Agenda Item #:

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PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

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Meeting Date: September 10, 2013			Consent Workshop	{X} Regular {        } Public Hearing		
Department:						
Submitted By: E	Submitted By: Engineering & Public Works					
Submitted For: R	Roadway Production Division					
#Z====================================		===		***============		
I. EXECUTIVE BRIEF						

# Motion and Title: Staff recommends motion to approve the following Municipal Service Taxing Unit (MSTU) program procedures:

- A) Continue the current practice of having one initiating contact person for the proposed MSTU project to distribute petitions;
- B) Continue to count an unreturned petition as a "no" vote;
- C) Continue current practice to require at least a 51% positive response on initial petitions to begin an MSTU project; and
- D) Continue the current practice of allowing property owners either 10 or 20 years, depending on economic factors of the area and project costs, to pay the costs associated with the improvements.

**SUMMARY:** The Board of County Commissioners (Board) directed staff at the May 7, 2013 meeting to return to discuss the policies and procedures to be used for the MSTU program for distribution method, unreturned petition vote, and required percentage of positive response before starting a project. At the July 16, 2013 meeting the Board also requested that the County Attorney's Office investigate the possibility of extending the payment payback timeframe.

#### Countywide (MRE).

**Background and Policy Issues:** The Board asked staff at the first reading of the Palm Beach County Code Chapter 26, Article II, Division 1, known as the Municipal Service Taxing Unit (MSTU) Special Assessment Ordinance (Ordinance) revision on May 7, 2013, to bring back for discussion procedures used for the MSTU petition distribution method, unreturned petition votes, and required positive response before starting a project. At the final reading and adoption of the Ordinance at the July 16, 2013 Board meeting, the County Attorney's Office was asked to investigate the possibility of extending the payment payback period beyond the current 20 year maximum. The County Attorney's Office has determined that there is no legal prohibition to extend beyond the 20 year term.

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Attachments: N/A		$\frown$			
<b>_</b>	O $i$ $d$	1. 8/28/12			
Recommended by:	Uncho a F irman				
43	Division Director	d Date			
Approved By:	S.T. Will	8/29/13			
	County Engineer	'Date			

## II. FISCAL IMPACT ANALYSIS

## A. Five Year Summary of Fiscal Impact:

Fiscal Years	2013	2014	2015	2016	2017
Capital Expenditures	<u>s -0-</u>		-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	<u>s -0- *</u>	_0_	0-	-0-	-0-
<b># ADDITIONAL FTE</b>					
<b>POSITIONS (Cumulative)</b>		<u></u>			

Is Item Included in Current Budget? Yes No

Budget Acct No.: Fund___ Dept.___ Unit__ Object Program

Recommended Sources of Funds/Summary of Fiscal Impact:

 $*_{\rm Fiscal}$  Impact is indeterminable at this time.

C. Departmental Fiscal Review: ______

## III. <u>REVIEW COMMENTS</u>

Contract Dev. and Control

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13

130/13

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

OFMB KA

B. Approved as to Form and Legal Sufficiency:

**Assistant County Attorney** 

C. Other Department Review:

**Department Director** 

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