

Agenda Item #:

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS**

## AGENDA ITEM SUMMARY

**Meeting Date: November 21, 2006**

☒ [X]  
☐ [ ]

# Consent Workshop

[ ]

## Regular Public Hearing

Department

Submitted For: FIRE RESCUE

## I. EXECUTIVE BRIEF

**Motion and Title:**

**Staff recommends motion to adopt:** a Resolution authorizing the County Administrator or his designee (Fire-Rescue Administrator), to execute certain Satisfaction and Release of Claim forms relating to Fire-Rescue emergency transport fees and related service charges.

### Summary:

From time to time, it is necessary for the County Fire Rescue Department, or its billing agent, to file a claim in a probate proceeding in order to collect emergency transport fees and related service charges billed by the County in accordance with Section 13-58, Palm Beach County Code. Adoption of this Resolution will authorize the County Administrator or his designee (Fire-Rescue Administrator) to provide a satisfaction and release of probate claims as they relate to emergency transport fees and related service charges, once payment is made in full or otherwise settled in accordance with the appropriate authority and procedures established by the County. Countywide (SGB)

### Background and Justification:

The Board of County Commissioners established emergency transport fees through the enactment of Chapter 13, Article II, Division 3 of the Palm Beach County Code. In the event the County is notified of a probate proceeding, a claim is filed by the billing agent on the County's behalf for any applicable outstanding emergency transport fees and related service charges due to the County. Once the claim is satisfied, either by the receipt of payment in full or by a settlement in accordance with the appropriate authority and procedures established by the County, a representative of the estate or probate proceeding will request the County sign a satisfaction and release form for the claim. Adoption of this Resolution will authorize the Fire Rescue Administrator to execute a satisfaction and release form, similar to Exhibit A, for claims in an amount not to exceed \$1,500.

**Attachments:**

1. Resolution
2. Exhibit "A" – Sample Release Form

Recommended By: S. J. J. J. 10-14-06  
Deputy Chief Date

Approved By: Herman Snee 10-13-06  
Fire-Rescue Administrator Date

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## II. FISCAL IMPACT ANALYSIS

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2007	2008	2009	2010	2011
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	_____	_____	_____	_____	_____

# ADDITIONAL FTE

POSITIONS (Cumulative)\_\_\_\_\_

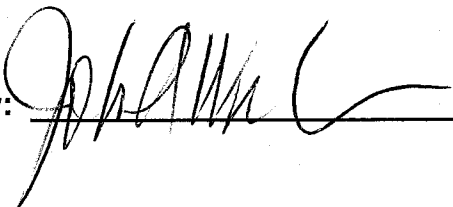
Is Item Included in Current Budget? Yes\_\_\_ No

Budget Account No.: Fund \_\_\_ Dept \_\_\_ Unit \_\_\_ Object \_\_\_

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

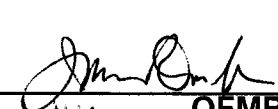
There is no fiscal impact associated with the adoption of this item.


**C. Departmental Fiscal Review:**

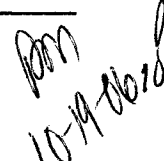
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### III. REVIEW COMMENTS

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

 10-25-06  
OFMB

 10/26/06  
Contract Dev. and Control

 10-19-06

**B. Legal Sufficiency:**

 10/27/06  
Assistant County Attorney

**C. Other Department Review:**

\_\_\_\_\_  
Department Director

THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.

**RESOLUTION NO. R-2006-**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR OR HIS DESIGNEE (FIRE-RESCUE ADMINISTRATOR) TO EXECUTE CERTAIN SATISFACTION AND RELEASE OF CLAIM FORMS RELATING TO FIRE-RESCUE EMERGENCY TRANSPORT FEES AND RELATED SERVICE CHARGES.**

**WHEREAS**, from time to time, it is necessary for the County Fire-Rescue Department or its billing agent to file a claim in a probate proceeding in order to collect emergency transport fees and related service charges billed by the County in accordance with Section 13-58, Palm Beach County Code; and

**WHEREAS**, upon payment of said fees and charges to the County, the probate estate requires documentation that said claims have been satisfied and released; and

**WHEREAS**, the Board of County Commissioners desires to delegate to the County Administrator, or the Fire-Rescue Administrator as his designee, the authority to execute certain satisfaction and release of claim forms in order to more expeditiously respond in the probate proceedings; and

**WHEREAS**, the execution of these satisfaction and release of claim forms in a form substantially similar to that set forth in Exhibit "A" and under the conditions set forth herein is a ministerial function and does not constitute policy level decision-making.

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

The County Administrator or his designee (the Fire-Rescue Administrator) is hereby authorized to execute, on behalf of the Board of County Commissioners, a satisfaction and release of claim form in favor of a probate estate if all of the following conditions are met:

1) the terms and conditions of such form are substantially similar to those contained in the form set forth as Exhibit "A" attached hereto; 2) such form has been approved as to form and legal sufficiency by the County Attorney or her designee; 3) the claim to be released relates to emergency transport fees and related service charges billed by the County or its billing agent in accordance with Section 13-58, Palm Beach County Code; 4) the total claim to be released is not more than One Thousand Five Hundred Dollars (\$1500.00); and 5) the

claim to be released has been paid in full or otherwise has been settled or compromised in accordance with the appropriate authority and procedures established by 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, the vote was as follows:

Commissioner Addie L. Greene, Chairperson  
Commissioner Jeff Koons, Vice Chair  
Commissioner Karen T. Marcus  
Commissioner Warren H. Newell  
Commissioner Mary McCarty  
Commissioner Burt Aaronson  
Commissioner \_\_\_\_\_

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: Sham Burrows  
Assistant County Attorney

**EXHIBIT "A"**

**IN THE CIRCUIT COURT FOR [REDACTED] COUNTY,  
FLORIDA PROBATE DIVISION**

**IN RE: ESTATE OF**

**File No.:**

**Division: Probate**

**Deceased.**

**SATISFACTION AND RELEASE OF CLAIM**

The undersigned, Palm Beach County Fire Rescue, has received full payment of the claim which was filed in this proceeding by the undersigned against the above estate on or about [REDACTED] or has otherwise settled or compromised said claim, and this Satisfaction and Release of Claim is executed to acknowledge discharge of the claim and to release the estate and the personal representative of the estate from all further liability with respect thereto.

Signed on \_\_\_\_\_, [REDACTED].

**PALM BEACH COUNTY FIRE RESCUE**

By: Herman W. Brice, Fire-Rescue Administrator,  
through Robert Weisman, County Administrator