

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2007	2008	2009	2010	2011
Capital Expenditures	\$ _____	_____	_____	_____	_____
Operating Costs	\$350,000	\$70,000	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	\$350,000	\$70,000	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes X No _____

Budget Account No.: Fund 0001 Department 760 Unit 7601 Object 4923

Reporting Category _____

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

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

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

OFMB
4/23/08 *4/28/08* *4/22/08*
OFMB
4/23/08
4/29/08
Contract Development and Control
4/29/08

B. Legal Sufficiency:
Ann Taylor Pettit
 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 from Page 1):

Mizner Trail Golf Club, Ltd. has retained the following four (4) experts to prosecute its claims against the County: John Hall, Planner; Woodward S. Hanson, Appraiser; Scott R. Miegel, CPA; and Richard Singer, Golf Consultant. The Board of County Commissioners initially allocated \$350,000.00 for expert litigation services. To date, the experts have performed services in the amount of \$339,807.21. Based upon the complexity of the litigation, the amount of damages being sought and the expert witnesses retained by the other side, staff believes the five (5) expert witnesses retained to assist the County Attorney's Office in defending this litigation on behalf of Palm Beach County will need to perform additional work and incur additional compensable expenses and costs in an amount not to exceed \$70,000. The five (5) expert witnesses are Diane Jenkins, Ricardo Gonzales, Ramon Trias, Larry Hirsch, and Maurice Gruber.

The breakdown of the estimated \$70,000 is as follows:

Expert	Additional Work to be Performed	Estimated Cost
Diane Jenkins -	Will update appraisal to include trial date and provide expert testimony at trial.	\$15,000
Ricardo Gonzales	Will update alternate design proposal and provide expert testimony at trial.	\$15,000
Ramon Trias	Will update alternate design proposal and provide expert testimony at trial.	\$15,000
Maurice Gruber	Will update opinions about market factors for contract date and provide expert testimony at trial.	\$10,000
Larry Hirsch	Will update appraisal to include trial date and provide expert testimony at trial.	\$15,000


BOARD OF COUNTY COMMISSIONERS
 PALM BEACH COUNTY, FLORIDA
 BUDGET TRANSFER

FUND 0001

Use this form to provide budget for items not anticipated in the budget.

ACCT.NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED	REMAINING BALANCE
EXPENDITURES								
820-9900-9901	Contingency Reserves	20,000,000	19,103,328		70,000	19,033,328		19,033,328
760-7601-4923	Expert Witness Fees	0	350,000	70,000		420,000	266,071	153,929
TOTAL APPROPRIATIONS & EXPENDITURES		\$1,018,278,583	\$1,020,403,472	\$70,000	\$70,000	\$1,020,403,472		

INITIATING DEPARTMENT/DIVISION
 Administration/Budget Department Approval
 OFMB Department - Posted

Signatures



Date
 4-28-08

By Board of County Commissioners
 At Meeting of
 May 6, 2008
 Deputy Clerk to the
 Board of County Commissioners