

CITY OF GREENACRES

Council Agenda Memo
2016.08TL3.016

TO: Mayor and City Council

THROUGH Andrea McCue, City Manager

FROM: Thomas J. Lanahan, Assistant City Manager/Planning and Engineering Director

SUBJECT: **Chickasaw Road**
City Council Agenda Item for 08-15-16

DATE: August 8, 2016

COPIES: James D. Stokes, City Attorney
Denise McGrew, City Clerk
File: Chickasaw Road

Background:

Chickasaw Road is an approximately 1,400 foot long public road whose construction was approved by the Lake Worth Drainage District (LWDD) on May 19, 1975 and by Palm Beach County on June 3, 1975. It is located on the west side of South Jog Road between Lake Worth Road and 10th Avenue North and it provides access to a mix of properties in unincorporated Palm Beach County and the City of Greenacres. The road was constructed in 1978 in conjunction with the construction of the Chickasaw Manor subdivision however, according to the County, it was never accepted by the County for permanent maintenance as a County Road and they do not maintain it. According to the LWDD, the road was constructed in their right-of-way but they have taken the position that they are not obligated to maintain it. In accord with the City's past practice and since ownership of the road has never been transferred to the City, Greenacres is not obligated to maintain it either. Up until now it has been maintained (potholes filled) by residents along the street. In an attempt to rectify this problem, Palm Beach County is proposing to create a Municipal Services Taxing Unit (MSTU) assessment area to charge the benefitting property owners for the cost of upgrading the road to current standards (such as repaving and installing a guardrail along the adjacent L-11 canal) so that it can be accepted for maintenance.

Analysis:

There are a total of 76 homes which have Chickasaw Road as their only means of access. Currently 60 of these are within the City limits, however 23 of those were originally approved by Palm Beach County. The City neighborhoods of Chickasaw Manor, Harwich Court, Cindi Lane, and Sandi Lane are affected. The City has consistently taken the position that it is willing to be a partner in resolving this issue since safe access for City residents to their

homes is very important, but the resolution to the problem is not the responsibility of the City alone. The County's proposed solution does provide a means of sharing responsibility among City and County property owners and is a positive step. The County's MSTU process begins with a survey to gauge resident interest in undertaking the improvements and paying the fees. The requested letter will give the County some assurance that, if a majority of the responses received to their survey are positive, the City will allow the County to charge affected City residents as part of their MSTU.

Financial:

Once the improvements are complete, the City and the County may work together to close out the existing enclave along the north side of Chickasaw Road and annex those properties into the City. At that time it would be appropriate for the City to accept ownership and maintenance of the improved road. The annual cost of this maintenance will be minor and can be budgeted in the Public Works Department.

Legal:

N/A.

Staff Recommendation:

Provide Authorization for City staff to prepare and send the requested letter to Palm Beach County regarding the creation of an MSTU for Chickasaw Road.



Thomas J. Lanahan
Assistant City Manager
Planning and Engineering Director

Attachments:

1. Aerial Location Map
2. Letter from Palm Beach County



RECEIVED by
CITY OF GREENACRES

APR 22 2016

PLANNING & ENGINEERING

April 19, 2016

**Department of Engineering
and Public Works**

P.O. Box 21229
West Palm Beach, FL 33416-1229
(561) 684-4000
FAX: (561) 684-4050
www.pbcgov.com

Mr. Thomas J. Lanahan
Assistant City Manager
Planning and Engineering Director
5800 Melaleuca Lane
Greenacres, FL 33463

Re: **MSTU Program**
Chickasaw Road, Dead End to Jog Road
PBC Project #2016080

**Palm Beach County
Board of County
Commissioners**

Mary Lou Berger, Mayor
Hal R. Valeche, Vice Mayor
Paulette Burdick
Shelley Vana
Steven L. Abrams
Melissa McKinlay
Priscilla A. Taylor

County Administrator

Verdenia C. Baker

Dear Mr. Lanahan:

The purpose of this letter is to inform you that the Roadway Production Division has a potential MSTU project for Chickasaw Road, from the dead end to Jog Road. Chickasaw Road, Chickasaw Cir and Wry Rd south of Chickasaw Rd are private, and Wry Road, north of Chickasaw Rd, is owned by the County. Since a portion of the benefitting property owners are located within the City of Greenacres, the City will need to pass an ordinance before the County starts the assessment. As such, we are requesting a letter from the City, prior to our petitioning, stating you would be willing to pass the ordinance to allow us to assess should the required number of positive petitions is received.

Once we receive your letter, we can proceed with mailing out the initial petition to the residents.

As general information, the MSTU County Code states that the property owners are responsible for 100% of the costs of the project. In order for the project to move forward, an initial petition is sent out to the special benefitting property owners to determine if there's an interest in the project. If no right-of-way is required, and 51% of the returned petitions are positive, the project can proceed.

"An Equal Opportunity
Affirmative Action Employer"



Tom Lanahan
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Do not hesitate to contact Sandra M. Ospina, P.E. at (561) 478-5795 should you require additional information.

Sincerely,

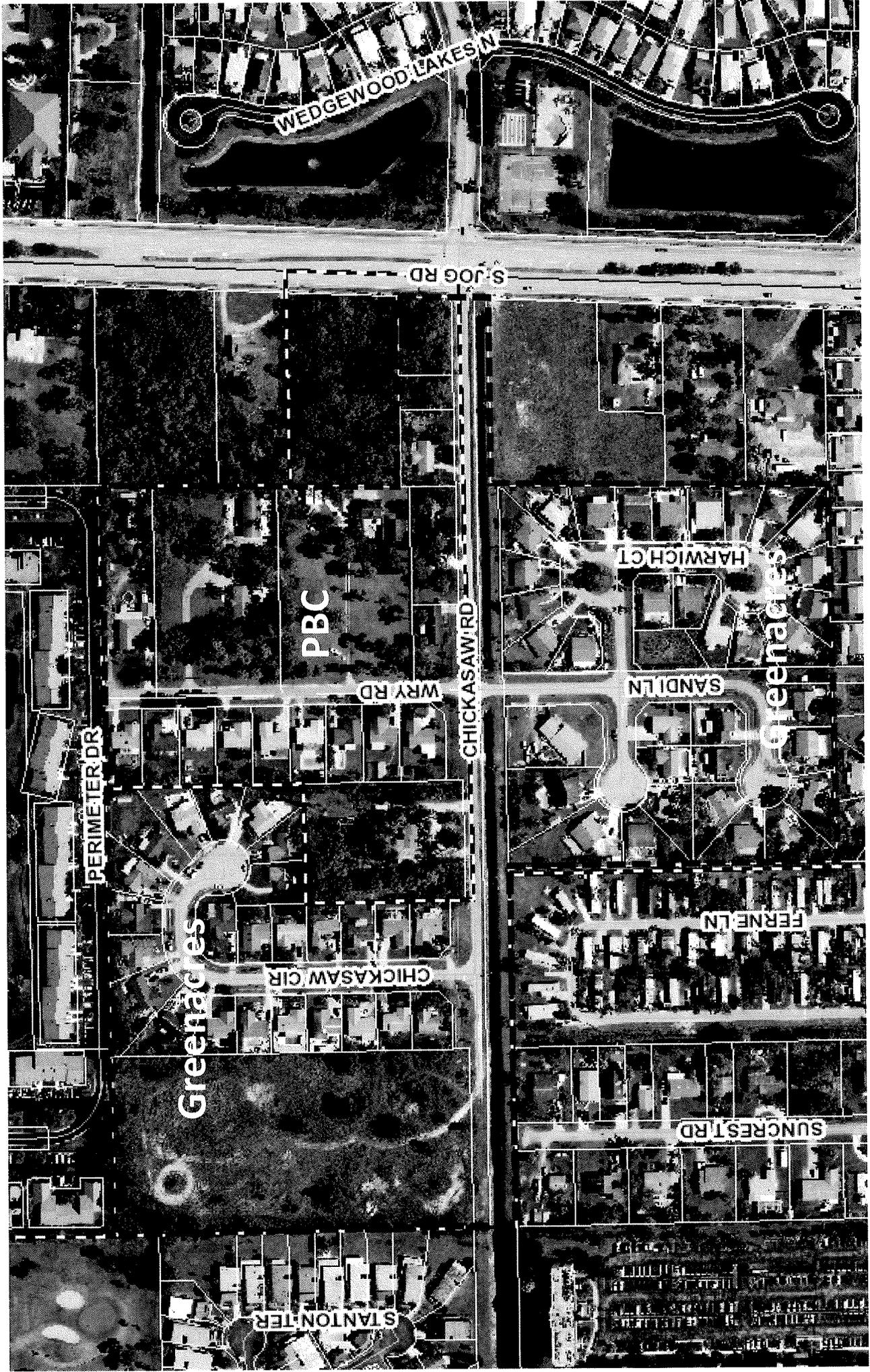
A handwritten signature in black ink, appearing to read "Kristine Frazell-Smith", written over a horizontal line.

Kristine Frazell-Smith, P.E., Manager
Local Roads Section

Enclosures

ec: Omelio A. Fernandez, P.E., Director, Roadway Production
Morton Rose, P.E., Asst. Director, Roadway Production
Sandra M. Ospina, P.E., Project Engineer, Local Roads Section

cc: File



Chickasaw Road

 = Affected Area