

4A

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: October 1, 2013

{ } Consent

{ } Regular

{ } Workshop

{X} Public Hearing

Department:

Submitted By: Engineering & Public Works

Submitted For: Roadway Production Division

EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: a resolution confirming the special assessment process for the El Paso Drive, Pinto Drive and Pancho Way, east of Blanchette Trail paving and drainage improvement (Project).

SUMMARY: Adoption of this resolution will allow Palm Beach County to assess the fixed amount of \$10,000 to each property owner. The Board of County Commissioners assigned a fixed assessment for this Project at the October 16, 2012 meeting. Assessments will be payable in 20 equal annual installments at an interest rate of 5% per annum. The Project includes new roadway pavement, driveway reconstruction, and a storm water management system.

District 6 (MRE)

Background and Policy Issues: The Board of County Commissioners (Board) approved proceeding with the "U" option of the Project at the February 5, 2013 meeting. At the July 16, 2013 Board meeting, an amendment to the Palm Beach County Municipal Services Taxing Unit (MSTU) Special Assessment Ordinance which included adding flexibility for the public hearing timeframe for fixed assessment projects such as this, was approved. The total assessment for the Project was fixed at \$10,000 per property at the October 16, 2012 Board meeting. The fixed amount will not be affected by the various costs incurred during design, bidding or construction. The Engineering and Public Works Department advertised the Project for a public hearing on Sunday, September 15, 2013 and Sunday, September 22, 2013. A comprehensive explanation of the proposed improvements was distributed by regular mail to the property owners to be assessed in lieu of a public information meeting as allowed for in Section 26-302 MSTU Special Assessment Ordinance.

Attachments:

1. Location Sketch
2. Resolution – with Exhibits I and II

Recommended by:

KS

Ornela G. Fernandez
Division Director

9/11/13

Date

Approved By:

By T. Webb
County Engineer

9/16/13

Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2013	2014	2015	2016	2017
Capital Expenditures	<u>\$ -0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Operating Costs	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
External Revenues	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Program Income (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
In-Kind Match (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
NET FISCAL IMPACT	<u>\$ -0- ✕</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
# ADDITIONAL FTE					
POSITIONS (Cumulative)					

Is Item Included in Current Budget?	Yes	No
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Budget Acct No.: Fund__ Dept.__ Unit__ Object
Program

Recommended Sources of Funds/Summary of Fiscal Impact:

*This item has no fiscal impact.

The Construction Contracts have not yet been finalized; therefore, no fiscal impact is being presented at this time with this item. Nevertheless, the assessment to the benefiting property owners will remain at \$10,000 per owner regardless of the final contract amount. Once the construction contracts are finalized, they will be brought to the Board for approval and funding of these projects will take place with the resulting fiscal impact presented in that agenda item.

C. Departmental Fiscal Review: Amal K

III. REVIEW COMMENTS

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

OFMB *RN* *9/1/16* *9/22/13*

Barbara Wheeler P-26-13
Contract Dev. and Control

**B. Approved as to Form
and Legal Sufficiency:**

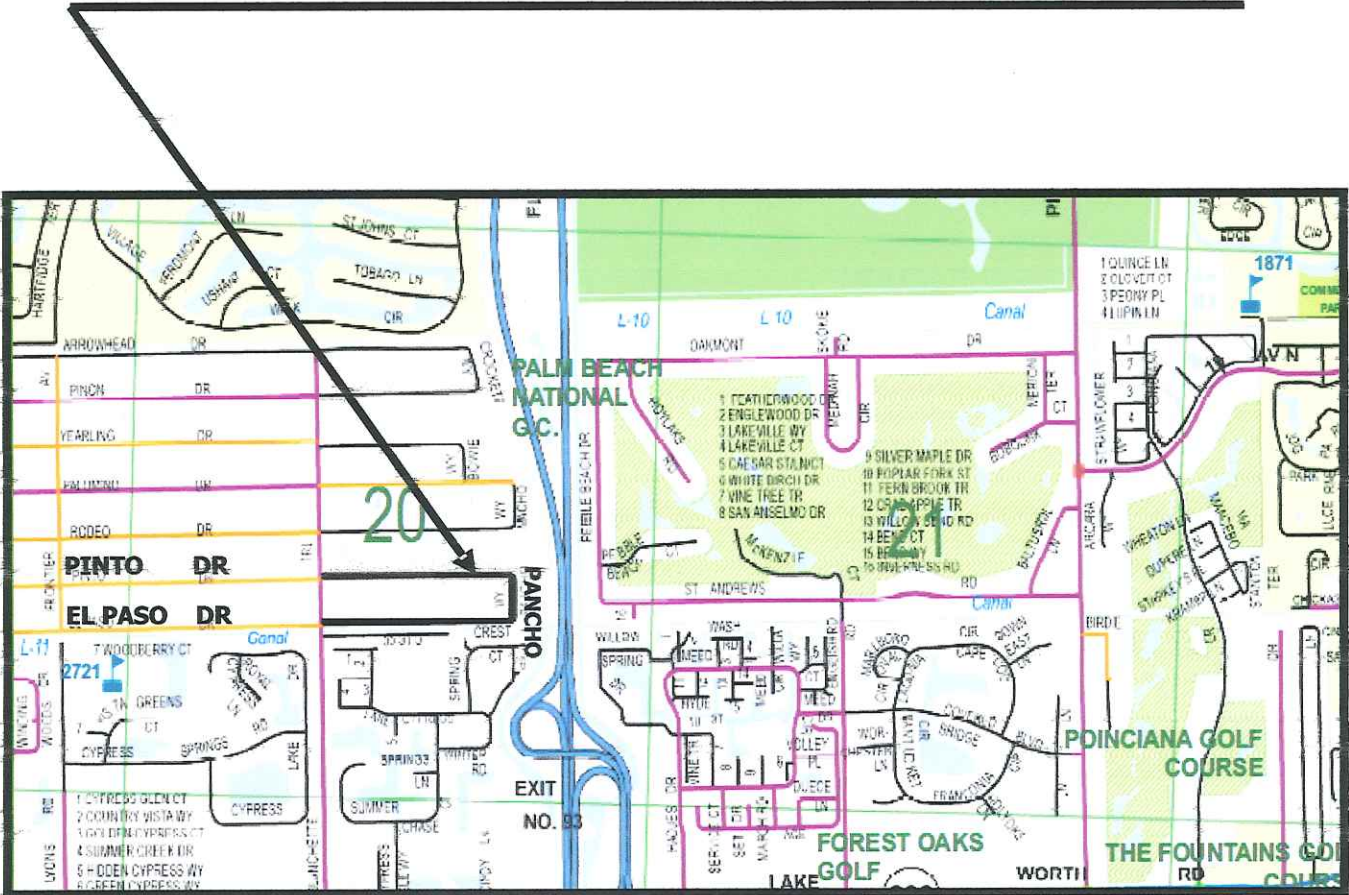
Marlene R. Rutt 8/27/13
Assistant County Attorney

C. Other Department Review:

Department Director

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

**El Paso Drive, Pinto Drive and Pancho Way east of
Blanchette Trail Paving and Drainage Improvement
Project Number 2013129**



LOCATION SKETCH

RESOLUTION NO. R-2013-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA CONFIRMING THE SPECIAL ASSESSMENT FOR EL PASO DRIVE, PINTO DRIVE AND PANCHO WAY EAST OF BLANCHETTE TRAIL PAVING AND DRAINAGE IMPROVEMENT PROJECT, SECTION 20, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PURSUANT TO A PUBLIC HEARING HELD THEREON.

WHEREAS, a special assessment process was initiated for the paving and drainage improvement of El Paso Drive, Pinto Drive and Pancho Way east of Blanchette Trail, authorized pursuant to Palm Beach County Code Chapter 26, Article II, Division 1, known as the Municipal Service Taxing Unit (MSTU) Special Assessment Ordinance; and

WHEREAS, the Board of County Commissioners set a fixed amount of \$10,000 for the cost of the paving and drainage improvement, which is funded through the MSTU Program, will be repaid by special assessment upon specially benefited parcels of land; and

WHEREAS, the method of assessment is to be on a per lot basis; and

WHEREAS, pursuant to Section 26-30.3, the Board of County Commissioners did hold a public hearing on the 1st day of October, 2013 at the Commission Chambers of the Board of County Commissioners of Palm Beach County, Florida, so as to satisfy the requirements of the MSTU Special Assessment Ordinance; and

WHEREAS, the Board of County Commissioners finds that the public notice and public hearing requirements of the MSTU Special Assessment Ordinance have been met.

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

The Report of Costs and the Special Assessment Roll for the paving and drainage improvement of El Paso Drive, Pinto Drive and Pancho Way east of Blanchette Trail, Section 20, Township 44 South, Range 42 East, is on file in the office of the Clerk of the Board of County Commissioners and attached hereto as EXHIBIT I and EXHIBIT II respectively and is hereby approved and confirmed and 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 and shall be placed on the tax rolls.

RESOLUTION NO. R-2013-
October 1, 2013 Public Hearing

1. The said special assessments are hereby made upon all parcels of land described in said Special Assessment Roll in the amount shown thereon.
2. Pursuant to the MSTU Special Assessment Ordinance, the following project is hereby approved: El Paso Drive, Pinto Drive and Pancho Way east of Blanchette Trail Paving and Drainage Improvement, Section 20, Township 44 South, Range 42 East, Palm Beach County, Florida.
3. The said special assessments are hereby made upon all parcels of land described in said Special Assessment Roll (EXHIBIT II) in the amount shown thereon.
4. Pursuant to the MSTU Special Assessment Ordinance, any and all special assessments made pursuant to this Resolution, which have not been paid in full within thirty (30) days after notice of completion of the subject improvements for which said assessment was made, shall be subject to interest at a rate of five percent (5%) per annum from the date of the acceptance of said improvement by Palm Beach County and shall be payable in twenty (20) equal annual installments.
5. The total cost of the paving and drainage improvements funded through the MSTU Program is estimated at \$1,464,500. A special assessment in the fixed amount of \$10,000 per lot shall be collected towards the total costs of the paving and drainage improvements funded through the MSTU Program.
6. The Board of County Commissioners 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.
7. Pursuant to Section 26-30.6 of the MSTU Special Assessment Ordinance, 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.

RESOLUTION NO. R-2013-
October 1, 2013 Public Hearing

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:

Mayor:	Steven L. Abrams, District 4	_____
Vice Mayor:	Priscilla A. Taylor, District 7	_____
District 1:	Hal R. Valeche	_____
District 2:	Paulette Burdick	_____
District 3:	Shelley Vana	_____
District 5:	Mary Lou Berger	_____
District 6:	Jess R. Santamaria	_____

The Mayor thereupon declared the Resolution duly passed and adopted this 1st day of October, 2013.

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

ATTEST:

SHARON R. BOCK
CLERK & COMPTROLLER

BY: _____
Deputy Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

By: _____
County Attorney

PROJECT NUMBER 2013129

REPORT OF COST

EL PASO DRIVE, PINTO DRIVE AND PANCHE WAY EAST OF
BLANCHETTE TRAIL
PAVING & DRAINAGE IMPROVEMENTS

LEGAL ADVERTISING	\$	<u>1,500.00</u>
ENGINEERING & SURVEY COSTS	\$	<u>155,000.00</u>
RIGHT-OF-WAY & EASEMENT COSTS	\$	<u>0.00</u>
CONSTRUCTION COSTS	\$	<u>1,100,000.00</u>
PERMITTING COSTS	\$	<u>2,000.00</u>
SUB-TOTAL	\$	<u>1,258,500.00</u>
ADMINISTRATIVE COSTS, FEES,	\$	<u>31,000.00</u>
CONSTRUCTION COORDINATION	\$	<u>120,000.00</u>
CONTINGENCIES	\$	<u>55,000.00</u>
TOTAL	\$	<u>1,464,500.00</u>
MSTU COUNTY TOTAL	\$	<u>1,194,500.00</u>
TOTAL ASSESSABLE COST = Fixed Cost per Lot	\$	<u>270,000.00</u>
ABUTTING LOTS - - - -	<u>27</u>	
ASSESSMENT PER LOT	\$	<u>10,000.00</u>

EXHIBIT 1



Palm Beach County
MSTU Program

Assessment Roll - Final
EL PASO DR, PINTO DR & PANCHO WAY
EAST OF BLANCHETTE TRAIL

EXHIBIT II

FUND AGENCY ORG	COMMISSION DISTRICT	SECTION TOWNSHIP RANGE
	6 JESS SANTAMARIA	20 44S 42E

No.	Homeowner	PCN/Legal Description	Parcel	Total Assessment	Annual Cost/Per Year	Notes
1	CARROLL STEPHEN M	00-42-44-19-01-021-013.0 PALM BEACH RANCHETTES UNIT A LOT 13 SEC V	1	\$10,000.00	\$810.35	
2	FITTON ROBERT S	00-42-44-19-01-021-014.0 PALM BEACH RANCHETTES UNIT A LOT 14 SEC V	1	\$10,000.00	\$810.35	
3	BASSO GIUSEPPE G &	00-42-44-19-01-021-015.0 PALM BEACH RANCHETTES UNIT A LOT 15 SEC V	1	\$10,000.00	\$810.35	
4	BASSO GIUSEPPE G &	00-42-44-19-01-021-016.0 PALM BEACH RANCHETTES UNIT A LOT 16 SEC V	1	\$10,000.00	\$810.35	
5	BASSO RENZO	00-42-44-19-01-021-017.0 PALM BEACH RANCHETTES UNIT A LOT 17 SEC V	1	\$10,000.00	\$810.35	
6	MCGUIRE EDWARD	00-42-44-19-01-021-018.0 PALM BEACH RANCHETTES UNIT A LOT 18 SEC V	1	\$10,000.00	\$810.35	

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 five (5) percent per annum from the date of the acceptance of said improvement by Palm Beach County and shall be payable in twenty equal annual installments of principal and interest.



Palm Beach County
MSTU Program

Assessment Roll - Final
EL PASO DR, PINTO DR & PANCHO WAY
EAST OF BLANCHETTE TRAIL

FUND	AGENCY	ORG	COMMISSION DISTRICT			SECTION TOWNSHIP RANGE		
			6 JESS SANTAMARIA			20	44S	42E

No.	Homeowner	PCN/Legal Description	Parcel	Total Assessment	Annual Cost/Per Year	Notes
7	BECK KENNETH &	00-42-44-19-01-021-019.0 PALM BEACH RANCHETTES UNIT A LOT 19 SEC V	1	\$10,000.00	\$810.35	
8	GMMA CONSULTING SERVICES INC	00-42-44-19-01-021-020.0 PALM BEACH RANCHETTES UNIT A LOT 20 SEC V	1	\$10,000.00	\$810.35	
9	WOLOSH CORY L	00-42-44-19-01-021-021.0 PALM BEACH RANCHETTES UNIT A LOT 21 SEC V	1	\$10,000.00	\$810.35	
10	BOYKIN MARY G	00-42-44-19-01-021-022.0 PALM BEACH RANCHETTES UNIT A LOT 22 SEC V	1	\$10,000.00	\$810.35	
11	PARKER WINSLOW J &	00-42-44-19-01-021-023.0 PALM BEACH RANCHETTES UNIT A LOT 23 SEC V	1	\$10,000.00	\$810.35	
12	ROMAN CARLOS A	00-42-44-19-01-022-002.0 PALM BEACH RANCHETTES UNIT A LOT 2 SEC W	1	\$10,000.00	\$810.35	

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MSTU Program

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FUND AGENCY ORG	COMMISSION DISTRICT	SECTION TOWNSHIP RANGE
	6 JESS SANTAMARIA	20 44S 42E

No.	Homeowner	PCN/Legal Description	Parcel	Total Assessment	Annual Cost/Per Year	Notes
13	VANREIL CORBIN PATRICIA E	00-42-44-19-01-022-003.0 PALM BEACH RANCHETTES UNIT A LOT 3 SEC W	1	\$10,000.00	\$810.35	
14	ROBERTS ROSE MARIE EST	00-42-44-19-01-022-004.0 PALM BEACH RANCHETTES UNIT A LOT 4 SEC W	1	\$10,000.00	\$810.35	
15	ROBERTS ROSE MARIE TR &	00-42-44-19-01-022-005.0 PALM BEACH RANCHETTES UNIT A LOT 5 SEC W	1	\$10,000.00	\$810.35	
16	FULCHER RICHARD &	00-42-44-19-01-022-006.0 PALM BEACH RANCHETTES UNIT A LOT 6 SEC W	1	\$10,000.00	\$810.35	
17	FIELDING SHERON	00-42-44-19-01-022-007.0 PALM BEACH RANCHETTES UNIT A LT 7 SEC W	1	\$10,000.00	\$810.35	
18	BERRA DANIEL &	00-42-44-19-01-022-008.0 PALM BEACH RANCHETTES UNIT A LOT 8 SEC W	1	\$10,000.00	\$810.35	

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MSTU Program

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EAST OF BLANCHETTE TRAIL

FUND AGENCY ORG	COMMISSION DISTRICT	SECTION TOWNSHIP RANGE
	6 JESS SANTAMARIA	20 44S 42E

No.	Homeowner	PCN/Legal Description	Parcel	Total Assessment	Annual Cost/Per Year	Notes
19	COLLIER EARL H JR &	00-42-44-19-01-022-009.0 PALM BEACH RANCHETTES UNIT A LOT 9 SEC W	1	\$10,000.00	\$810.35	
20	AVNER MARK H	00-42-44-19-01-022-011.0 PALM BEACH RANCHETTES UNIT A LOT 11 SEC W	1	\$10,000.00	\$810.35	
21	LIBERTO JASON W &	00-42-44-19-01-022-012.0 PALM BEACH RANCHETTES UNIT A LOT 12 SEC W	1	\$10,000.00	\$810.35	
22	ERICHSEN PATRICIA A &	00-42-44-19-01-022-013.0 PALM BEACH RANCHETTES UNIT A LOT 13 SEC W	1	\$10,000.00	\$810.35	
23	METTS DANNY R	00-42-44-19-01-022-014.0 PALM BEACH RANCHETTES UNIT A LOT 14 SEC W	1	\$10,000.00	\$810.35	
24	GREGORY MARK A &	00-42-44-19-01-022-015.0 PALM BEACH RANCHETTES UNIT A LOT 15 SEC W	1	\$10,000.00	\$810.35	

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Assessment Roll - Final
EL PASO DR, PINTO DR & PANCHO WAY
EAST OF BLANCHETTE TRAIL

FUND AGENCY ORG	COMMISSION DISTRICT	SECTION	TOWNSHIP	RANGE
	6 JESS SANTAMARIA	20	44S	42E

No.	Homeowner	PCN/Legal Description	Parcel	Total Assessment	Annual Cost/Per Year	Notes
25	CHEN WILFRED G &	00-42-44-19-01-022-016.0 PALM BEACH RANCHETTES UNIT A LOT 16 SEC W	1	\$10,000.00	\$810.35	
26	CRAWFORD GLENN H III	00-42-44-19-01-022-017.0 PALM BEACH RANCHETTES UNIT A LOT 17 SEC W	1	\$10,000.00	\$810.35	
27	BREFFLE VICTOR A &	00-42-44-19-01-022-018.0 PALM BEACH RANCHETTES UNIT A LOT 18 SEC W	1	\$10,000.00	\$810.35	
Totals:			27	\$270,000.00		

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

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