

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: January 26, 2016 **(X) Consent** **() Regular**
 () 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 2016.**

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: Stephen I. Weiss, Director – Financial Services 11-5-15
Date

Approved by: [Signature] 11/16/15
Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2016	2017	2018	2019	2020
Capital Expenditures					
Operating Costs					
External Revenues					
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT					
No. ADDITIONAL FTE POSITIONS (Cumulative)					

Is Item Included In Current Budget? Yes No

Budget Account No.: Fund Dept. Unit Object

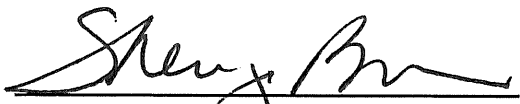
B. Recommended Sources of Funds/Summary of Fiscal Impact:


C. Departmental Fiscal Review:

III. REVIEW COMMENTS

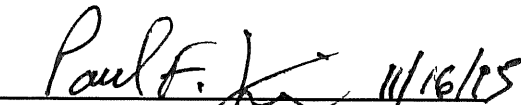
A. OFMB Fiscal and/or Contract Dev. and Control Comments:

The bonds will be paid out of budget account acct-760-7601-4501


OFMB 11/10


Contract Dev. and Control 11/10/15
B. Wheeler 11-12-15

B. Legal Sufficiency:


Assistant County Attorney 11/16/15

C. Other Department Review:

Department Director

**Report of County Official's Bonds
Sureties Sufficiency Examination
(Required by F.S. 137.05)
Dated: January 2016**

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	USI Insurance Services, LLC	November, 2018	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	USI Insurance Services, LLC	November, 2018	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	MELISSA MCKINLAY	Fidelity Deposit	USI Insurance Services, LLC	November, 2018	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.

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:

CLERK & COMPTROLLER -	F.S. 28.02
SHERIFF -	F.S. 30.02
SUPERVISOR OF ELECTION -	F.S. 98.161
TAX COLLECTOR -	F.S. 137.03
COUNTY COMMISSIONERS -	F.S. 137.04

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 \$50,0000 conditioned upon the faithful discharge of the duties of office.

ORDINANCE NO.

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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 : 4

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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
By: [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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