

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2023	2024	2025	2026	2027
Capital Expenditures	\$ 64.0	\$ 71.1	\$ 86.7	\$ 11.9	\$ 15.1
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	(\$64.1)	(\$71.2)	(\$86.8)	(\$12.8)	(\$17.0)
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)	(\$0.1)	(\$0.1)	(\$0.1)	(\$0.9)	(\$1.9)

Is Item Included in Current Budget? Yes No
 Does this item include the use of federal funds? Yes No

Budget Account No:
 Fund Dept Unit Object

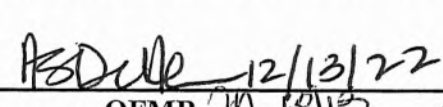
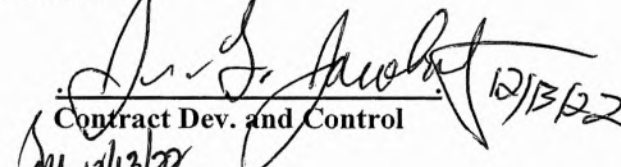
Recommended Sources of Funds/Summary of Fiscal Impact:

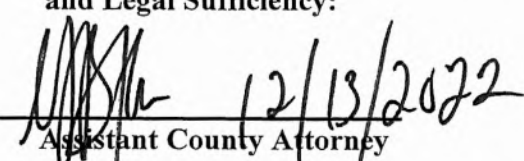
The Five Year Road Program is funded from Gasoline Taxes and Impact Fees, including the interest on these two sources of funds, as well as Grants, Developer Contributions and Infrastructure Sales Tax.

C. Departmental Fiscal Review: 

III. REVIEW COMMENTS

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

 12/13/22
 OFMB JA 12/13
 12/13/22
 Contract Dev. and Control

B. Approved as to Form and Legal Sufficiency:
 12/13/2022
 Assistant County Attorney

C. Other Department Review:

 Department Director

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

Background and Policy Issues: (Continued from Page 1)

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 as amended herein, to the Five Year Road Program that will be undertaken during Fiscal Year 2023 through Fiscal Year 2027. 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

DATE: November 17, 2022

TO: Mayor Gregg K. Weiss, and
The Board of County Commissioners

FROM: David L. Ricks, P.E.
County Engineer

RE: **ROAD PROGRAM - ANNUAL UPDATE**
PUBLIC HEARING - DECEMBER 20, 2022
FINDINGS OF FACT

Traffic Performance Standards, Article 12, Chapter M, Section 4 of the present Unified Land Development Code requires that:

Concurrent with the adoption of the annual Five Year Road Program, the Board County Commissioners shall determine whether Palm Beach County has adhered to and implemented its Five Year Road Program. In order to make the determination that PBC has adhered to and implemented its adopted Five Year Road Program, the BCC must find the following based upon substantial competent evidence:

- A. Funding**
The amount of funding of the current fiscal year of the Five Year Road Program is, at a minimum, as contemplated in the Comprehensive Plan (Plan) and the Five Year Road Program.
- B. New Fifth Year**
The new fifth year being added to the Five Year Road Program with Projects added to the Five Year Road Program at a rate contemplated in the Plan.
- C. Projects on Schedule**
Fewer than 20 percent of the programmed road construction Projects (on a line item basis) from the preceding fiscal year over which PBC has control are more than 12 months behind schedule.

The BCC determines that upon adoption of the 2023-2027 Capital Improvement Element Table of the Comprehensive Plan, the BCC will be in adherence with and able to implement the adopted Five Year Road Program, and finds that the funding, New Fifth Year, and Projects are on schedule based on the following substantial competent evidence:

- A** **Funding**
The proposed funding level for the current fiscal year remains approximately at the amount previously contemplated in the Comprehensive Plan.
- B** **New Fifth Year**
A total of 15.1 million in projects has been added to the Road Program in FY 2027.
- C.** **Projects on Schedule**
Eighty (80%) of projects programmed for road construction in Fiscal Year 2022 were bid or awarded prior to September 30, 2022.

DR:MR:vhj

ec: Verdenia Baker, County Administrator
Patrick Rutter, Assistant County Administrator
Joanne M. Keller, P.E., Deputy County Engineer
Steven B. Carrier, P.E., Assistant County Engineer
Morton Rose, P.E., Director, Roadway Production Division
Kathleen Farrell, P.E., Assistant Director, Roadway Production Div.
Yelizaveta B. Herman, Assistant County Attorney

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, Ordinance 85-40 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, as amended, requires the Board of County Commissioners (BCC) to consider an amendment to the Program by modifying the list of road projects contained in **Exhibit "A"**, by December of each year, and permits deletions of road projects in the Program no more frequently than twice in a one year period; and

WHEREAS, the last adopted amendment to Ordinance 85-40 is Ordinance 2022-015, codified in Chapter 23, Article I, Section 23-1 of the Palm Beach County Code (Code); and

WHEREAS, the BCC has considered the funding and timing of road projects for the next five years as set forth in **Exhibit "A"** of Ordinance 2022-015, and desires to repeal and replace **Exhibit "A"** of Ordinance 2022-015 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 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 2022-015, 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 Florida, a Political
Subdivision of the State of Florida,
By and through its Board of
County Commissioners

By: _____
Deputy Clerk

By: _____
Mayor Gregg K. Weiss

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

By: /s/Yelizaveta B. Herman
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

Annual Update - Public Hearing - December 20, 2022

	FY 2023 BUDGETED	FY 2024 PROJECTED	FY 2025 PROJECTED	FY 2026 PROJECTED	FY 2027 PROJECTED	TOTAL PROJECTED
Local Option Gas Taxes Total	53,740,000	53,740,000	54,133,000	54,820,000	55,520,000	271,953,000
LESS Mass Transit (Palm Tran) Share	(34,040,000)	(34,040,000)	(34,182,000)	(34,470,000)	(34,763,000)	-171,495,000
LESS Engineering Operating	(8,858,000)	(8,858,000)	(9,001,000)	(9,181,000)	(9,365,000)	-35,898,000
REMAINING ROAD PROGRAM ALLOCATION	10,842,000	10,842,000	10,950,000	11,169,000	11,392,000	55,195,000
LESS 5% STATUTORY RESERVES	(542,100)	(542,100)	(547,500)	(558,450)	(569,600)	-2,759,750
OCEAN AVENUE LOAN REPAYMENT	(1,035,387)	(1,031,692)	(1,024,981)	(1,020,244)	(1,012,451)	-5,124,755
GAS TAX AVAILABLE FOR NEW ALLOCATIONS	9,264,513	9,268,208	9,377,519	9,590,306	9,809,949	47,310,495
INTEREST EARNINGS	186,645	225,682	411,775	95,903	98,099	1,018,105
MISCELLANEOUS	5,213,000 A	8,000,000 B	25,455,119 C	0 D	0 E	38,668,119
IMPACT FEES USED FOR PROJECTS	32,877,000	29,253,000	11,276,000	3,000,000	5,397,000	81,803,000
PROPORTIONATE SHARE USED FOR PROJECTS	7,079,509	11,106,169	8,361,000	0	813,000	27,359,678
GAS TAX RESERVE USED FOR PROJECTS	9,400,000	13,300,000	31,800,000	0	0	54,500,000
TOTAL CURRENT REVENUES	64,020,667	71,153,059	86,681,413	12,686,209	16,118,048	250,659,397
BALANCES FORWARD	36,031	66,698	89,757	91,170	907,379	36,031
TOTAL REVENUES	64,056,698	71,219,757	86,771,170	12,777,379	17,025,428	250,695,428
PROJECT COSTS AS PROPOSED	63,990,000	71,130,000	86,680,000	11,870,000	15,080,000	248,750,000
REVENUES LESS PROJECT COSTS	66,698	89,757	91,170	907,379	1,945,428	1,945,428

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, D and E on page 2 of 5

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

Footnotes:

- A** Infrastructure Sales Tax includes **\$300,000** in FY 2023 for Cresthaven Blvd., Jog Rd.to Military Tr. (Buffered Bike Lanes). 'Infrastructure Sales Tax: Includes use of **\$700,000** in FY 2023 for Florida Mango Rd. over LWDD L-9 & L-10 Canals Bridge Construction. Anticipates reimbursement of **\$659,100** from Lake Clarke Shores FY 2023 for utility work and **\$103,856** from PBC WUD in FY 2023 for Kirk Rd., Summit Blvd. to Gun Club Rd. Infrastructure Sales Tax includes **\$2,700,000** in FY 2023 for CR 880 over C-51 Bridge Construction, and includes FDEP Grant of **\$750,000** in FY 2023 for Australian Ave., Banyan Blvd. to 45th St.
- B** Includes Infrastructure Sales Tax of **\$8,000,000** in FY 2024. Infrastructure Sales Tax of \$2,000,000 - Used in FY 2021 for Australian Ave., Banyan Blvd. to 45th St.
- C** 'Includes Infrastructure Sales Tax of **\$450,000** to be used in FY 2025 for CR 880, Sam Senter Rd. over SFWMD Ocean Canal. 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), and includes FDEP Grant of **\$12,607,119** & Infrastructure Sales Tax of **\$7,800,000** in FY 2025 for Australian Ave., Banyan Blvd. to 45th St.
- D** N/A
- E** N/A

Annual Update - Public Hearing - December 20, 2022

PROJECT	LIMITS	DESCRIPTION	FY 2023		FY 2024		FY 2025		FY 2026		FY 2027	
			Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
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	50	C								
60th St. N.	Seminole Pratt Whitney Rd. to 140th Ave. N.	2.7 mi., 4L						500	D			
60th St. N.	W. of 140th Ave. N. to Avocado Blvd.	0.8 mi., 3L					500	R				
60th St. N.	Avocado Blvd. to E. of 120th Ave. N.	1.6 mi. 3L			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
Australian Ave. Drainage Improvements	Banyan Blvd. to 45th St.	Drainage Improvements & Multipurpose Path	950	D/R	8,000	R/C	20,500	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	1,000	D/R							2,500	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 (Add 3rd NBL & SBL TLs)			2,000	C						
Clint Moore Rd.	Military Tr.	Intersection Improvements			2,500	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	100	R								
Congress Ave.	Palm Beach Lakes Blvd.	Intersection Improvements	50	C								
CR 880	Belle Glade to Twenty Mile Bend	Rehabilitation/Heavy Maintenance	1,000	C	1,000	C	100	C	1,000	C	1,000	C
CR 880	Sam Senter Rd. over SFWMD Ocean Canal	Intersection Improvements & Bridge Replacement					9,500	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.	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.	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								
Florida Mango Rd.	S. of Barbados Rd. to Myrica Rd.	0.7 mi, 3 L (L.W.D.D. L-7 Canal Culvert Replacement)	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								
George Bush Bascule Bridge	over Intracoastal	Bridge Replacement Study & Design	300	S/D								
Glades Area	R&R Throughout the Glades	Repair/Reconstruction	700	C	700	C	700	C	700	C	700	C

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

Annual Update - Public Hearing - December 20, 2022

PROJECT	LIMITS	DESCRIPTION	FY 2023		FY 2024		FY 2025		FY 2026		FY 2027	
			Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
Gun Club Rd.	Forest Estates Drive to LWDD E-3 Canal	0.5 mi., 3 L			3,320	C						
Half Mile Rd.	Brooke Isles Ave. to Atlantic Ave.	Intersection Improvements (Realignment to Smith Sundry Rd.)	3,500	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					700	D			500	R
Kirk Rd.	LWDD L-7 Canal to Summit Blvd.	0.5 mi, 3/5 L			3,200	C						
Kirk Rd.	Summit Blvd. to Gun Club Rd.	0.8 mi, 3/5 L	3,950	C								
Linton Blvd.	Military Tr.	Intersection Improvements (Add NBRTL & SBRTL)	200	C								
Lyons Rd.	Atlantic Ave. to S. of Flavor Pict Rd.	2.4 mi, 4 L	500	R/M			12,000	C				
Lyons Rd.	S. of Flavor Pict Rd. to Boynton Beach Blvd.	3.0 mi, 4 L			14,000	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
Melaleuca Lane	Jog Rd.	Intersection Improvements	2,300	C								
Miner Rd.	Military Trail to Lawrence Rd.	0.6 mi, 3 L			3,800	C						
Okeechobee Blvd.	Jog Road	Intersection Improvements	1,370	C								
Okeechobee Blvd.	Haverhill Rd.	Intersection Improvements	50	C								
Old Dixie Hwy.	Yamato Rd. to S. of Linton Blvd.	3.0 mi, 3 L	3,000	R			9,000	R/C				
Palmetto Park Rd.	Lyons Rd.	Intersection Improvements	900	C								
Park Ave.	E of Congress Ave to Old Dixie Hwy	0.6 mi, 3 L					700	D/R				
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	3,100	D/R/M/C	1,000	D/R/M/C	4,000	D/R/M/C	500	D/R/M/C	500	D/R/M/C
Reserve-Drainage	Countywide	Study, Design, R/W, Mitigation & Construction	2,470	S/D/R/M/C	500	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	10,220	D/R/M/C	5,400	D/R/M/C	7,010	D/R/M/C	200	D/R/M/C	210	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	60	D/C	60	D/C	60	D/C	60	D/C	60	D/C
Reserve-Traffic Signals	Countywide	Rehabilitation/Upgrade	400	D/C	400	D/C	400	D/C	400	D/C	400	D/C

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

Annual Update - Public Hearing - December 20, 2022

PROJECT	LIMITS	DESCRIPTION	FY 2023		FY 2024		FY 2025		FY 2026		FY 2027	
			Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
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	80	R							3,000	C
Royal Palm Beach Blvd.	M Canal to S. of Orange Blvd.	1.0 mi, 5 L	50	R			6,000	C				
Royal Palm Beach Blvd. / Orange Blvd. / Coconut Blvd.	S. of Orange Blvd. to S. of 78th Place North	1.6 mi, 5 L	60	R								
Sherwood Forest Blvd.	Lake Worth Rd. to N. of 10th. Ave. North	1.0 mi., 3 L			3,500	C						
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	50	R/M					2,500	C		
State Road 7	Weisman Way	Intersection Improvements	450	C								
S.W.18th Street	Boca Rio Rd.	Intersection Improvements	150	C								
Woolbright Rd.	Seacrest Blvd.	Intersection Improvements			1,400	C						
Yamato Rd.	Lakeridge Blvd. to W. of FL Turnpike	1.4 mi, 6 L	1,000	C								

PROJECT TOTALS

63,990	71,130	86,680	11,870	15,080
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*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, Ordinance 85-40 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, as amended, requires the Board of County Commissioners (BCC) to consider an amendment to the Program by modifying the list of road projects contained in **Exhibit "A"**, by December of each year, and permits deletions of road projects in the Program no more frequently than twice in a one year period; and

WHEREAS, the last adopted amendment to Ordinance 85-40 is Ordinance 2022-015, codified in Chapter 23, Article I, Section 23-1 of the Palm Beach County Code (Code); and

WHEREAS, the BCC has considered the funding and timing of road projects for the next five years as set forth in **Exhibit "A"** of Ordinance 2022-015, and desires to repeal and replace **Exhibit "A"** of Ordinance 2022-015 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 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~~ 2022-015, 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 Florida, a Political
Subdivision of the State of Florida,
By and through its Board of
County Commissioners

By: _____
Deputy Clerk

By: _____
Mayor Gregg K. Weiss

**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.

PALM BEACH COUNTY FIVE-YEAR ROAD PROGRAM - EXHIBIT A

Annual Update - Public Hearing - December 20, 2022

	FY 2023 BUDGETED	FY 2024 PROJECTED	FY 2025 PROJECTED	FY 2026 PROJECTED	FY 2027 PROJECTED	TOTAL PROJECTED
Local Option Gas Taxes Total	53,740,000	53,740,000	54,133,000	54,820,000	55,520,000	271,953,000
LESS Mass Transit (Palm Tran) Share	(34,040,000)	(34,040,000)	(34,182,000)	(34,470,000)	(34,763,000)	-171,495,000
LESS Engineering Operating	(8,858,000)	(8,858,000)	(9,001,000)	(9,181,000)	(9,365,000)	-35,898,000
REMAINING ROAD PROGRAM ALLOCATION	10,842,000	10,842,000	10,950,000	11,169,000	11,392,000	55,195,000
LESS 5% STATUTORY RESERVES	(542,100)	(542,100)	(547,500)	(558,450)	(569,600)	-2,759,750
OCEAN AVENUE LOAN REPAYMENT	(1,035,387)	(1,031,692)	(1,024,981)	(1,020,244)	(1,012,451)	-5,124,755
GAS TAX AVAILABLE FOR NEW ALLOCATIONS	9,264,513	9,268,208	9,377,519	9,590,306	9,809,949	47,310,495
INTEREST EARNINGS	186,645	225,682	411,775	95,903	98,099	1,018,105
MISCELLANEOUS	5,213,000 A	8,000,000 B	25,455,119 C	0 D	0 E	38,668,119
IMPACT FEES USED FOR PROJECTS	32,877,000	29,253,000	11,276,000	3,000,000	5,397,000	81,803,000
PROPORTIONATE SHARE USED FOR PROJECTS	7,079,509	11,106,169	8,361,000	0	813,000	27,359,678
GAS TAX RESERVE USED FOR PROJECTS	9,400,000	13,300,000	31,800,000	0	0	54,500,000
TOTAL CURRENT REVENUES	64,020,667	71,153,059	86,681,413	12,686,209	16,118,048	250,659,397
BALANCES FORWARD	36,031	66,698	89,757	91,170	907,379	36,031
TOTAL REVENUES	64,056,698	71,219,757	86,771,170	12,777,379	17,025,428	250,695,428
PROJECT COSTS AS PROPOSED	63,990,000	71,130,000	86,680,000	11,870,000	15,080,000	248,750,000
REVENUES LESS PROJECT COSTS	66,698	89,757	91,170	907,379	1,945,428	1,945,428

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, D and E on page 2 of 5

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

Footnotes:

- A** Infrastructure Sales Tax includes **\$300,000** in FY 2023 for Cresthaven Blvd., Jog Rd. to Military Tr. (Buffered Bike Lanes). Infrastructure Sales Tax: Includes use of **\$700,000** in FY 2023 for Florida Mango Rd. over LWDD L-9 & L-10 Canals Bridge Construction. Anticipates reimbursement of **\$659,100** from Lake Clarke Shores FY 2023 for utility work and **\$103,856** from PBC WUD in FY 2023 for Kirk Rd., Summit Blvd. to Gun Club Rd. Infrastructure Sales Tax includes **\$2,700,000** in FY 2023 for CR 880 over C-51 Bridge Construction, and includes FDEP Grant of **\$750,000** in FY 2023 for Australian Ave., Banyan Blvd. to 45th St.
- B** Includes Infrastructure Sales Tax of **\$8,000,000** in FY 2024. Infrastructure Sales Tax of **\$2,000,000** - Used in FY 2021 for Australian Ave., Banyan Blvd. to 45th St.
- C** Includes Infrastructure Sales Tax of **\$450,000** to be used in FY 2025 for CR 880, Sam Senter Rd. over SFWMD Ocean Canal. 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**), and includes FDEP Grant of **\$12,607,119** & Infrastructure Sales Tax of **\$7,800,000** in FY 2025 for Australian Ave., Banyan Blvd. to 45th St.
- D** N/A
- E** N/A

Annual Update - Public Hearing - December 20, 2022

PROJECT	LIMITS	DESCRIPTION	FY 2023		FY 2024		FY 2025		FY 2026		FY 2027	
			Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
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	50	C								
60th St. N.	Seminole Pratt Whitney Rd. to 140th Ave. N.	2.7 mi., 4L						500	D			
60th St. N.	W. of 140th Ave. N. to Avocado Blvd.	0.8 mi., 3L					500	R				
60th St. N.	Avocado Blvd. to E. of 120th Ave. N.	1.6 mi. 3L			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
Australian Ave. Drainage Improvements	Banyan Blvd. to 45th St.	Drainage Improvements & Multipurpose Path	950	D/R	8,000	R/C	20,500	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	1,000	D/R							2,500	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 (Add 3rd NBL & SBL TLs)			2,000	C						
Clint Moore Rd.	Military Tr.	Intersection Improvements			2,500	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	100	R								
Congress Ave.	Palm Beach Lakes Blvd.	Intersection Improvements	50	C								
CR 880	Belle Glade to Twenty Mile Bend	Rehabilitation/Heavy Maintenance	1,000	C	1,000	C	100	C	1,000	C	1,000	C
CR 880	Sam Senter Rd. over SFWMD Ocean Canal	Intersection Improvements & Bridge Replacement					9,500	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.	Elison 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.	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								
Florida Mango Rd.	S. of Barbados Rd. to Myrica Rd.	0.7 mi, 3 L (L.W.D.D. L-7 Canal Culvert Replacement)	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								
George Bush Bascule Bridge	over Intracoastal	Bridge Replacement Study & Design	300	S/D								
Glades Area	R&R Throughout the Glades	Repair/Reconstruction	700	C	700	C	700	C	700	C	700	C

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

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PROJECT	LIMITS	DESCRIPTION	FY 2023		FY 2024		FY 2025		FY 2026		FY 2027	
			Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
Gun Club Rd.	Forest Estates Drive to LWDD E-3 Canal	0.5 mi., 3 L			3,320	C						
Half Mile Rd.	Brooke Isles Ave. to Atlantic Ave.	Intersection Improvements (Realignment to Smith Sundry Rd.)	3,500	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., 4/8 L	1,200	C								
Jog Rd.	Glades Rd. to Yamato Rd.	1.2 mi., 6L					700	D			500	R
Kirk Rd.	LWDD L-7 Canal to Summit Blvd.	0.5 mi, 3/5 L			3,200	C						
Kirk Rd.	Summit Blvd. to Gun Club Rd.	0.8 mi, 3/5 L	3,950	C								
Linton Blvd.	Military Tr.	Intersection Improvements (Add NBRTL & SBRTL)	200	C								
Lyons Rd.	Atlantic Ave. to S. of Flavor Pict Rd.	2.4 mi, 4 L	500	R/M			12,000	C				
Lyons Rd.	S. of Flavor Pict Rd. to Boynton Beach Blvd.	3.0 mi, 4 L			14,000	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
Melaleuca Lane	Jog Rd.	Intersection Improvements	2,300	C								
Miner Rd.	Military Trail to Lawrence Rd.	0.6 mi, 3 L			3,800	C						
Okeechobee Blvd.	Jog Road	Intersection Improvements	1,370	C								
Okeechobee Blvd.	Haverhill Rd.	Intersection Improvements	50	C								
Old Dixie Hwy.	Yamato Rd. to S. of Linton Blvd.	3.0 mi, 3 L	3,000	R			9,000	R/C				
Palmetto Park Rd.	Lyons Rd.	Intersection Improvements	900	C								
Park Ave.	E of Congress Ave to Old Dixie Hwy	0.6 mi, 3 L					700	D/R				
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	3,100	D/R/M/C	1,000	D/R/M/C	4,000	D/R/M/C	500	D/R/M/C	500	D/R/M/C
Reserve-Drainage	Countywide	Study, Design, R/W, Mitigation & Construction	2,470	S/D/R/M/C	500	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	10,220	D/R/M/C	5,400	D/R/M/C	7,010	D/R/M/C	200	D/R/M/C	210	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	60	D/C	60	D/C	60	D/C	60	D/C	60	D/C
Reserve-Traffic Signals	Countywide	Rehabilitation/Upgrade	400	D/C	400	D/C	400	D/C	400	D/C	400	D/C

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			Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase	Cost	Phase
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	80	R							3,000	C
Royal Palm Beach Blvd.	M Canal to S. of Orange Blvd.	1.0 mi, 5 L	50	R			6,000	C				
Royal Palm Beach Blvd. / Orange Blvd. / Coconut Blvd.	S. of Orange Blvd. to S. of 78th Place North	1.6 mi, 5 L	60	R								
Sherwood Forest Blvd.	Lake Worth Rd. to N. of 10th. Ave. North	1.0 mi., 3 L			3,500	C						
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	50	R/M					2,500	C		
State Road 7	Weisman Way	Intersection Improvements	450	C								
S.W.18th Street	Boca Rio Rd.	Intersection Improvements	150	C								
Woolbright Rd.	Seacrest Blvd.	Intersection Improvements			1,400	C						
Yamato Rd.	Lakeridge Blvd. to W. of FL Turnpike	1.4 mi, 6 L	1,000	C								

PROJECT TOTALS

63,990

71,130

86,680

11,870

15,080

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