/21)

Florida Department of Transportation
Right of Way Production Services
3400 W. Commercial Boulevard
Fort Lauderdale, Florida 33309

Managing District: 04
S.R. No. 802 (Lake Worth Road)
County: Palm Beach

RESOLUTION

ON MOTION of Commissioner _____, seconded by County Commissioner _____, the following Resolution was adopted:

WHEREAS, the State of Florida Department of Transportation proposes to construct or improve State Road No. 802 (Lake Worth Road), Item/Segment No. 4413231, in Palm Beach County, Florida; and

WHEREAS, it is necessary that certain lands now owned by **Palm Beach County, Florida**, be used temporarily by the State of Florida for the use and benefit of the State of Florida Department of Transportation; and

WHEREAS, said use is in the best interest of the County; and

WHEREAS, the State of Florida Department of Transportation has made application to said County to execute and deliver to the State of Florida Department of Transportation a license, in favor of the State of Florida, for the purpose of relocating signage, and a signalization cabinet and sloping, grading, tying in, harmonizing and reconnecting existing features of the Licensor's property with the highway improvements which are to be constructed, together with incidental purposes related thereto and said request having been duly considered.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of **Palm Beach County, Florida**, that the application of the State of Florida Department of Transportation for a license is for transportation purposes which are in the public or community interest and for public welfare; that a license, in favor of the State of Florida, in Palm Beach County, should be drawn and executed by this Board of County Commissioners.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded forthwith to the State of Florida Department of Transportation at 3400 W. Commercial Boulevard, Fort Lauderdale, Florida 33309.

The foregoing resolution was put to a vote, the vote was as follows:

Commissioner Dave Kerner, Mayor	_____
Commissioner Robert S. Weinroth, Vice Mayor	_____
Commissioner Maria G. Marino	_____
Commissioner Gregg K. Weiss	_____
Commissioner Maria Sachs	_____
Commissioner Melissa McKinlay	_____
Commissioner Mack Bernard	_____

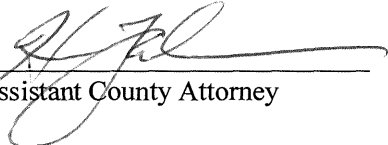
The Mayor thereupon declared the resolution duly passed and adopted this _____ day of _____, 20_____.

PALM BEACH COUNTY, a political subdivision of the State of Florida

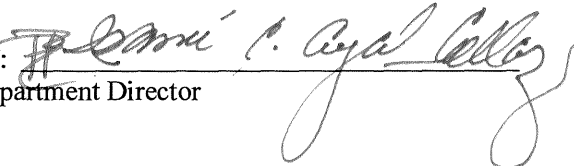
JOSEPH ABRUZZO
CLERK OF THE CIRCUIT COURT
& COMPTROLLER

By: _____
Deputy Clerk

APPROVED AS TO
LEGAL SUFFICIENCY

By: 
Assistant County Attorney

APPROVED AS TO TERMS
AND CONDITIONS

By: 
Department Director

Attachment No. 3
License – 2 Pages

09-LA.11-07/18

This instrument prepared under the direction of:

Elizabeth S. Quintana, Esq. ESQ
District Four Assistant General Counsel

Document prepared by:

Grace K. Abel (Rev. 07/27/21)

Florida Department of Transportation
Right of Way Production Services
3400 W. Commercial Boulevard
Fort Lauderdale, Florida 33309

Managing District: 04
S.R. No. 802 (Lake Worth Road)
County: Palm Beach

LICENSE

THIS LICENSE Made this _____, between **PALM BEACH COUNTY, a political subdivision of the State of Florida**, whose address is: 2633 Vista Parkway, West Palm Beach, Florida 33411-5605, herein called Licensor, and the **STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION**, whose address is 3400 W. Commercial Boulevard, Fort Lauderdale, Florida 33309, herein called Licensee.

In consideration of the benefits accruing unto the Licensor, the parties agree as follows:

Licensor hereby grants to Licensee a license to occupy and use, subject to all of the terms and conditions hereof, the following described premises:

South 20 feet of the following described property:

BEGINNING at the Southeast corner of Tract 68 of the Subdivision of Section 19, Township 44 South, Range 43 East, as recorded in Plat Book 6, Page 66, Public Records of Palm Beach County, Florida thence running North 611.45 feet to the Southerly Right of Way line of North Lake Worth Road; thence running Southwesterly along said Southerly Right of Way line 60 feet to a point; thence running South 187.45 feet to a point; thence running West 88.95 feet to a point; thence running South 35 feet to a point; thence running West 4 feet to a point; thence running South 115 feet to a point; thence running East 115.85 feet to a point; thence running South 244.60 feet to the South line of said Tract 68; thence running East 30 feet to the Southeast corner of said Tract 68 and the POINT OF BEGINNING, less the south 25 feet of the above described property for the right of way of Lake Worth Road, also known as State Road No. 802.

The premises may be occupied and used by Licensee solely for relocating signage and a signalization cabinet and sloping, grading, tying in, harmonizing and reconnecting existing features of the Licensor's property with the highway improvements which are to be constructed together with incidental purposes related thereto during the period beginning with the date first above written and continuing until completion of the transportation project, but not later than the last day of December 2023. Licensee shall at all times maintain an open access to the Licensor's property from Lake Worth Road, except when any temporary closures are preapproved by the Licensor. Also, Licensee shall maintain at all times the emergency signalization, except for temporary stoppage(s) that will be allowed during the relocation of the signalization equipment. Licensee shall obtain prior written approval of the duration and timing of any stoppage from Licensor prior to performing the work which will result in such stoppage.

The making, execution and delivery of this license by Licensor has been induced by no representations, statements, warranties, or agreements other than those contained herein. This license embodies the entire understanding of the parties and there are no further or other agreements or understandings, written or oral, in effect between the parties relating to the subject matter hereof.

IN WITNESS WHEREOF, the said Licensor has signed and sealed these presents the day and year first above written.

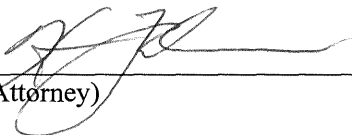
**PALM BEACH COUNTY, a political
subdivision of the State of Florida**

ATTEST:
Joseph Abruzzo,
Clerk of the Circuit Court & Comptroller

By: _____
DAVE KERNER, Mayor

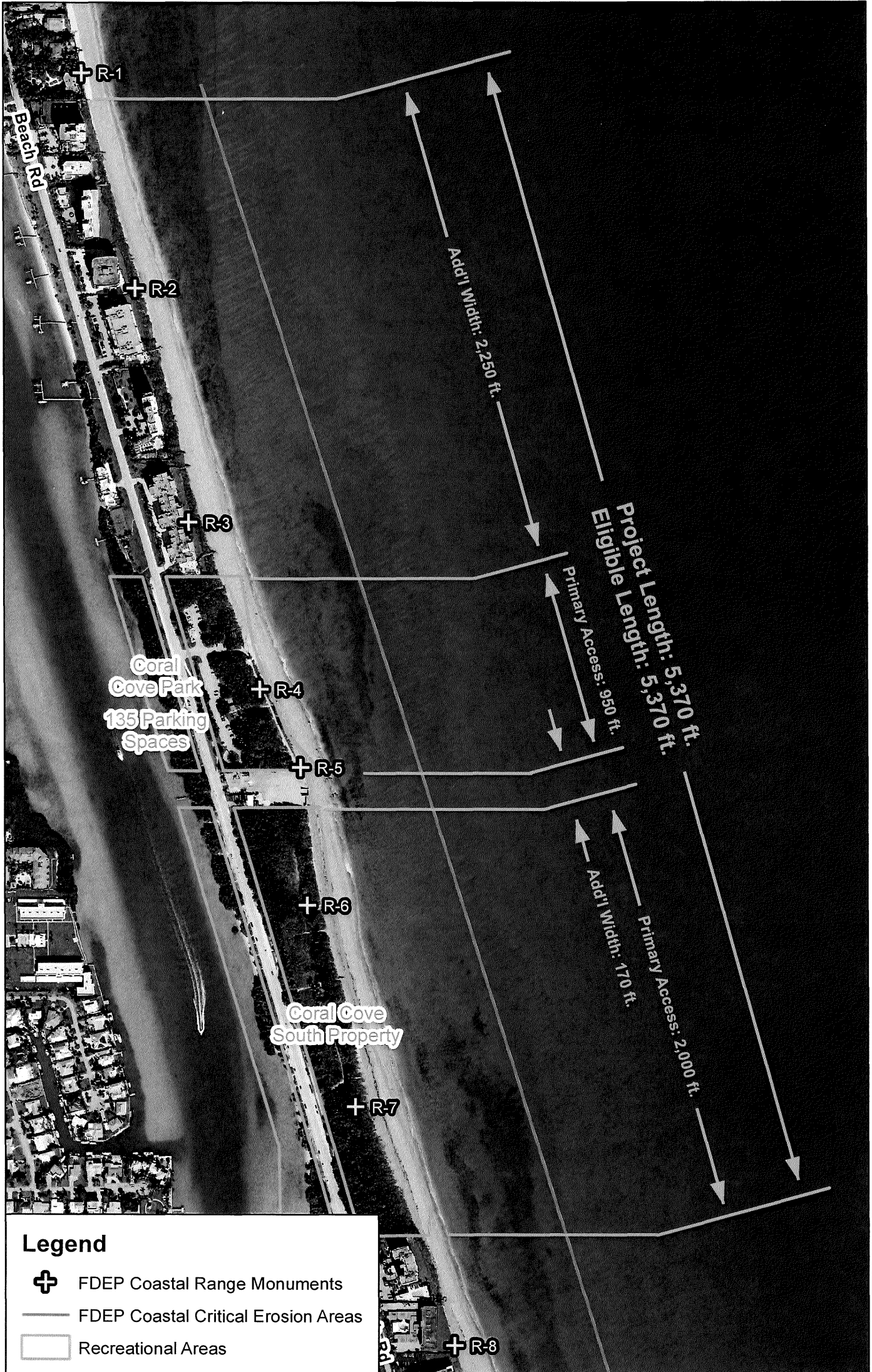
By: _____
(Deputy Clerk)

APPROVED AS TO LEGAL
SUFFICIENCY:




By: 
(County Attorney)

G:\PREM\Dev\Open Projects\FS #31 Lake Worth\FDOT\License\FDOT HF approved - 7-22-21.docx

Attachment No. 2
Resolution – 2 Pages



Legend

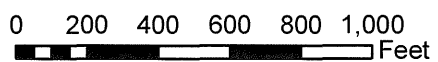
-  FDEP Coastal Range Monuments
-  FDEP Coastal Critical Erosion Areas
-  Recreational Areas

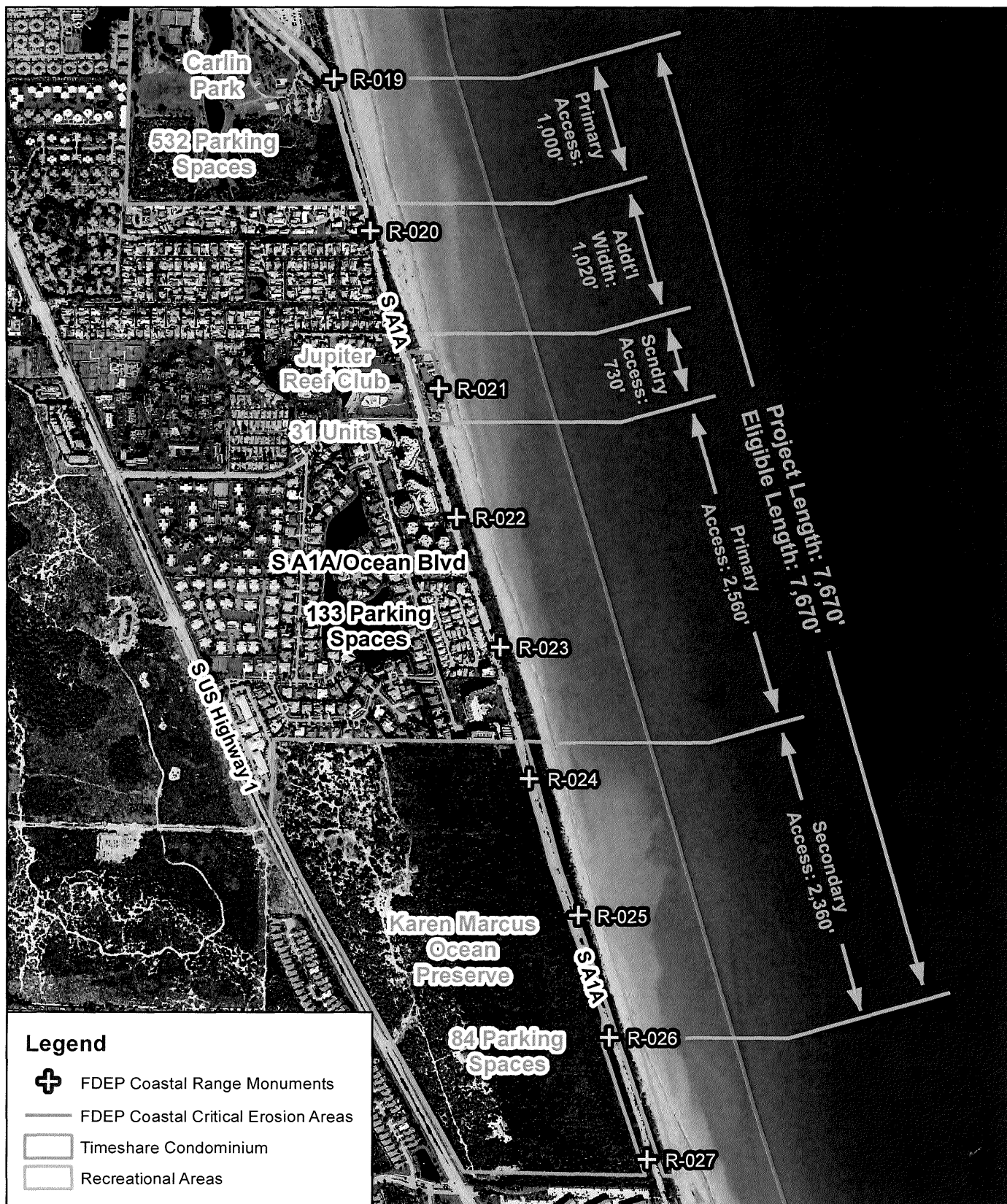


Palm Beach County Department of Environmental Resources Management
 2300 North Jog Road, 4th Floor
 West Palm Beach, Florida 33411-2741
 (561) 233-2400

Coral Cove Dune Restoration Project

7/28/2021





Legend

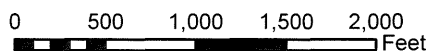
- FDEP Coastal Range Monuments
- FDEP Coastal Critical Erosion Areas
- Timeshare Condominium
- Recreational Areas

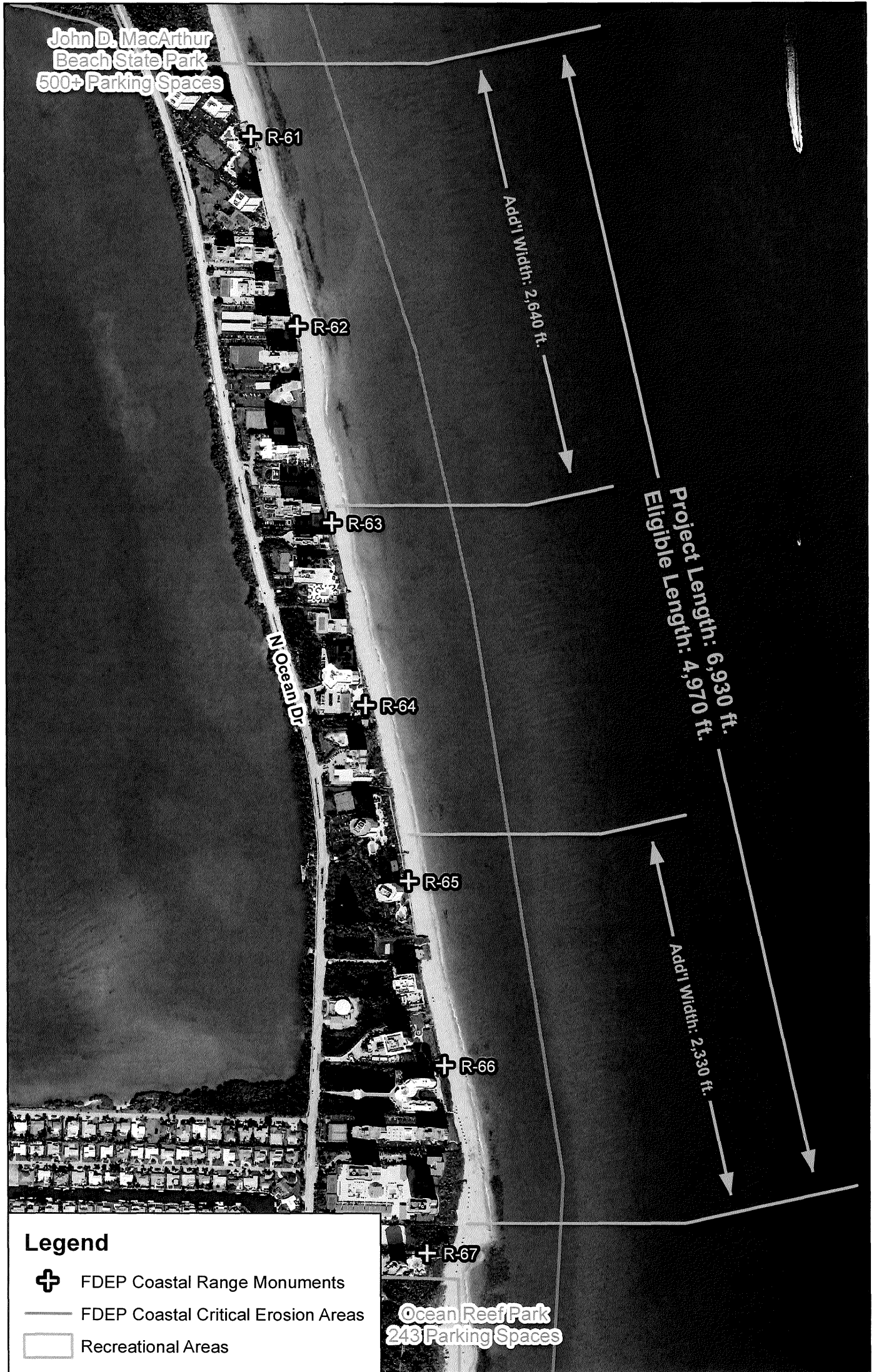


Palm Beach County Department of Environmental Resources Management
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 (561) 233-2400




North County Comprehensive Shore Protection Project - Segment 2

7/27/2021





Legend

-  FDEP Coastal Range Monuments
-  FDEP Coastal Critical Erosion Areas
-  Recreational Areas






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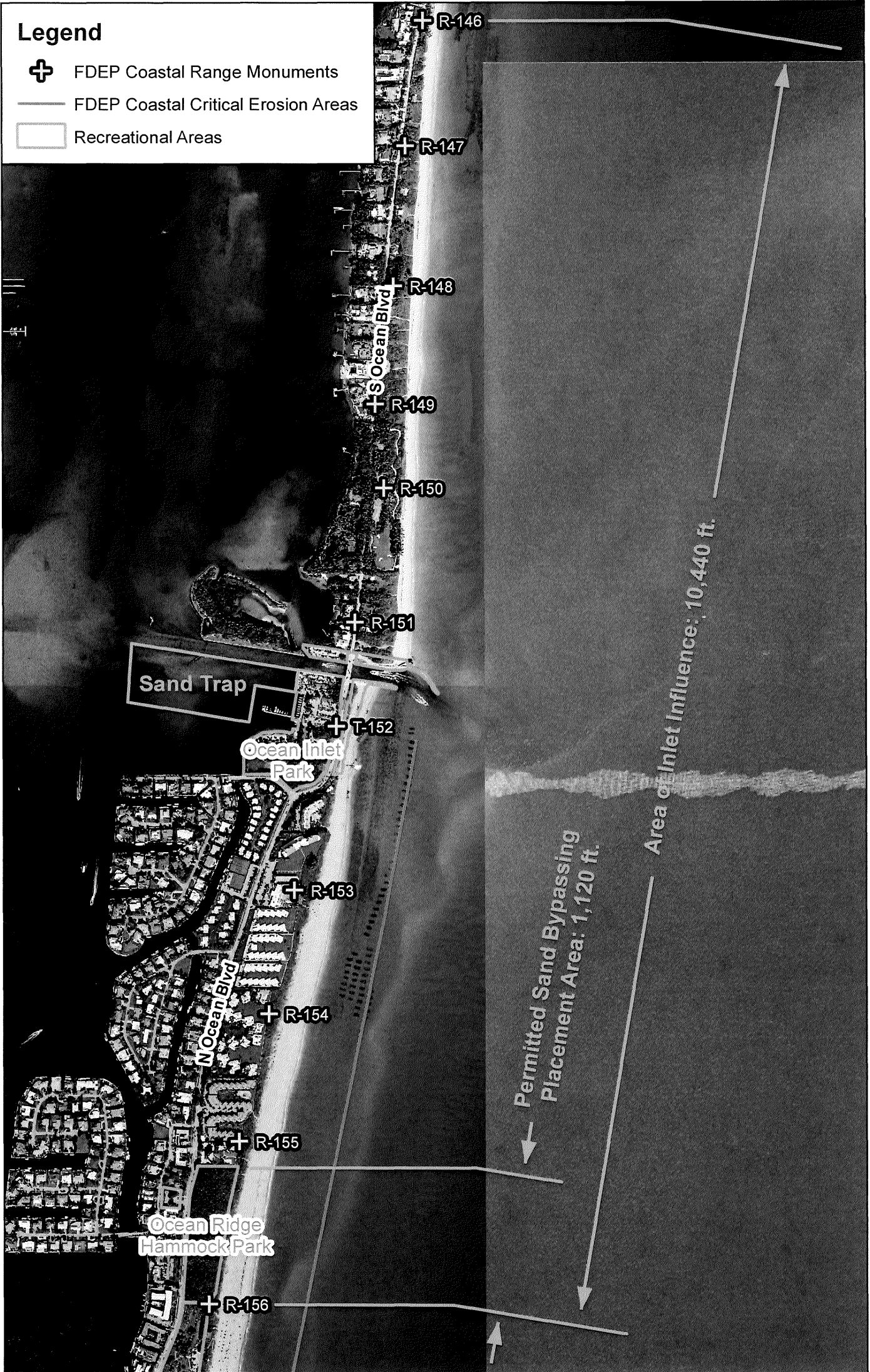
Singer Island Dune Restoration Project

7/28/2021



Legend

-  FDEP Coastal Range Monuments
-  FDEP Coastal Critical Erosion Areas
-  Recreational Areas



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South Lake Worth Inlet Management Plan

7/28/2021

