

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: August 15, 2006

Consent

Regular

Workshop

Public Hearing

Department

Submitted By: Engineering & Public Works

Submitted For: Traffic Division

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve:

An Agreement with the Florida Department of Environmental Protection (FDEP) for Palm Beach County (PBC) to maintain direction signs to the Everglades Driving Trail.

Summary: The FDEP is installing a series of informational kiosks and roadway direction signs for the Everglades Driving Trail. The FDEP is required by the Florida Department of Transportation (FDOT) to enter into Agreements with the local governments for the local government to maintain the signs.

District: 5 (M.R.E.)

Background and Policy Issues: The FDEP is installing informational kiosks and roadway direction signs for the Everglades Driving Trail throughout an eleven county area. In PBC, the installation will be at the Arthur R. Marshall Loxahatchee National Wildlife Refuge in the western Boynton Beach area. In this Agreement, PBC agrees to maintain the two signs that will be installed by FDEP. This Agreement will satisfy the permit requirement of FDOT, allowing the signs to be installed.

Attachment:

1. Map
2. Resolution (1)
3. Agreements (3)

Recommended by: Dan Musberg
Division Director

Date

07/24/06 *Mila*

Approved by: Ray J. Webb
Department Director

Date

8/2/06

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2006	2007	2008	2009	2010
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) _____

Is Item Included in Current Budget? Yes _____ No _____
Budget Acct No.: Fund _____ Dept. _____ Unit _____ Object _____
Program _____

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

County Transportation Trust Fund
Traffic Division

This item has no immediate fiscal impact.

DEP estimates that the cost to replace all of 1 sign is \$192.00. The maximum exposure for the 2 signs would be \$384.00 should they ever need to be replaced.

C. Departmental Fiscal Review: R.D. Ward 8/1/06

III. REVIEW COMMENTS

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

Jim O'Neil 8.3.06
OFMB
OK 8/3/06
8/2/06

John Webster 8/4/06
Contract Dev. and Control

This item complies with current County policies.

B. Approved as to Form and Legal Sufficiency:

Paul F. J. 8/9/06
Assistant County Attorney

C. Other Department Review:

Department Director

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

Agenda Item #: 3 C 30

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Attachment:

1. **Map**
2. **Resolution (1)**
3. **Agreements (3)**

Recommended by: _____

Dan Musberg

Division Director

07/24/06 *MLC*

Date

Approved by: _____

Department Director

Date

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NET FISCAL IMPACT	\$ -0-	-0-	-0-	-0-	-0-

ADDITIONAL FTE
POSITIONS (Cumulative) _____

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OFMB Contract Dev. and Control

**B. Approved as to Form
and Legal Sufficiency:**

Assistant County Attorney

C. Other Department Review:

Department Director

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

101

R41

SEE PG 36

R42

L

K

31

25

30

32

36

31

33

6

NO CONTINUING MAP

SEWARD

BOYNTON BEACH BLVD

LYONS RD

804

T45

T45

T45

LOXAHATCHEE

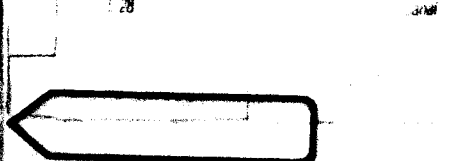
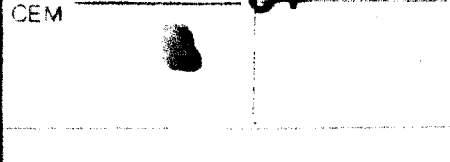
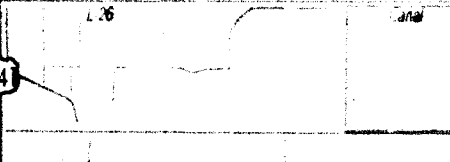
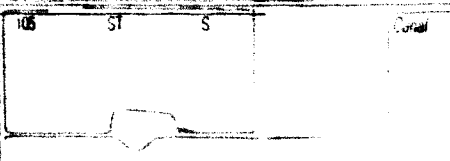
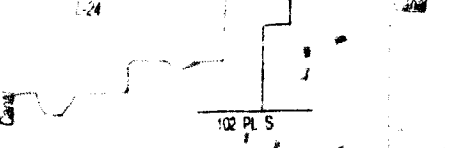
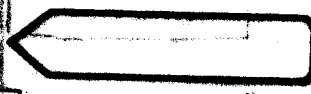
NATIONAL

WILDLIFE

REFUGE

CEM

7



LEE RD

110 ST S

808 WEST 0

**RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA
APPROVING AN EVERGLADES TRAIL ROADWAY
SIGNAGE PROJECT SIGN MAINTENANCE AGREEMENT**

A RESOLUTION of the Board of County Commissioners of PALM BEACH COUNTY, Florida authorizing the execution of that certain Everglades Trail Roadway Signage Maintenance Agreement (Agreement) with the FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) OFFICE OF GREENWAYS AND TRAILS.

WHEREAS, The FDEP OFFICE OF GREENWAYS AND TRAILS has the authority to enter into an Agreement with PALM BEACH COUNTY to undertake a project as authorized by the Federal Transportation Equity Act for the 21st Century, as amended.

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

1. That the Everglades Trail Roadway Signage Maintenance Agreement is approved.
2. That Jena B. Brooks, Director, DEP Office of Greenways and Trails, or designee, is authorized to execute the Agreement with the County.

The foregoing resolution was offered by Commissioner _____ who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote was as follows:

TONY MASILOTTI, CHAIRMAN

ADDIE L. GREENE, VICE CHAIRPERSON

KAREN T. MARCUS

JEFF KOONS

WARREN H. NEWELL

MARY MCCARTY

BURT AARONSON

The Chairman thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2006.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA BY ITS
BOARD OF COUNTY COMMISSIONERS

By: _____
Assistant County Attorney

Sharon R. Bock, Clerk & Comptroller

BY: _____
Deputy Clerk

PALM BEACH COUNTY

**EVERGLADES TRAIL
ROADWAY SIGNAGE PROJECT
MAINTENANCE AGREEMENT**

THIS Agreement is entered into on this _____ day of _____, 2006, by and between the FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF GREENWAYS AND TRAILS, hereinafter referred to as the "DEP OFFICE OF GREENWAYS AND TRAILS," and PALM BEACH COUNTY, FLORIDA, hereinafter referred to as "LOCAL GOVERNMENT."

WITNESSETH

WHEREAS, pursuant to Section 339.08(2)(b), Florida Statutes and the Federal Transportation Equity Act for the 21st Century, Public Law 105-178, enacted June 9, 1998, the FLORIDA DEPARTMENT OF TRANSPORTATION has authorized the DEP OFFICE OF GREENWAYS AND TRAILS and its contractors to undertake a project within the LOCAL GOVERNMENT geographical limits; and

WHEREAS, said project is identified in Exhibit A and known to the parties as the EVERGLADES TRAIL PROJECT ("project"), which will be of economic and cultural benefit to the LOCAL GOVERNMENT; and

WHEREAS, in accordance with Title 23, U.S. Code, Section 116 and Federal Highway Administration regulations issued pursuant thereto, there must be an agreement from the LOCAL GOVERNMENT to maintain the project; and

WHEREAS, the LOCAL GOVERNMENT by Resolution No. _____, dated _____, 2006, a copy of which is attached hereto and made a part hereof, has approved this Agreement and authorized its _____ to execute this Agreement.

NOW, THEREFORE, in consideration of the premises, the parties agree as follows:

1. The DEP OFFICE OF GREENWAYS AND TRAILS has undertaken the project and obtained approval from the Florida Department of Transportation for implementation of the project and roadway signage along state-owned rights of way.
2. It is understood and agreed by the parties that upon completion of the project, the LOCAL GOVERNMENT shall be responsible for maintenance of the project and roadway signage in accordance with the following federally accepted state standards: (a) Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (1994), as amended; (b) FDOT Procedures 850-065-001 and 850-065-002, as amended.

3. This Agreement incorporates and includes all prior negotiations, correspondence, conversations, agreements or understandings applicable to the matters contained herein and the parties agree that there are no commitments, agreements or understanding concerning the subject matter of this Agreement that are not contained in this document. Accordingly, it is agreed that no deviation from the terms hereof shall be predicated upon any prior representation or agreements whether oral or written.

4. To the extent allowed by Section 768.28, Florida Statutes, the LOCAL GOVERNMENT hereby agrees to indemnify, defend, save and hold harmless the DEP OFFICE OF GREENWAYS AND TRAILS and its officers, agents and employees from all claims, demands, liabilities and suits of any nature arising out of, because of, or due to any negligent act or occurrence of omission or commission of the LOCAL GOVERNMENT, its officers, agents or employees. It is specifically understood and agreed that this indemnification clause does not cover or indemnify the DEP OFFICE OF GREENWAYS AND TRAILS for its negligence.

5. This Agreement shall be governed, interpreted and construed according to the laws of the State of Florida.

The parties hereto have caused this EVERGLADES TRAIL ROADWAY SIGNAGE PROJECT MAINTENANCE AGREEMENT to be executed on the day and year first above written.

PALM BEACH COUNTY

DEP OFFICE OF GREENWAYS AND TRAILS

By: _____

By: _____

Print/Type Name

Print/Type Name
Director or Designee

Title

ATTEST:

APPROVED:

By: _____
(OFFICIAL SEAL)

By: _____
DEP Project Manager

Print/Type Name

By: _____
DEP Attorney

Title

APPROVED:

By: _____
County Attorney

Approved as to Terms
and Conditions

By: Jan Nesbitt

EXHIBIT A

EVERGLADES DRIVING TRAIL
ROADWAY SIGNAGE PROJECT
MAINTENANCE AGREEMENT

PROJECT:

The Everglades Driving Trail consists of interpretive kiosks highlighting natural areas in the Kissimmee River, Lake Okeechobee, Florida Everglades and Big Cypress Swamp watersheds. Natural areas along the Everglades Driving Trail will be accessed using directional signing at one or two crossroads along state owned right of ways, adjacent to each site. The DEP Office of Greenways and Trails will use Federal TEA 21 enhancement funds to purchase and install the project roadway directional signs. Upon completion of the project each County will be responsible for maintenance of project roadway directional signage within its geographical limits.

LOCATION:

The project and roadway directional signage is located along the Everglades Driving Trail which follows publicly owned highways providing access to 20 different natural areas located on public lands throughout South Florida.

SITES:

COUNTY	SITE
Broward	- Everglades Wildlife Mgmt. Area, I 75 rest stop
Collier	- Fakahatchee Strand Preserve State Park, Copeland - Rookery Bay National Estuarine Research Reserve, Naples - Everglades National Park, Western Entrance, Everglades City - Florida Panther National Wildlife Refuge, Naples - Collier-Seminole State Park, Naples - Big Cypress National Preserve, Ochopee
Highlands	- Hickory Hammock Mgmt. Area, South of Lorida
Martin	- DuPuis Reserve, Indiantown - Port Mayaca Lock, Port Mayaca
Dade	- Everglades National Park, Homestead - Everglades National Park, Shark Valley Loop Road - Biscayne National Park, Homestead
Okeechobee	- Okee-Tantie Recreation Area / LOST Trail, Okeechobee - Kissimmee Prairie Preserve State Park, Okeechobee
Orange	- Shingle Creek, Orlando
Osceola	- The Nature Conservancy Disney Wilderness Preserve, Kissimmee - Prairie Lakes Unit, Three Lakes Wildlife Mgmt. Area, 25 miles south of St. Cloud
Palm Beach	- Arthur R. Marshall Loxahatchee National Wildlife Refuge, Boynton Beach
Polk	- Lake Kissimmee State Park, Lake Wales

**Everglades Driving Trail
Twenty Destination Sites Receiving Three-panel Kiosks**

Broward County

Everglades Wildlife Management Area
Interstate 75 rest stop, Broward County
Michael Anderson 954-746-1789

Collier County

Fakahatchee Strand Preserve State Park
Copeland, Collier County
Ralph Smith 239-695-4593

Rookery Bay National Estuarine Research
Reserve
Naples, Collier County
Randy McCormick 239-417-6310

Everglades National Park
Western Entrance
Everglades City, Collier County
Candace Tinkler 239-695-3405

Florida Panther National Wildlife Refuge
Naples, Collier County
Layne Hamilton, 239-353-8442

Collier-Seminole State Park
Naples, Collier County
Joe Howard 239-394-3397

Big Cypress National Preserve
Ochopee, Collier County
Pedro Ramos, 239-695-1201

Highlands County

Hickory Hammock Management Area
South of Lorida, Highlands County
Jeff McLemore, 863-462-5260

Martin County

DuPuis Management Area
Indiantown, Martin County
Bert Trammell 561-924-5310

Port Mayaca Lock, St. Lucie Canal
Port Mayaca, Martin County
Jerre Killingbeck 772-219-4575

Miami-Dade County

Everglades National Park
Homestead, Dade County
Candace Tinkler 239-695-3405

Miami-Dade County continued

Everglades National Park
Shark Valley Loop Road
Tamiami Trail, Dade County
Candace Tinkler 239-695-3405

Biscayne National Park
Homestead, Dade County
Susan Gonshor, 305-230-PARK

Okeechobee County

Okee-Tantie Recreation Area/LOST Trail
Okeechobee, Okeechobee County
Jerre Killingbeck 772-219-4575

Kissimmee Prairie Preserve State Park
Okeechobee, Okeechobee County
Charles Brown 863-462-5360

Orange County

Shingle Creek
Orlando, Orange County
David Birdsall 407-858-6100

Osceola County

The Nature Conservancy
Disney Wilderness Preserve
Kissimmee, Osceola County
Pam Speelman 407-935-0002

Prairie Lakes Unit
Three Lakes Wildlife Management Area
25 miles south of St. Cloud
Osceola County
Cheryl Pinkerton, 352-732-1225

Palm Beach County

Arthur R. Marshall Loxahatchee National
Wildlife Refuge
Boynton Beach, Palm Beach County
Serena Rinker 561-735-6030

Polk County

Lake Kissimmee State Park
Lake Wales, Polk County
Tony Morrell 863-696-1112