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Agenda Item #3K-1

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: April 12, 2022 **Consent [X]** **Regular [ ]** **Public Hearing [ ]**

Department: Water Utilities Department

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: twelve (12) Subordinations of County Utility Interests to the State of Florida Department of Transportation (FDOT). The Subordinations of Utility Easements includes portions of the following easements recorded in the Official Records of Palm Beach County: ORB 14959 Page 0909, ORB 20051 Page 0166, ORB 20051 Page 0170, ORB 20051 Page, 0174, ORB 20294 Page 438, ORB 220294 Page 0438 and ORB 25595 Page 1127.

Summary: The FDOT has an interest in portions of the utility easements recorded in the Official Records of Palm Beach County as noted above that have been determined necessary for highway improvement purposes. The utility easements are located south and north of Atlantic Avenue and east of State Road 7. The proposed use of these lands for highway improvement purposes will require subordinations of the interest claimed in such lands by the County to FDOT. The facilities located within the utility easements and covered by the Subordinations include two (2) 6-inch force main stub outs, a 4-inch force main stub out, a 4-inch force main, and an 8-inch water main. FDOT has committed to pay to have the County's facilities relocated in the future if necessary. The Palm Beach County Water Utilities Department (PBCWUD) has determined that the subordinations of utility interests will not affect any existing public utility facilities and therefore recommends the subordinations. District 5 (MWJ)

Background and Justification: The utility easements listed above were granted/reserved to the County for public potable water, reclaimed water and wastewater facilities associated with properties identified by PCN 00-42-46-19-01-000-0131, 00-42-46-19-01-000-0132, 00-42-46-19-05-000-0000, 00-42-46-19-01-000-0092, 00-42-46-18-01-000-1210, and 00-42-46-18-01-000-1230. Attachment 14 is included to identify the recording information, the PCN, and the location of each subordination. The subordinations of utility interests to FDOT will not hinder PBCWUD during the operation and maintenance of the facilities.

Attachments:

1. Two (2) Original Subordination of County Utility Interests for Parcel 100.2R
2. Two (2) Original Subordination of County Utility Interests for Parcel 101.3
3. Two (2) Original Subordination of County Utility Interests for Parcel 104.4
4. Two (2) Original Subordination of County Utility Interests for Parcel 105.3
5. Two (2) Original Subordination of County Utility Interests for Parcel 108.3
6. Two (2) Original Subordination of County Utility Interests for Parcel 109.3
7. Two (2) Original Subordination of County Utility Interests for Parcel 800.3R
8. Two (2) Original Subordination of County Utility Interests for Parcel 802.5
9. Two (2) Original Subordination of County Utility Interests for Parcel 804.4
10. Two (2) Original Subordination of County Utility Interests for Parcel 805.3
11. Two (2) Original Subordination of County Utility Interests for Parcel 815.5
12. Two (2) Original Subordination of County Utility Interests for Parcel 816.4
13. Location Map
14. Table of Subordinations of Utility Interests

Recommended By: Ali Bayat — **Department Director** — 3/10/22 **Date**

Approved By: Willy Blum — **Assistant County Administrator** — 3/30/2022 **Date**

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	**2022**	**2023**	**2024**	**2025**	**2026**
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	0
# ADDITIONAL FTE POSITIONS (Cumulative)	0	0	0	0	0

Budget Account No.: Fund Dept Unit Object

Is Item Included in Current Budget? Yes ____ No ____

Does this item include the use of federal funds? Yes____ No ____

Reporting Category **N/A**

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

No Fiscal Impact.

C. Department Fiscal Review: _____ GK

III. REVIEW COMMENTS

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

_____ 3/17/22
OFMB
MG 3/17

_____ 3/29/22
Contract Development and Control
3-28-22 TW

B. Legal Sufficiency:

_____ 3/29/22
Assistant County Attorney

C. Other Department Review:

_____
Department Director

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