

Background and Policy Issues: (Continued from page 1)

Adoption of this Mid-Year Ordinance to the County's Program is consistent with the BCC's general direction.

The Palm Beach County Five-Year Road Program Ordinance, as amended, allows a semi-annual modification of the Five Year Road Program. This Mid-Year adjustment, including **Exhibit "A"**, modifies the Annual Update adopted on December 7, 2021 (ORD2021-037).

Each year since 1987, the BCC has granted approval to appraise and acquire lands, rights-of-way, and easements for projects on the adopted Five Year Road Program during each fiscal year. The Roadway Production Division is again recommending approval to appraise and acquire lands, rights-of-way, and easements, and approval for employment of all professionals and experts, including but not limited to real estate appraisers, engineers, certified public accountants, business damage experts, and other professionals deemed necessary for budgeted projects on the adopted mid-year adjustment, amended herein to the Five Year Road Program that will be undertaken during Fiscal Year 2022 through Fiscal Year 2026. The approval of this item will speed up the lengthy process of acquiring lands, rights-of-way, and easements. Procurement of all professional and expert services and all acquisitions will be in accordance with established County procedures.



INTEROFFICE MEMORANDUM

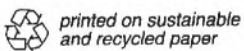
Department of Engineering and Public Works
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West Palm Beach, FL 33416-1229
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DATE: July 12, 2022
TO: Mayor Robert S. Weinroth, and
The Board of County Commissioners
FROM: David L. Ricks, P.E. [initials]
County Engineer
RE: ROAD PROGRAM MID-YEAR ADJUSTMENT
PUBLIC HEARING - JULY 2022
FINDINGS OF FACT - CONSTRUCTION DELAYS

Palm Beach County Board of County Commissioners
Robert S. Weinroth, Mayor
Gregg K. Weiss, Vice Mayor
Maria G. Marino
Dave Kerner
Maria Sachs
Melissa McKinlay
Mack Bernard

County Administrator
Verdenia C. Baker

"An Equal Opportunity Affirmative Action Employer"



Per Article 12.M.3.B of the Unified Land Development Code (ULDC), prior to approving the deletion of any construction project from the Palm Beach County (PBC) Five-Year Road Program, the Board of County Commissioners (BCC) must evaluate two (2) findings of fact.

Article 12.M.3.A of the ULDC defines "deletion of a construction Project" as "the elimination of the construction Project, the failure to let a road construction contract, the removal of or failure to establish funding of the construction Project, the material reduction in the scope of work or funding (as it affects the construction Project), or the postponement of the construction Project in the Five-Year Road Program for more than two years beyond the year the construction was originally programmed". It does not include delays associated with right-of-way acquisition as a result of judicial decision, redesign after the contract has been let, construction, or other delays not under the control of PBC.

To delete any construction project, the BCC must find:

Finding 1: That the deletion of the construction Project will not result in any link or intersection on the road network operating at greater than the Adopted Level of Service (LOS), as defined in Article 12.B.2.C, if such link would not have operated at greater than the Adopted LOS, as defined in this Article, had the Project been constructed as originally programmed in the adopted Five-Year Road Program; and

Finding 2: That no Project, which was approved and phased based upon such Assured Construction, would be denied Building Permits because of the deletion of the construction.

If Finding 1 and Finding 2 can be made, then the construction Project may be eliminated by a majority vote, except if the Project is in the current fiscal year, in which case a majority plus one vote is required.

If only the second finding can be made, then a Project not in the current fiscal year could be deleted by a majority plus one vote.



However, in no case may a Project be deleted when the second finding cannot be made. Note that Article 12.B.2.F.2 of the ULDC also addresses the question of deletion of a construction project from the PBC Five Year Road Program Ordinance to which a Project was approved and phased. This section states that, "Building Permits for development that was phased to that assured construction shall be issued, but not sooner than the end of the fiscal year construction was to commence."

Two (2) Projects in the proposed Mid-Year Update to the Five Year Road Program meet this definition of deletion of a construction project. In order to assist the BCC in making the determination regarding Findings 1 and 2 for these Projects, the following substantial competent evidence has been provided:

(Remainder of page left intentionally blank)

**1. Florida Mango Road, 10th Avenue North to Edgewater Drive:**

Construction of improvements for this road was originally scheduled for FY 2020 and is presently scheduled for FY 2022, but is now being delayed to FY 2023. The proposed improvements will replace the existing bridges on Florida Mango Road over the Lake Worth Drainage District (LWDD) L-9 and L-10 Canals, and expand the existing 2 lane segments to 3 lanes. This construction will add capacity to this segment of Florida Mango Road. Construction of the project has been postponed for more than two years beyond the year the construction was originally programmed. Accordingly, for purposes of Article 12.M.3.A, this postponement meets the definition of a “deletion of a construction Project”. The delay is due to extending the time required for completion of utility relocations, right-of-way acquisition, and the need to schedule the construction in phases to accommodate the bridge replacement over the LWDD L-8 Canal on Florida Mango Road north of Edgewater Drive. Construction phasing allows the County to maintain traffic flow along Florida Mango Road during construction, by not closing all three bridges (LWDD L-8, L-9, & L-10) at the same time.

Finding 1

The peak season peak hour volume to capacity ratio for this segment is 0.77, which is better than the adopted LOS D. Because the segment is currently operating within the adopted LOS, Finding 1 is made.

Finding 2

There are no development projects that are phased to this construction. Finding 2 is made.

Because both Finding 1 and Finding 2 can be made, and the Project is in the current fiscal year, a majority plus one vote is required.

(Remainder of page left intentionally blank)



2. 60th Street N, Avocado Boulevard to east of 120th Avenue N:

Construction of this segment of 60th Street was originally scheduled for FY 2021 and is presently scheduled for FY 2023, but is now proposed to be delayed to FY 2024. The Project will widen the existing road from 2 lanes to 3 lanes, with 4 foot shoulders and a sidewalk on the south side. This construction will add capacity to this roadway. Construction of the Project has been postponed for more than two years beyond the year the construction was originally programmed. Accordingly, for purposes of Article 12.M.3.A, this postponement meets the definition of a “deletion of a construction Project”. The construction delay results from a delay in the design process caused by the design consultant’s difficulty in securing the services for specialized investigation by divers of the subaqueous pipe crossing of the M-1 Canal beneath the City of West Palm Beach’s M-Canal. This service is necessary to design a safe crossing of 60th Street without compromising the M-1 Canal pipe.

Finding 1

The peak season peak hour volume to capacity ratio for this segment is 0.03, which is better than the adopted LOS D. Because the segment is currently operating within the adopted LOS, Finding 1 is made.

Finding 2

There are no development projects that are phased to this construction. Finding 2 is made.

Because both Finding 1 and Finding 2 can be made, and the Project is not in the current fiscal year, a majority vote is required.

DLR:MR

cc: Joanne M. Keller, P.E., Deputy County Engineer
 Steve Carrier, P.E., Assistant County Engineer
 Motasem Al-Turk, Ph.D., P.E. – Director, Traffic Division
 Morton L. Rose, P.E., Director, Roadway Production Division
 Kathleen O. Farrell, P.E. – Asst. Director, Roadway Production
 Quazi Bari, P.E., PTOE – Manager, Traffic Division
 Will Carey, P.E. – Manager, Roadway Production
 Maroun Azzi, P.E. – Manager, Roadway Production
 Kristine A. Frazell-Smith, P.E. – Manager, Roadway Production
 Liz Herman, Assistant County Attorney II

ORDINANCE NO. 2022 -

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 23, ARTICLE 1, SECTION 23-1(C) (ADOPTION OF REVISED FIVE-YEAR ROAD PROGRAM); PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Palm Beach County (County) Code Chapter 23, Article I, Section 23-1, known as the County Five Year Road Program Ordinance (Ordinance), sets forth the road projects in the Five Year Road Program (Program) to be funded, designed and constructed by the County within the next five years; and

WHEREAS, the Board of County Commissioners (BCC) adopted the current Program on December 7, 2021 (Ordinance 2021-037), as provided in **Exhibit "A"** therein; and

WHEREAS, Section (e) of the Ordinance provides that deletions, substitutions and additions of entire projects from **Exhibit "A"** may only be accomplished by a BCC Ordinance, and that deletions of projects may be accomplished no more frequently than twice a year; 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 2021-037, and desires to repeal and replace **Exhibit "A"** of Ordinance 2021-037 with the attached **Exhibit "A"**; and

WHEREAS, the BCC now wishes to amend the Five Year Road Program Ordinance, as set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

SECTION I. Chapter 23, Article I, Section 23-1 (c) of the County Code is hereby amended as follows:

(c) *Adoption of revised Five-Year Road Program.* The list of projects for the Five-Year Road Program set forth in **Exhibit "A"** of Ordinance 2021-037, is deleted and replaced with the attached **Exhibit "A"**, which is incorporated herein, and is hereby adopted as the Five-Year Road Program.

SECTION II. REPEAL OF LAWS IN CONFLICT

All local laws and ordinances applying to the unincorporated area of the County in conflict with any provision of this Ordinance are hereby repealed to the extent of such conflict.

ORDINANCE NO. 2022 -

SECTION III. SAVINGS CLAUSE

Notwithstanding anything to the contrary, all provisions of Palm Beach County Code Section 23-1, codifying Palm Beach County Ordinance No. 85-40, as amended, are specifically preserved and remain in full force and effect for the limited purpose of enforcing any alleged violations of said Code which occurred prior to its repeal or amendment.

SECTION IV. 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.

SECTION V. 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.

SECTION VI. EFFECTIVE DATE

The provisions of this Ordinance shall become effective upon filing with the Department of State.

(Remainder of page left intentionally blank)

ORDINANCE NO. 2022 -

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, this _____ day of _____, 2022.

Joseph Abruzzo,
Clerk of the Circuit Court & Comptroller

Palm Beach County, a Political
Subdivision of the State of Florida,
by and through its Board of
County Commissioners

By: _____
Deputy Clerk

By: _____
Robert S. Weinroth, Mayor

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

By: ybh/tel _____
Yelizaveta B. Herman
Assistant County Attorney

EFFECTIVE DATE:

Filed with the Department of State on the _____ day of _____, 2022.

PALM BEACH COUNTY FIVE-YEAR ROAD PROGRAM - EXHIBIT A

Mid-Year Adjustment - Public Hearing - July 12, 2022

	FY 2022 BUDGETED	FY 2022 PROJECTED	FY 2023 PROJECTED	FY 2024 PROJECTED	FY 2025 PROJECTED	FY 2026 PROJECTED	TOTAL PROJECTED
Local Option Gas Taxes Total	48,289,000	52,685,000	53,740,000	53,740,000	54,133,000	54,820,000	269,118,000
LESS Mass Transit (Palm Tran) Share	(32,516,000)	(33,760,000)	(34,040,000)	(34,040,000)	(34,182,000)	(34,470,000)	-170,492,000
LESS Engineering Operating	(6,047,000)	(8,296,000)	(8,858,000)	(8,858,000)	(9,001,000)	(9,181,000)	-44,194,000
REMAINING ROAD PROGRAM ALLOCATION	9,726,000	10,629,000	10,842,000	10,842,000	10,950,000	11,169,000	54,432,000
LESS 5% STATUTORY RESERVES	(486,300)	0	(542,100)	(542,100)	(547,500)	(558,450)	-2,190,150
OCEAN AVENUE LOAN REPAYMENT	(1,041,037)	(1,041,037)	(1,035,387)	(1,031,692)	(1,024,981)	(1,024,981)	-5,158,078
GAS TAX AVAILABLE FOR NEW ALLOCATIONS	8,198,663	9,587,963	9,264,513	9,268,208	9,377,519	9,585,569	47,083,772
INTEREST EARNINGS	289,987	192,880	293,645	137,682	116,775	95,856	836,838
MISCELLANEOUS	8,409,000	11,350,000 A	1,409,100 B	0	4,598,000 D	0	17,357,100
IMPACT FEES USED FOR PROJECTS	48,842,000	29,595,000	37,671,000	16,826,000	8,334,000	450,000	92,876,000
PROPORTIONATE SHARE USED FOR PROJECTS	8,076,525	8,086,017	6,560,804	10,866,630	692,000	0	26,205,451
GAS TAX RESERVE USED FOR PROJECTS	20,800,000	9,700,000	20,100,000	4,500,000	2,300,000	0	36,600,000
TOTAL CURRENT REVENUES	94,616,175	68,511,860	75,299,062	41,598,520	25,418,294	10,131,425	220,959,161
BALANCES FORWARD	89,171	89,171	36,031	25,093	53,613	1,907	89,171
TOTAL REVENUES	94,705,346	68,601,031	75,335,093	41,623,613	25,471,907	10,133,332	221,048,332
PROJECT COSTS AS PROPOSED	94,613,000	68,565,000	75,310,000	41,570,000	25,470,000	9,520,000	220,435,000
REVENUES LESS PROJECT COSTS	92,346	36,031	25,093	53,613	1,907	613,332	613,332

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, and D on page 2 of 5

Footnotes:

A 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 funded design of \$1,150,000 in FY 2020 and will fund \$1,354,360 for Construction in FY 2022, FDOT will fund **\$4,215,640** (Total Construction Cost \$5,570,000).

Includes Infrastructure Sales Tax of **\$2,700,000** in FY 2022 for CR880 over C-51 Bridge construction.

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

Includes Infrastructure Sales Tax of **\$2,000,000** in FY 2022 for Australian Ave., Banyan Blvd. to 45th St.

Includes Developer payment of **\$1,733,648** in FY 2022 for Flavor Pict Rd. SR-7 to Lyons Rd.

B Includes Infrastructure Sales Tax of **\$450,000** in FY 2023 for CR 880, Sam Senter Rd. over SFWMD Ocean Canal. Infrastructure Sales Tax includes **\$300,000** in FY 2023 for Cresthaven Blvd., Jog Rd.to Military Tr. (Buffered Bike Lanes). Anticipates reimbursement of **\$659,100** from Lake Clarke Shores FY 2024 for utility work.

D Funding for Cresthaven Blvd. Jog Rd. Military Tr. (Buffered Bike Lanes) was approved by the TPA 2020 Local Initiative Program, based on the submitted estimates. Palm Beach County will have to fund design & CEI of **\$758,510**. FDOT/TPA 2020 Local Initiative Program will fund construction of **\$4,598,000** in FY 2025, (Total Construction Cost estimated at \$5,000,000).

PALM BEACH COUNTY FIVE YEAR ROAD PROGRAM - EXHIBIT A (\$'s IN 1,000's)

Mid-Year Adjustment - Public Hearing - July 12, 2022

PROJECT	LIMITS	DESCRIPTION	FY 2022		FY 2023		FY 2024		FY 2025		FY 2026	
			Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
6th Ave. S.	over Lake Osborne Dr.	Bridge Replacement	680	C								
10th Ave. N.	Boutwell Rd.	Intersection Improvements			2,000	R/C						
45th St.	E. of Haverhill Rd. to E. of Military Trail	0.6 mi., 6 L	2,460	C								
60th St. N.	Seminole Pratt Whitney Rd. to 140th Ave. N.	2.7 mi., 4L									250	D
60th St. N.	W. of 140th Ave. N. to Avocado Blvd.	0.8 mi., 3L	500	D/R/M								
60th St. N.	Avocado Blvd. to E. of 120th Ave. N.	1.6 mi. 3L	50	D			6,000	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
Australian Ave.	Banyan Blvd. to 45th St.	Drainage Improvements & Multipurpose Path	3,200	D								
Benoist Farms Rd.	S.R. 80 to Belvedere Rd.	0.9 mi, 3 L	3,750	C								
Boca Rio Rd.	Palmetto Park Rd. to Glades Rd.	1.3 mi., 4/5 L			400	R						
Center Street	Loxahatchee River Rd. to Alt. A-1-A	1.7 mi., 3 L	600	D	1,000	D/R			2,000	C		
Central Blvd.	Indiantown Rd. to Church St.	0.5 mi, 3 L			700	D			300	R		
Church St.	Limestone Creek Rd. to W. of Central Blvd.	0.5 mi, 2 L	2,000	R/M/C	2,000	C						
Clint Moore Rd.	Military Tr.	Intersection Improvements			2,100	C						
Coconut Blvd.	S. of 78th Place North to S. of Northlake Blvd.	1.3 mi. 5 L					3,300	C				
Congress Ave.	N. of Northlake Blvd. to Alt. A-1-A	0.6 mi, 2 L & 3 L	6,000	R/C								
Congress Ave.	Palm Beach Lakes Blvd.	Intersection Improvements	2,000	C								
CR 880	Belle Glade to Twenty Mile Bend	Rehabilitation/Heavy Maintenance	100	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			4,000	C						
CR 880	over C-51 Canal	Bridge Replacement			4,500	C						
Cresthaven Blvd.	Jog Rd. to Military Tr.	Buffered Bike Lanes			760	D			5,000	C		
Donald Ross Rd.	Bascule Bridge	Equipment	8,000	C								
Donald Ross Rd.	Ellison Wilson Rd.	Intersection Improvements (add 2nd NBL)					700	C				
Donald Ross Rd.	U.S. 1	Intersection Improvements (add 3rd EBL & SBRTL)			400	D			500	R/M		
Flavor Pict Rd.	SR7 to Lyons Rd.	1.0 mi, 2 L	3200	C								
Flavor Pict Rd.	Lyons Rd. to Hagen Ranch Rd.	1.7 mi, 4 L			10	D	4,780	S/D/R				
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)			6,600	C						

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

Mid-Year Adjustment - Public Hearing - July 12, 2022

PROJECT	LIMITS	DESCRIPTION	FY 2022		FY 2023		FY 2024		FY 2025		FY 2026	
			Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
Florida Mango Rd.	S. of Barbados Rd. to Myrica Rd.	0.7 mi, 3 L (L.W.D.D. L-7 Canal Culvert Replacement)	50	D	2,000	C						
Florida Mango Rd.	Myrica Rd. to Summit Blvd.	0.5 mi, 3 L (L.W.D.D. L-6 Canal Bridge Replacement - Culvert)			2,300	R/C						
Forest Hill Blvd.	Military Tr.	Intersection Improvements	1,100	P								
George Bush Bascule Bridge	over Intracoastal	Study	1,000	S/D								
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	250	R	3,320	C						
Haverhill Rd.	Hypoluxo Rd. to Lantana Rd.	1.0 mi., 4 L					2,360	C				
Haverhill Rd.	S. of Ceceile Ave. to N. of Century Blvd.	Intersection Improvements, 0.2 mi., 4/6 L			1,200	C						
Jog Rd.	Glades Rd. to Yamato Rd.	1.2 mi., 6L	500	S								
Kirk Rd.	LWDD L-7 Canal to Summit Blvd.	0,5 mi, 3/5 L					1,900	C				
Kirk Rd.	Summit Blvd. to Gun Club Rd.	0.8 mi, 3/5 L			3,950	C						
Lawrence Rd.	S. of Ponza Place to Lantana Road	0.8 mi, 3 L	6,000	C								
Linton Blvd.	Military Tr.	Intersection Improvements	600	C								
Lyons Rd.	Atlantic Ave. to S. of Flavor Pict Rd.	2.4 mi, 4 L			500	R/M			6,000	C		
Lyons Rd.	S. of Flavor Pict Rd. to Boynton Beach Blvd.	3.0 mi, 4 L			12,000	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, 3 L									100	P
Lyons Rd./Sansbury's Way	Forest Hill Blvd. to Okeechobee Blvd.	Buffered Bike Lanes	6,060	C								
Melaleuca Lane	Jog Rd.	Intersection Improvements			2,300	C						
Miner Rd.	Military Trail to Lawrence Rd.	0.6 mi, 3 L	500	R/M			3,800	C				
Northlake Blvd. TIM Amendment Study	Bay Hill Dr. to S.R. 7 & Beeline Hwy to Military Tr.	Corridor Impact Study	400	S								
Okeechobee Blvd.	Jog Road	Intersection Improvements			1,370	C						
Okeechobee Blvd.	Haverhill Rd.	Intersection Improvements	1,030	C								
Old Dixie Hwy.	Yamato Rd. to S. of Linton Blvd.	3.0 mi, 3 L					3,000	C				
Palmetto Park Rd.	Lyons Rd.	Intersection Improvements			900	C						
Palmetto Park Rd.	E. of Military Trail to I-95	Intersection Improvements	250	D								
Palmetto Park Rd. Bascule Bridge	over Intracoastal Waterway	Rehab/Painting	50	C								
Recording Fees	Countywide	Right-of-Way	20	R	20	R	20	R	20	R	20	R

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

PALM BEACH COUNTY FIVE YEAR ROAD PROGRAM - EXHIBIT A (\$'s IN 1,000's)

Mid-Year Adjustment - Public Hearing - July 12, 2022

PROJECT	LIMITS	DESCRIPTION	FY 2022		FY 2023		FY 2024		FY 2025		FY 2026	
			Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
Reserve-Bridges/Structures/Culverts/Pipes	Countywide	Rehab./Repair/Replacement	1,250	D/R/M/C	1,700	D/R/M/C	1,500	D/R/M/C	1,500	D/R/M/C	500	D/R/M/C
Reserve-Drainage	Countywide	Study, Design, R/W, Mitigation & Construction	1,000	S/D/R/M/C	900	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	2,155	D/R/M/C	10,520	D/R/M/C	4,460	D/R/M/C	1,800	D/R/M/C	200	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	600	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	100	D/C	60	D/C	60	D/C	60	D/C	60	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	500	R								
Royal Palm Beach Blvd.	M Canal to S. of Orange Blvd.	1.0 mi, 5 L	1,500	R/C								
Royal Palm Beach Blvd. / Orange Blvd. / Coconut Blvd.	S. of Orange Blvd. to S. of 78th Place North	1.6 mi, 5 L	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
Sims Rd.	Lakes of Delray Blvd. to Atlantic Ave.	0.6 mi, 2 L			10	R/M						
State Road 7	Weisman Way	Intersection Improvements	120	C								
S.W.18th Street	Boca Rio Rd.	Intersection Improvements	1,900	C								
Woolbright Rd.	Seacrest Blvd.	Intersection Improvements	500	R			1,400	C				
Yamato Rd.	Lakeridge Blvd. to W. of FL Turnpike	1.4 mi, 6 L	1,700	C								

PROJECT TOTALS

68,565

75,310

41,570

25,470

9,520

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

ORDINANCE NO. 2022 -

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 23, ARTICLE 1, SECTION 23-1(C) (ADOPTION OF REVISED FIVE-YEAR ROAD PROGRAM); PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Palm Beach County (County) Code Chapter 23, Article I, Section 23-1, known as the County Five Year Road Program Ordinance (Ordinance), sets forth the road projects in the Five Year Road Program (Program) to be funded, designed and constructed by the County within the next five years; and

WHEREAS, the Board of County Commissioners (BCC) adopted the current Program on December 7, 2021 (Ordinance 2021-037), as provided in **Exhibit "A"** therein; and

WHEREAS, Section (e) of the Ordinance provides that deletions, substitutions and additions of entire projects from **Exhibit "A"** may only be accomplished by a BCC Ordinance, and that deletions of projects may be accomplished no more frequently than twice a year; 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 2021-037, and desires to repeal and replace **Exhibit "A"** of Ordinance 2021-037 with the attached **Exhibit "A"**; and

WHEREAS, the BCC now wishes to amend the Five Year Road Program Ordinance, as set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

SECTION I. Chapter 23, Article I, Section 23-1 (c) of the County Code is hereby amended as follows:

(c) *Adoption of revised Five-Year Road Program.* The list of projects for the Five-Year Road Program set forth in **Exhibit "A"** of ~~Resolution R2021-0765~~, Ordinance 2021-037, is deleted and replaced with the attached **Exhibit "A"**, which is incorporated herein, and is hereby adopted as the Five-Year Road Program.

SECTION II. REPEAL OF LAWS IN CONFLICT

All local laws and ordinances applying to the unincorporated area of the County in conflict with any provision of this Ordinance are hereby repealed to the extent of such conflict.

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SECTION III. SAVINGS CLAUSE

Notwithstanding anything to the contrary, all provisions of Palm Beach County Code Section 23-1, codifying Palm Beach County Ordinance No. 85-40, as amended, are specifically preserved and remain in full force and effect for the limited purpose of enforcing any alleged violations of said Code which occurred prior to its repeal or amendment.

SECTION IV. 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.

SECTION V. 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.

SECTION VI. EFFECTIVE DATE

The provisions of this Ordinance shall become effective upon filing with the Department of State.

(Remainder of page left intentionally blank)

ORDINANCE NO. 2022 -

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, this _____ day of _____, 2022.

Joseph Abruzzo,
Clerk of the Circuit Court & Comptroller

Palm Beach County, a Political
Subdivision of the State of Florida,
by and through its Board of
County Commissioners

By: _____
Deputy Clerk

By: _____
Robert S. Weinroth, Mayor

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

By: _____
Yelizaveta B. Herman
Assistant County Attorney

EFFECTIVE DATE:

Filed with the Department of State on the _____ day of _____, 2022.