

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

Meeting Date: March 1, 2016	<input checked="checked" type="checkbox"/> Consent	<input type="checkbox"/> Regular
	<input type="checkbox"/> Public Hearing	<input type="checkbox"/> Workshop

Department:

Submitted By: Engineering & Public Works Department
Submitted For: Roadway Production

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

- A) Adopt a resolution to finalize the Municipal Service Taxing Unit special assessment roll to provide paving and drainage improvements for Fargo Avenue, El Paso Drive to Arrowhead Drive project (Project);
- B) Authorize the Tax Collector’s Office and/or the Clerk & Comptroller’s Office to process and collect the assessments; and
- C) Approve a change in Palm Beach County’s (County) maintenance responsibility for Fargo Avenue, El Paso Drive to Arrowhead Drive from courtesy maintained to full County maintenance.

SUMMARY: Finalization of the special assessment roll for the Project will allow the assessment payments to be processed and collected by the Tax Collector’s Office and/or the Clerk & Comptroller’s Office. The total assessment is a fixed cost of \$7,000 per lot payable in ten equal annual installments at an interest rate of five percent (5%) per annum as set by the Board of County Commissioners. Fargo Avenue, El Paso Drive to Arrowhead Drive will be changed from being County courtesy maintained to full County maintenance.

District 6 (MRE)

Background and Justification: On September 10, 2013, the Board of County Commissioners held a public hearing for the Project, and adopted Resolution R2013-1221 confirming a special assessment of \$7,000 per lot payable in ten equal annual installments at an interest rate of five percent (5%) per annum. Upon approval of this item, the Tax Collector’s Office will process and collect the assessments from the Project property owners. Fargo Avenue will be changed from courtesy maintained to full County maintenance.

This office recommends the approval of the above named action in order to finalize the assessment process, and close out the Project.

Attachments:

- 1. Location Map
- 2. Resolution with Exhibits I & II

Recommended by: Ornelo A. Fernandez 11/19/16 *[Signature]*
KFS Division Director Date

Approved By: J. Wahl 2/8/16
County Engineer Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2016	2017	2018	2019	2020
Capital Expenditures	\$ -0-	-0-	-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	\$ **	-0-	-0-	-0-	-0-
# ADDITIONAL FTE POSITIONS (Cumulative)					

Is Item Included in Current Budget? Yes No

**Budget Acct No.: Fund 3511 Dept. 365 Unit S205 Object
 Program**

Recommended Sources of Funds/Summary of Fiscal Impact:

**No fiscal impact. This Board action finalizes the assessment roll which was approved at the September 10, 2013 Public Hearing. Fiscal impact for the project was presented August 19, 2014, R-2014-1131. These roads are currently maintained by courtesy by Palm Beach County. This agenda item finalizes the paving project and formally accepts the roadway maintenance.

C. Departmental Fiscal Review: *Alicekovalainen*

III. REVIEW COMMENTS

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

<u><i>[Signature]</i></u> 2/10/16 KP/KSD 2/9/16 OFMB JF 2/9	<u><i>[Signature]</i></u> 2/11/16 Contract Dev. and Control
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B. Approved as to Form and Legal Sufficiency:

[Signature] 2/17/16
 Assistant County Attorney

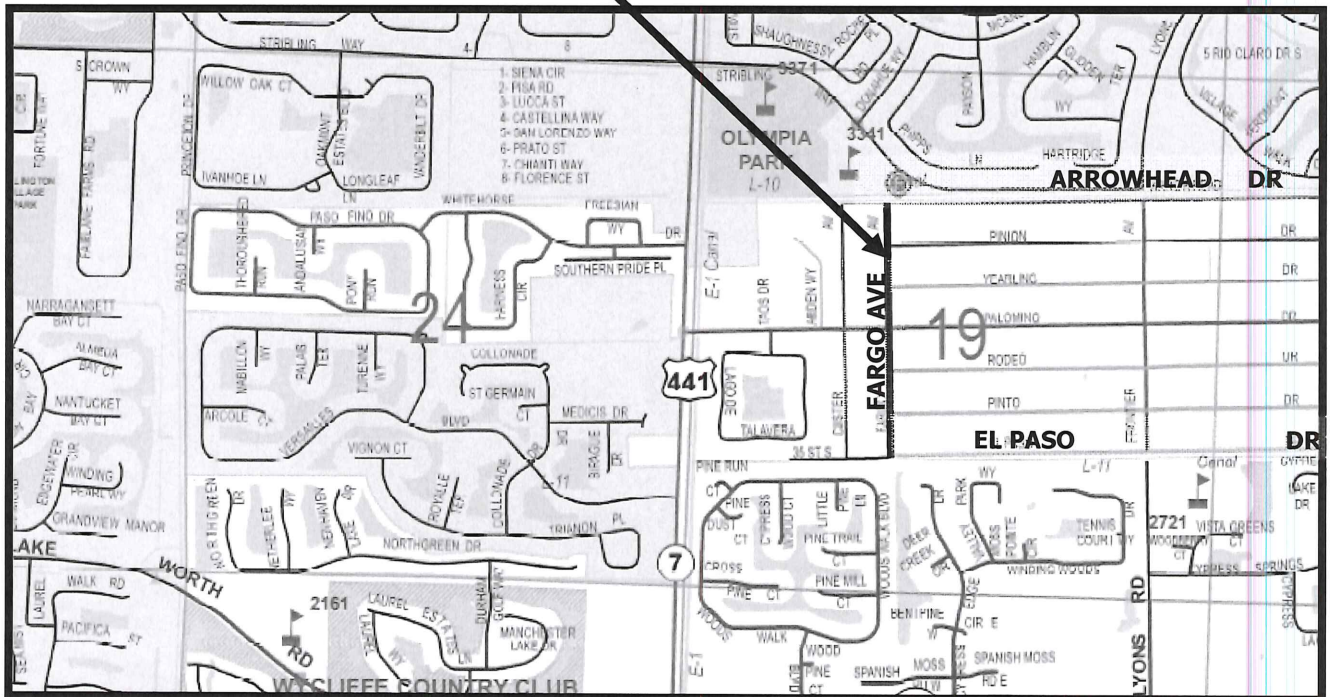
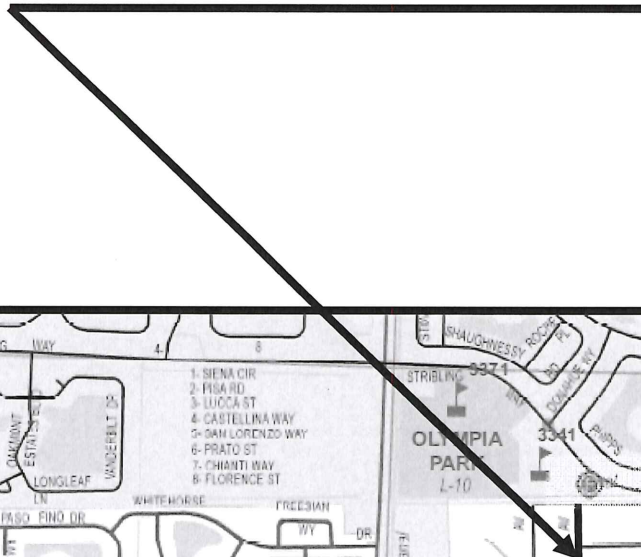
C. Other Department Review:

 Department Director

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

Fargo Avenue, El Paso Drive to Arrowhead Drive

Project Number 2013126



LOCATION

SKETCH

RESOLUTION NO. R-2016-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA TO FINALIZE THE SPECIAL ASSESSMENT FOR FARGO AVENUE, EL PASO DRIVE TO ARROWHEAD DRIVE PAVING AND DRAINAGE IMPROVEMENT PROJECT, SECTION 19, 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 Fargo Avenue, El Paso Drive to Arrowhead Drive (Project), 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, Resolution R2013-1221 confirming the special assessment for the Project was approved by the Board of County Commissioners (Board) at a Public Hearing held September 10, 2013; and

WHEREAS, this resolution will finalize the special assessment roll for the Project at a fixed amount of \$7,000 per lot payable in ten equal annual installments at an interest rate of five percent (5%) per annum; and

WHEREAS, the Board 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:

1. The Report of Costs and Special Assessment Roll for Fargo Avenue, El Paso Drive to Arrowhead Drive paving and drainage improvement, Section 19, 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. EXHIBIT II is hereby approved and confirmed and shall be recorded in the official records of the Clerk & Comptroller for Palm Beach County to facilitate knowledge of the lien by third parties.

2. Pursuant to the MSTU Special Assessment Ordinance, the following project is hereby approved: Fargo Avenue, El Paso Drive to Arrowhead Drive paving and drainage improvement, Section 19, 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 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 ten equal annual installments.

5. The total cost of the Project is \$837,567.11, attached EXHIBIT I. 10.03% of the total costs (\$84,000) of the paving and drainage improvement will be paid for by special assessment.

6. Pursuant to Sec. 26-30.6 of the MSTU Code, if any special assessment made under the provisions of this division to defray part of the expense of any improvement made hereunder shall be either in whole or in part vacated or set aside by the judgment of any court, or if the Board shall be satisfied that such assessment is so irregular or defective that same cannot be enforced or collected, or if the Board omitted to make such assessment when it might have done so, the Board shall take all necessary steps to cause a new assessment to be made for any improvement and against property specially benefited by such improvement, following the provisions of this division.

7. The Board further 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.

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INTENTIONALLY**

RESOLUTION NO. R-2016-
March 1, 2016

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:

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

The Mayor thereupon declared the Resolution duly passed and adopted this 1st day of March, 2016.

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 2013126

FINAL REPORT OF COST

FARGO AVENUE
PAVING & DRAINAGE IMPROVEMENTS

DESIGN STAFF COSTS		\$	<u>45,923.59</u>
DESIGN CONSULTANT COSTS		\$	<u>84,950.37</u>
CONTRACTOR CONSTRUCTION COSTS		\$	<u>611,129.81</u>
ADVERTISING COSTS		\$	<u>1,087.04</u>
SUB-TOTAL		\$	<u>743,090.81</u>
STAFF CHARGES DURING CONSTRUCTION		\$	<u>88,142.50</u>
TESTING LAB CHARGES		\$	<u>2,376.20</u>
TRAFFIC SIGNING AND MARKING COSTS		\$	<u>3,957.60</u>
PROJECT TOTAL		\$	<u>837,567.11</u>
MSTU COUNTY TOTAL COST		\$	<u>753,567.11</u>
TOTAL ASSESSABLE COST = Fixed Cost per Lot		\$	<u>84,000.00</u>
ABUTTING LOTS - - - -	<u>12</u>		
ASSESSMENT PER LOT		\$	<u>7,000.00</u>



FUND	AGENCY	ORG	COMMISSION DISTRICT			SECTION	TOWNSHIP	RANGE
			6 MELISSA MCKINLAY			19	44S	42E

No.	Homeowner	PCN/Legal Description	Parcel	Total Assessment	Annual Cost/Per Year	Notes
1	WATERBURY RICHARD N	00-42-44-19-01-002-007.0 PALM BEACH RANCHETTES UNIT A LOT 7 SEC B	1	\$7,000.00	\$911.65	
2	SEGUIN PAUL R &	00-42-44-19-01-002-008.0 PALM BEACH RANCHETTES UNIT A LOT 8 SEC B	1	\$7,000.00	\$911.65	
3	PEEDE THOMAS A &	00-42-44-19-01-002-009.0 PALM BEACH RANCHETTES UNIT A LT 9 SEC B	1	\$7,000.00	\$911.65	
4	HERRMANN EDUARD G JR &	00-42-44-19-01-002-010.0 PALM BEACH RANCHETTES UNIT A LOT 10 SEC B	1	\$7,000.00	\$911.65	
5	COLYER MICHAEL W &	00-42-44-19-01-002-011.0 PALM BEACH RANCHETTES UNIT A LOT 11 SEC B	1	\$7,000.00	\$911.65	
6	RIENDEAU CHARLES L JR &	00-42-44-19-01-003-001.0 PALM BEACH RANCHETTES UNIT A LT 1 SEC C	1	\$7,000.00	\$911.65	

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 ten equal annual installments of principal and interest.



FUND AGENCY ORG	COMMISSION DISTRICT	SECTION TOWNSHIP RANGE
	6 MELISSA MCKINLAY	19 44S 42E

No.	Homeowner	PCN/Legal Description	Parcel	Total Assessment	Annual Cost/Per Year	Notes
7	DAVIS BYRON H &	00-42-44-19-01-007-007.0 PALM BEACH RANCHETTES UNIT A LOT 7 SEC G	1	\$7,000.00	\$911.65	
8	DAVIDSON ROBERT M &	00-42-44-19-01-007-008.0 PALM BEACH RANCHETTES UNIT A LOT 8 SEC G	1	\$7,000.00	\$911.65	
9	CHAPMAN DAVID A	00-42-44-19-01-007-009.0 PALM BEACH RANCHETTES UNIT A LOT 9 SEC G	1	\$7,000.00	\$911.65	
10	NICHOLS RAYMOND C &	00-42-44-19-01-007-010.0 PALM BEACH RANCHETTES UNIT A LOT 10 SEC G	1	\$7,000.00	\$911.65	
11	STINNETT ROSEMARIE	00-42-44-19-01-007-011.0 PALM BEACH RANCHETTES UNIT A LOT 11 SEC G	1	\$7,000.00	\$911.65	

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FUND AGENCY ORG	COMMISSION DISTRICT	SECTION TOWNSHIP RANGE
	6 MELISSA MCKINLAY	19 44S 42E

No.	Homeowner	PCN/Legal Description	Parcel	Total Assessment	Annual Cost/Per Year	Notes
12	BIERNAT DEAN A &	00-42-44-19-01-007-012.0 PALM BEACH RANCHETTES UNIT A LT 12 SEC G	1	\$7,000.00	\$911.65	
			Totals:	12	\$84,000.00	

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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