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**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**AGENDA ITEM SUMMARY**

Meeting Date: ( X ) Consent ( ) Regular  
January 14, 2014 ( ) Ordinance ( ) Public Hearing

Department Submitted By: Clerk & Comptroller

Submitted For: BOARD OF COUNTY COMMISSIONERS

**I. EXECUTIVE BRIEF**

**A. Motion and Title:**

**Staff recommends motion to review for sufficiency and to receive and file:  
The Report of County Officials' Bonds dated JANUARY 2014.**

**B. Summary:**

Ordinance No. 98-51 sets the various bond amounts for specified county officers and provides for examination of the sufficiency of all the bonds at the regular meeting of the Board of County Commissioners in January and June of each year. **(Countywide)**

**C. Background and Justification:**

Each county officer of whom bond is, or shall be required by law, shall give bond to the governor of the State, conditioned for the faithful performance of the duties of his/her office.

Palm Beach County Ordinance 98-51 outlines the various bond amounts of each elected official. These are referenced on attached report for examination. All bonds are listed in compliance with Chapter 98-34, Laws of Florida Section 137.05, F.S.) and Ordinance 98-51.

**D. Attachments - Bond document for:**

1. Report of Palm Beach County Officials ' Bonds
2. List of Florida Statutes
3. Ordinance 98-51

Recommended By:  12-18-13  
Stephen I. Weiss, Director - Financial Services Date

Approved by: N/A  
Assistant County Administrator Date

**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	_____	_____	_____	_____	_____
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	_____	_____	_____	_____	_____

Is Item Included In Current Budget?    Yes \_\_\_\_\_    No \_\_\_\_\_  
 Budget Account No.:    Fund \_\_\_\_\_    Dept \_\_\_\_\_    Unit \_\_\_\_\_  
    Object \_\_\_\_\_    Program \_\_\_\_\_

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

**C. Departmental Fiscal Review:**

**III. REVIEW COMMENTS**

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

*[Signature]* 12/19/2013  
 OFMB/Budget *K.O.*  
 12/19

*[Signature]* 12/20/13  
 Contract Development and Control  
 12-20-13 *[Signature]*

**B. Legal Sufficiency:**

*[Signature]* 12/23/13  
 Assistant County Attorney

**C. Other Department Review:**

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

**Report of County Official's Bonds  
Sureties Sufficiency Examination  
(Required by F.S. 137.05)  
Dated: January 2014**

Office Bonded		Surety Co Name	Agent Name	Expiration Date	Premium Term	Amount Bonded	Required \$ By ORD 98-51	Premium Cost
Clerk & Comptroller	SHARON R. BOCK	Hartford Fire Ins.	Wells Fargo Ins.	January, 2017	4 years	\$50,000	\$50,000	\$678
Property Appraiser	GARY R. NIKOLITS	Fidelity Deposit	Wells Fargo Ins.	January, 2017	4 years	\$5,000	\$5,000	\$355
Tax Collector	ANNE M. GANNON	Ohio Casualty Ins.	Massey, ...Inc.	January, 2017	4 years	\$100,000	\$100,000	\$2,438
Supervisor of Election	SUSAN BUCHER	Ohio Casualty Inc.	The Plastridge Agency	January, 2017	4 years	\$5,000	\$5,000	\$325
Sheriff	RIC L. BRADSHAW	Western Surety	Hunt Ins. Co.	January, 2017	4 years	\$25,000	\$25,000	\$425
Commissioner Dist. #1	HAL R. VALECHE	Fidelity Deposit	Wells Fargo Ins.	November, 2016	4 years	\$2,000	\$2,000	\$355
Commissioner Dist. #2	PAULETTE BURDICK	Fidelity Deposit	Wells Fargo Ins.	November, 2014	4 years	\$2,000	\$2,000	\$355
Commissioner Dist. #3	SHELLEY VANA	Fidelity Deposit	Wells Fargo Ins.	November, 2016	4 years	\$2,000	\$2,000	\$355
Commissioner Dist. #4	STEVEN L. ABRAMS	Fidelity Deposit	Wells Fargo Ins.	November, 2014	4 years	\$2,000	\$2,000	\$355
Commissioner Dist. #5	MARY LOU BERGER	Fidelity Deposit	Wells Fargo Ins.	November, 2016	4 years	\$2,000	\$2,000	\$355
Commissioner Dist. #6	JESS SANTAMARIA	Fidelity Deposit	Wells Fargo Ins.	November, 2014	4 years	\$2,000	\$2,000	\$355
Commissioner Dist. #7	PRISCILLA A. TAYLOR	Fidelity Deposit	Wells Fargo Ins.	November, 2016	4 years	\$2,000	\$2,000	\$355

Note: Elected officials are responsible for obtaining their bond and may choose a bonding agency. Bond premiums shall be paid out of General Revenue Fund.

ALL BONDS LISTED ABOVE COMPLY WITH FLORIDA STATUTES AND PALM BEACH COUNTY ORDINANCE NO. 98-51.

Attachment #   1

Select Year: 2012

## The 2012 Florida Statutes

Title XI  
COUNTY ORGANIZATION AND  
INTERGOVERNMENTAL RELATIONS

Chapter 137  
BONDS OF COUNTY  
OFFICERS

View Entire  
Chapter

**137.05 Duty of boards of county commissioners.**—The board of county commissioners of each county shall at its regular meetings in January and June of each year examine carefully as to the sufficiency of bonds of the county officers, and if it has reason to believe that the sufficiency of any bond has become impaired, it must at once require the officer to execute and file with the proper officer a new bond for the same amount and under the same conditions as his or her former bond.

**History.**—s. 2, ch. 4413, 1895; GS 825; RGS 1572; CGL 2420; s. 839, ch. 95-147; s. 24, ch. 98-34.

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<http://www.leg.state.fl.us/Statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App...> 7/25/2013

Attachment # 2

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ORDINANCE NO. 98-51

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ESTABLISHING BOND REQUIREMENTS FOR SPECIFIED COUNTY OFFICERS PURSUANT TO CHAPTER 98-34, LAWS OF FLORIDA; PROVIDING FOR APPLICABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature enacted Chapter 98-34, Laws of Florida, eliminating or revising bond requirements for certain public officials, including specified County officers; and

WHEREAS, Chapter 98-34 eliminated the statutory bond requirements for specified County officers and provided that the Board of County Commissioners (the "Board") may establish bond requirements for specified County officers and must require bonds from County Commissioners; and

WHEREAS, Chapter 98-34 provides that any bond required of specified County officers be established by ordinance of the Board; and

WHEREAS, in establishing the amount of any required bond, the amount of money or property likely to be in custody of the specified County officer at one time may be considered by the Board.

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

Section 1. Title.

This Ordinance shall be known as the "County Officer Bond Ordinance".

Section 2. Bond of Clerk of the Circuit Court.

The Palm Beach County Clerk of the Circuit Court shall be required to give a bond in the sum of \$50,000 conditioned upon the faithful discharge of the duties of office.

ORDINANCE NO. 98-51

1                    Section 3. Bond of Sheriff and Deputy Sheriff.

2                    The Palm Beach County Sheriff shall be required to give  
3                    a bond in the sum of \$25,000 conditioned for the faithful  
4                    performance of the duties of office.

5                    Each appointed Deputy Sheriff shall be required to give a bond  
6                    in the sum of \$1,000 conditioned for the faithful performance of  
7                    the duties of office. In the alternative, a blanket bond in the  
8                    sum of \$1,000 conditioned for the faithful performance of the  
9                    duties of office of all appointed Deputy Sheriffs is acceptable.

10                   Section 4. Bond of Supervisor of Elections.

11                   The Palm Beach County Supervisor of Elections shall be  
12                   required to give a bond in the sum of \$5,000 conditioned for the  
13                   faithful performance of the duties of office.

14                   Section 5. Bond of Tax Collector.

15                   The Palm Beach County Tax Collector shall be required to  
16                   give a bond in the sum of \$100,000 conditioned for the faithful  
17                   performance of the duties of office, and specifically conditioned  
18                   for the Tax Collector's accounting duly and faithfully for all  
19                   taxes collected.

20                   Section 6. Bond of Property Appraiser.

21                   The Palm Beach County Property Appraiser shall be  
22                   required to give a bond in the sum of \$5,000 conditioned for the  
23                   faithful performance of the duties of office.

24                   Section 7. Bond of County Commissioners.

25                   Each Palm Beach County Commissioner, whether elected or  
26                   appointed, must give a bond in the sum of \$2,000 conditioned for  
27                   the faithful performance of the duties of office.

1                                    Section 8. Approval of Form and Surety of Bonds of  
2                                    County Officers; Delegation of Authority.

3                                    All bonds of County officers required by this Ordinance  
4                                    must be approved by the Board. Approval of the form and surety of  
5                                    any such bonds is hereby delegated by the Board to the County  
6                                    Administrator or designee, with the concurrence of the County  
7                                    Attorney in such approval.

8                                    Section 9. Filing of Bonds of County Officers.

9                                    All bonds of County officers required by this Ordinance  
10                                   must be filed with the Clerk of the Circuit Court promptly upon  
11                                   execution.

12                                   Section 10. Examination of Sufficiency of Bonds of  
13                                   County Officers.

14                                   At its regular meetings in January and June of each year  
15                                   beginning January, 1999, the Board shall examine carefully the  
16                                   sufficiency of all bonds required of County officers. If the  
17                                   Board has reason to believe that the sufficiency of any such bond  
18                                   has become impaired, the Board must at once require that the County  
19                                   officer to execute and file with the Clerk of the Circuit Court a  
20                                   new bond for the same amount and under the same conditions as the  
21                                   former bond.

22                                   Section 11. Applicability.

23                                   This Ordinance is applicable countywide. This Ordinance  
24                                   shall not affect any currently existing bonds of County officers.

25                                   Section 12. Repeal of Laws in Conflict.

26                                   All local laws and ordinances in conflict with any  
27                                   provisions of this Ordinance are hereby repealed to the extent of  
28                                   such conflict.

ORDINANCE NO. 98-51

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Section 13. Severability.

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of this Ordinance.

Section 14. Inclusion in The Code of Laws And Ordinances.

The provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of Palm Beach County, Florida. The sections of this Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section", "article", or other appropriate word.

SECTION 15. Effective Date.

The provisions of this Ordinance shall become effective upon filing with the Department of State.

APPROVED and ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, on this the 20th day of October, 1998.

DOROTHY H. WILKEN, CLERK Board of County Commissioners  
By: [Signature] DEPUTY CLERK  
PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS  
[Signature] Chairman

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: Paul F. [Signature] County Attorney

EFFECTIVE DATE: Filed with the Department of State on the 28th day of OCTOBER, 1998, at N/A .m.

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**SURETIES UPON OFFICIAL BONDS: F.S. 113.071**

**Sureties upon officials shall be in an amount sufficient as prescribed by law and approved by County Commissioners:**

<b>CLERK &amp; COMPTROLLER -</b>	<b>F.S. 28.02</b>
<b>SHERIFF -</b>	<b>F.S. 30.02</b>
<b>SUPERVISOR OF ELECTION -</b>	<b>F.S. 98.161</b>
<b>TAX COLLECTOR -</b>	<b>F.S. 137.03</b>
<b>COUNTY COMMISSIONERS -</b>	<b>F.S. 137.04</b>