

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date:	November 21, 2006	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular
		<input type="checkbox"/> Public Hearing	<input type="checkbox"/> Workshop
Department:			
Submitted By:	Engineering and Public Works		
Submitted For:	Engineering Services Division		

Project No. 2006160

EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

A. Adopt a Resolution amending the special assessment roll for the 63rd Lane North from Mango Boulevard to canal ¼ mile east, Paving Improvement project, Section 35, Township 42 South, Range 41 East, under the Palm Beach County Municipal Service Taxing Unit (MSTU) Street Improvement Program, to reflect a decrease in the total project costs from \$42,403 to \$38,802.28, resulting in a reduction of \$3,600.72.

B. Approve finalization of the assessment roll for the project so the assessment payments can be processed and collected by the Tax Collector's Office.

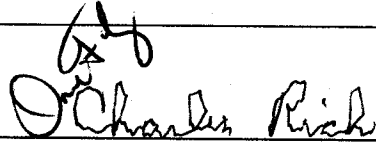
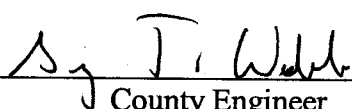
Summary: Adoption of the Amended Resolution provides for the collection of fifty percent (50%) of the total project costs of \$38,802.28. Assessments will be payable in ten (10) equal annual installments. The assessments, based on 50% of the amended total project costs, are \$970.06 per acre.

District: 6 (ME)

Background and Justification: In accordance with Palm Beach County's MSTU Ordinance 94-11, as amended by Ordinance 95-53 governing street improvement projects, this office advertised the Project for a Public Hearing, which was approved by the Board of County Commissioners (Board) on February 28, 2006 (R-2006-0413). *Continued on page 3*

Attachments:

- 1. Location Map
- 2. Amending Resolution with Exhibits I and II

Recommended by:		9/29/06
	Division Director	Date
Approved By:		10/25/06
	County Engineer	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2007	2008	2009	2010	2011
Capital Expenditures	(\$3,600)	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	\$1,800	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	(\$ 1,800)	-0-	-0-	-0-	-0-

ADDITIONAL FTE

POSITIONS (Cumulative) _____

Is Item Included in Current Budget?

Yes X

No ____

Budget Acct No.: Fund 3511 Dept. 35 Unit S190 Object 8101
Program

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

C. Departmental Fiscal Review:

R. D. Ward 10/3/06

III. REVIEW COMMENTS

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

John Smith 10-26-06
OFMB

Dr. J. Smith 10/29/06
Contract Dev. and Control
E 10/30/06

B. Approved as to Form and Legal Sufficiency:

Marlene R. Smith 11/02/06
Assistant County Attorney

C. Other Department Review:

Department Director

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

Background and Justification: (Continued)

63rd Lane North from Mango Boulevard to canal ¼ mile east is in an unincorporated area of Palm Beach County (County) located within the service area of the Indian Trail Improvement District (District). On January 10, 2006, the County and the District entered into a Funding Agreement (R-2006-0051) providing for construction of the Project.

On February 28, 2006, the County held a Public Hearing (R-2006-0413), and adopted an assessment roll for the project. The original estimated total cost, based on fifty percent (50%) of the cost payable over ten (10) years at 6.5%, was \$1,060.08 per acre. The actual project cost was less than estimated, resulting in a reduction in the assessments to the property owners as follows:

	<u>Project Total</u>	<u>Assessable Portion 50% of Total</u>	<u>Cost Per Acre</u>
Estimated Costs	\$42,403.00	\$21,201.50	\$1,060.08
Final Cost	\$38,802.28	\$19,401.14	\$ 970.06
Savings	\$ 3,600.72	\$ 1,800.36	\$ 90.02

This office recommends the adoption and approval of the above named actions in order to continue with the Assessment Process for this project.

RESOLUTION NO. R-2006-

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF PALM BEACH COUNTY, FLORIDA AMENDING THE SPECIAL
ASSESSMENT FOR 63RD LANE NORTH FROM MANGO
BOULEVARD TO CANAL ¼ MILE EAST, SECTION 35,
TOWNSHIP 42 SOUTH, RANGE 41 EAST, PAVING
IMPROVEMENT PROJECT, PURSUANT TO A PUBLIC HEARING
HELD THEREON.**

WHEREAS, a confirming special assessment process was approved by the Board of County Commissioners (Board) on February 28, 2006 (R-2006-0413) for the 63rd Lane North from Mango Boulevard to canal ¼ mile east, Paving Improvement Project, authorized pursuant to Palm Beach County Ordinance No. 94-11, as amended by Ordinance No. 95-53 known as the Municipal Service Taxing Unit Road Improvement Ordinance. Due to a decrease in final project costs, it is necessary to amend the final project costs from \$42,403.00 to \$38,802.28 resulting in a reduction of \$3,600.72; and

WHEREAS, fifty percent (50%) of the cost of the street improvements, will be repaid by special assessment upon specially benefited parcels of land; and

WHEREAS, the method of assessment is to be on a per acre basis for the street improvements; and

WHEREAS, pursuant to Section 18 of Ordinance No. 94-11, as amended by Ordinance No. 95-53, the Board of County Commissioners did hold a public hearing on the 28th day of February 2006, at the Commission Chambers of the Board of County Commissioners of Palm Beach County, Florida, so as to satisfy the requirements of Ordinance 94-11 as amended by Ordinance No. 95-53; and

WHEREAS, the Board of County Commissioners finds that the public notice and public hearing requirements of Ordinance No. 94-11 as amended by Ordinance No. 95-53 have been substantially met.

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

1. The Special Assessment Roll for the improvement project for 63rd Lane North from Mango Boulevard to canal ¼ mile east, Section 35, Township 42 South, Range 41 East as on file in the Clerk of this Board and attached hereto as EXHIBIT II is hereby approved and confirmed and

RESOLUTION NO. R-2006-
November 21, 2006

shall be recorded by the Clerk of the Board of County Commissioners in a special book to be known as "The Improvement Lien Book" and the record of the lien in said book shall constitute prima facie evidence of the validity of said lien.

2. Pursuant to Ordinance No. 94-11 as amended by Ordinance No. 95-53, the following project is hereby approved: 63rd Lane North from Mango Boulevard to canal ¼ mile east, Section 35, Township 42 South, Range 41 East, Palm Beach County, Florida.

3. The said special assessments are hereby made upon all parcels of land described in said amended Special Assessment Roll in the amount shown thereon.

4. Pursuant to Ordinance No. 94-11 as amended by Ordinance No. 95-53, any and all special assessments made pursuant to this Amending Resolution, which have not been paid in full within thirty (30) days after completion of the subject improvements for which said assessment was made, shall be subject to interest at a rate of six and one-half ($6\frac{1}{2}\%$) percent per annum from the date of the acceptance of said improvement by Palm Beach County and shall be payable in ten (10) equal annual installments.

5. The amended project costs of the street improvements are reflected on EXHIBIT I (Report of Cost). The original total cost of the street improvements was \$42,403.00. This Resolution decreases the total project costs by \$3,600.72 resulting in a total project cost of \$38,802.28. Fifty percent (50%) of the total costs will be paid by special assessment.

6. Pursuant to Section 21 of Ordinance No. 94-11 as amended by Ordinance No. 95-53, if any special assessment made under this resolution shall be either in whole or part vacated or set aside by the judgment of any court, or the Board of County Commissioners shall be satisfied that any such assessment is so defective that the same cannot be enforced or collected, or if the Board will have omitted to make any such assessment when it might have done so, the Board of County Commissioners will take all necessary steps to cause a new assessment to be made for any improvement against any property specially benefited by such improvement.

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November 21, 2006

7. The Board of County Commissioners further finds that each parcel listed on EXHIBIT II will obtain a special benefit which is at least equal to the amount of special assessment made against each such parcel.

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

KAREN T. MARCUS

JEFF KOONS

WARREN H. NEWELL

MARY MCCARTY

BURT AARONSON

ADDIE L. GREENE

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

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK
CLERK & COMPTROLLER

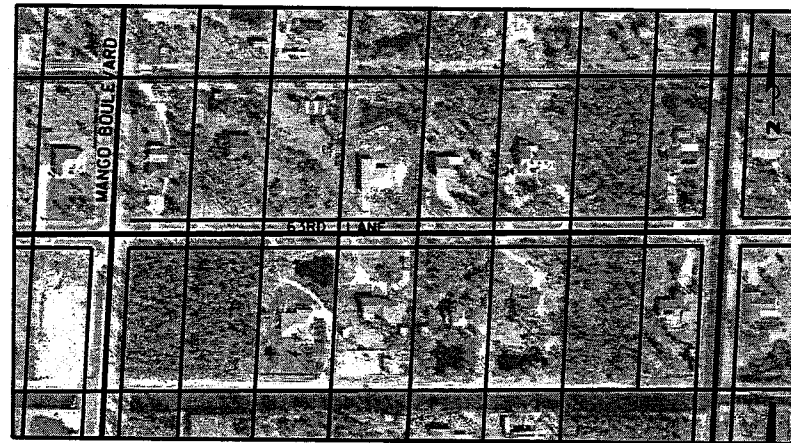
By: _____
Deputy Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

By: _____
County Attorney

63rd Lane North

Mango Boulevard to Canal 1/4 Mile east
(20 Acres) \$38,802.28 Final Cost



Per Acre
\$1940¹²

Owner Responsibility Per Acre
\$970⁰⁶

Per Year
\$134⁹⁴

Per Month
11²⁴

Property owners will be assessed over a 10-year period on their yearly tax bill for 50% of the cost of the road improvements.
Property owners can also opt to pay their portion of the cost in full and avoid interest charges of 6 1/2% per year. All prices are approximate at this time.



Assessment Roll - Final

63RD LANE NORTH
MANGO BLVD. TO CANAL 1/4 MILE EAST
PAVING IMPROVEMENT PROJECT
PROJECT NO. 2006160

FUND	AGENCY	ORG	COMMISSION DISTRICT		SECTION TOWNSHIP RANGE		
			6 TONY MASILOTTI		35	42S	41E

No.	Homeowner/Mailing Address	PCN/Legal Description	Assessable Acreage	Total Assessment	Annual Cost/Per Year	Notes
1	KILGORE JAMES & 11382 63RD LN N WEST PALM BEACH, FL 33412-1805	00-41-42-35-00-000-506.0 35-42-41, W 1/2 OF NW 1/4 OF SE 1/4 OF NW 1/4 OF SE 1/4	1.25	\$1,212.58	\$168.67	
2	MISIANO STEVEN J & 11416 63RD LN N ROYAL PALM BEACH, FL 33412-1805	00-41-42-35-00-000-507.0 35-42-41, E 1/2 OF NE 1/4 OF SW 1/4 OF NW 1/4 OF SE 1/4	1.25	\$1,212.58	\$168.67	
3	SKALNIK RONALD J & 11289 63RD LN N WEST PALM BEACH, FL 33412-1821	00-41-42-35-00-000-518.0 35-42-41, E 1/2 OF SE 1/4 OF NE 1/4 OF NW 1/4 OF SE 1/4	1.25	\$1,212.58	\$168.67	
4	SHAMBO LOUIS & 11415 63RD LN N WEST PALM BEACH, FL 33412-1806	00-41-42-35-00-000-519.0 35-42-41, E 1/2 OF SE 1/4 OF NW 1/4 OF NW 1/4 OF SE 1/4	1.25	\$1,212.58	\$168.67	
5	CHIAVERINI JOHN & 11355 63RD LN N WEST PALM BEACH, FL 33412-1806	00-41-42-35-00-000-527.0 35-42-41, E 1/2 OF SW 1/4 OF NE 1/4 OF NW 1/4 OF SE 1/4	1.25	\$1,212.58	\$168.67	

Assessments which have not been paid in full within thirty days after completion of the subject improvements for which said assessment was made, will be charged interest at a rate of six and a half (6.5) percent per annum from the date of the acceptance of said improvement by Palm Beach County and shall be payable in ten equal annual installments of principal and interest.



Assessment Roll - Final

63RD LANE NORTH
MANGO BLVD. TO CANAL 1/4 MILE EAST.
PAVING IMPROVEMENT PROJECT
PROJECT NO. 2006160

FUND	AGENCY	ORG	COMMISSION DISTRICT			SECTION TOWNSHIP RANGE		
			6 TONY MASILOTTI			35	42S	41E

No.	Homeowner/Mailing Address	PCN/Legal Description	Assessable Acreage	Total Assessment	Annual Cost/Per Year	Notes
6	MCINTYRE GERARD 11354 63RD LN N WEST PALM BEACH, FL 33412-1805	00-41-42-35-00-000-528.0 35-42-41, E 1/2 OF NW 1/4 OF SE 1/4 OF NW 1/4 OF SE 1/4	1.25	\$1,212.58	\$168.67	
7	LATORTUE JEAN C & 631 JENNINGS AVE WEST HEMPSTEAD, NY 11552-3707	00-41-42-35-00-000-530.0 35-42-41, W 1/2 OF SE 1/4 OF NE 1/4 OF NW 1/4 OF SE 1/4	1.25	\$1,212.58	\$168.67	
8	GEORGE WALTER L JR 11479 63RD LN N WEST PALM BEACH, FL 33412-1806	00-41-42-35-00-000-541.0 35-42-41, W 1/2 OF SE 1/4 OF NW 1/4 OF NW 1/4 OF SE 1/4	1.25	\$1,212.58	\$168.67	
9	TRIANA MICHAEL R & 11383 N 63RD LN WEST PALM BEACH, FL 33412-1806	00-41-42-35-00-000-554.0 35-42-41, W 1/2 OF SW 1/4 OF NE 1/4 OF NW 1/4 OF SE 1/4	1.25	\$1,212.58	\$168.67	
10	SWICK TIMOTHY M 15221 E WATERFORD DR FORT LAUDERDALE, FL 33331-3266	00-41-42-35-00-000-565.0 35-42-41, E 1/2 OF NW 1/4 OF SW 1/4 OF NW 1/4 OF SE 1/4	1.25	\$1,212.58	\$168.67	

Assessments which have not been paid in full within thirty days after completion of the subject improvements for which said assessment was made, will be charged interest at a rate of six and a half (6.5) percent per annum from the date of the acceptance of said improvement by Palm Beach County and shall be payable in ten equal annual installments of principal and interest.



Assessment Roll - Final

63RD LANE NORTH
MANGO BLVD. TO CANAL 1/4 MILE EAST
PAVING IMPROVEMENT PROJECT
PROJECT NO. 2006160

FUND	AGENCY	ORG	COMMISSION DISTRICT		SECTION TOWNSHIP RANGE		
			6 TONY MASILOTTI		35	42S	41E

No.	Homeowner/Mailing Address	PCN/Legal Description	Assessable Acreage	Total Assessment	Annual Cost/Per Year	Notes
11	MERRICK GRANT & 11446 63RD LN N WEST PALM BEACH, FL 33412-1805	00-41-42-35-00-000-577.0 35-42-41, W 1/2 OF NE 1/4 OF SW 1/4 OF NW 1/4 OF SE 1/4	1.25	\$1,212.58	\$168.67	
12	GEORGE WALTER L JR 11479 63RD LN N WEST PALM BEACH, FL 33412-1806	00-41-42-35-00-000-578.0 35-42-41, E 1/2 OF SW 1/4 OF NW 1/4 OF NW 1/4 OF SE 1/4	1.25	\$1,212.58	\$168.67	
13	GEORGE TIMOTHY L & 11511 63RD LN N ROYAL PALM BEACH, FL 33412-1873	00-41-42-35-00-000-588.0 35-42-41, W 1/2 OF SW 1/4 OF NW 1/4 OF NW 1/4 OF SE 1/4	1.25	\$1,212.58	\$168.67	
14	MAJESTIC LAND HOLDINGS INC 4061 ROYAL PALM BEACHBLV ROYAL PALM BEACH, FL 33411-9166	00-41-42-35-00-000-589.0 35-42-41, W 1/2 OF NE 1/4 OF SE 1/4 OF NW 1/4 OF SE 1/4	1.25	\$1,212.58	\$168.67	
15	DONATO BRUCE A & 11290 62ND LN N WEST PALM BEACH, FL 33412-1822	00-41-42-35-00-000-595.0 35-42-41, E 1/2 OF NE 1/4 OF SE 1/4 OF NW 1/4 OF SE 1/4 A/K/A D-1848	1.25	\$1,212.58	\$168.67	

Assessments which have not been paid in full within thirty days after completion of the subject improvements for which said assessment was made, will be charged interest at a rate of six and a half (6.5) percent per annum from the date of the acceptance of said improvement by Palm Beach County and shall be payable in ten equal annual installments of principal and interest.



Assessment Roll - Final

63RD LANE NORTH
MANGO BLVD. TO CANAL 1/4 MILE EAST
PAVING IMPROVEMENT PROJECT
PROJECT NO. 2006160

FUND	AGENCY	ORG	COMMISSION DISTRICT		SECTION	TOWNSHIP	RANGE
			6 TONY MASIOLOTTI		35	42S	41E

No.	Homeowner/Mailing Address	PCN/Legal Description	Assessable Acreage	Total Assessment	Annual Cost/Per Year	Notes
16	SKINNER ANNA 12069 57TH RD N WEST PALM BEACH, FL 33411-8543	00-41-42-35-00-000-606.0 35-42-41, W 1/2 OF NW 1/4 OF SW 1/4 OF NW 1/4 OF SE 1/4	1.25	\$1,212.58	\$168.67	

Totals: 20.00 \$19,401.28

Note Description/Totals		
1	ASSIGNED FRONT FOOTAGE	0
2	ASSIGNED AVERAGE FRONT FOOTAGE	0
3	50% OF SUM OF ALL ABUTTING FOOTAGE	0

Assessments which have not been paid in full within thirty days after completion of the subject improvements for which said assessment was made, will be charged interest at a rate of six and a half (6.5) percent per annum from the date of the acceptance of said improvement by Palm Beach County and shall be payable in ten equal annual installments of principal and interest.