

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: August 22, 2023

Consent Regular
 Workshop Public Hearing

Department: Engineering and Public Works

Submitted By: Engineering and Public Works

Submitted For: Roadway Production Division

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: two Resolutions declaring the acquisition of fee simple rights-of-way designated as Parcels 104 and 110 necessary for the construction of sidewalk improvements for the Canal Point KE Cunningham Elementary School (Project).

SUMMARY: Adoption of these Resolutions will initiate eminent domain proceedings pursuant to Chapters 73, 74, 127, and Section 337.27, Florida Statutes, as amended, against two parcels having a total appraised value of \$5,500. The parcels are necessary for the construction of five foot sidewalk tie-ins for the safe commute of students from their residences to the school, and to improve the overall safety for pedestrians. The property owners have not accepted the offers to purchase made by Palm Beach County (County) and attempts to negotiate the purchases have been unsuccessful. Eminent domain proceedings are necessary to acquire the parcels at this time in order to expedite construction of the Project. **This Project is included in the Five Year Road Program. District 6 (DO)**

Background and Justification: The acquisition of Parcels 104 and 110 is for a public purpose and necessity, which is deemed to be in the best interest of the County. The Engineering and Public Works Department recommends adoption by the Board of County Commissioners.

Attachments:

- 1. Location Map
- 2. Resolution for Parcel 104 with Exhibit "A" and Exhibit "B" (2)
- 3. Resolution for Parcel 110 with Exhibit "A" and Exhibit "B" (2)

Recommended by: *[Signature]* 7/26/2023
 County Engineer Date

Approved by: *[Signature]* 8/8/23
 Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2023	2024	2025	2026	2027
Capital Expenditures	\$ 5,500	-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	\$ 5,500	-0-	-0-	-0-	-0-
# ADDITIONAL FTE POSITIONS (Cumulative)	-0-	-0-	-0-	-0-	-0-

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

Budget Account No:
 Fund 3500 Dept 361 Unit 1751-371 Object 6120

Recommended Sources of Funds/Summary of Fiscal Impact:
 Transportation Improvement Fund
 Pathway Program - FY2017
 Canal Pointe /KE Cunningham Elem School Attendance Boundary

Number of Parcels Going Into Suit: 2
 Right-of-Way : 2

Parcels: ROW 104 & 110

Estimated Total Acquisition Cost \$ 5,500.00

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

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

Lisa Mat 7/27/2023
 OFMB
 GA 7/27
 MD 7/27

Ar. S. Javala 8/3/23
 Contract Dev and Control
 7/28/23

B. Approved as to Form and Legal Sufficiency:

[Signature]
 Assistant County Attorney

C. Other Department Review:

 Department Director

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