

4-A

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: July 12, 2016

Consent Regular
 Workshop Public Hearing

Department:

Submitted By: Engineering & Public Works

Submitted For: Roadway Production Division

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

- A) Adopt a resolution confirming the special assessment process for paving and drainage improvements of Penny Lane, Melaleuca Lane to the dead end (Project);
- B) Approve a budget transfer from the Office of Community Revitalization (OCR) in the amount of \$360,000 (\$100,000 from CCRT Recoup Funding; \$100,000 from Neighborhood Partnership Grant Program; and \$160,000 from Home Beautification Improvement Grant) and appropriate it to the Project; and
- C) Approve a budget transfer from the Unincorporated Improvement Fund Reserves in the amount of \$32,500 and appropriate it to the Project.

SUMMARY: Adoption of the resolution will allow Palm Beach County (County) to assess a fixed amount of \$25 per abutting footage to all 16 benefitting property owners along the Project. Assessments will be payable in 10 equal annual installments at an interest rate of five and one half percent (5.5%) per annum and the assessment averages about \$2,000 per property. The Project includes construction of roadway pavement, driveway reconstruction and installation of a new stormwater system.

District 3 (MRE)

Background and Justification: At the April 16, 2013 Board of County Commissioners (Board) meeting, the Board approved a request from OCR for funds totaling \$180,900 from the Countywide Community Revitalization Team (CCRT) reserve funding account, an allocation of \$32,500 from the MSTU account, and a capped assessment of \$25 per abutting footage for benefitting properties along the Project. An additional estimated amount of \$360,000 is required from the OCR to complete the Project.

In accordance with Section 26-30.3 of the MSTU Code, the Engineering Department advertised the Project for this public hearing on Sunday, June 19, 2016 and Sunday, June 26, 2016. A comprehensive explanation of the proposed improvements were distributed by regular mail to the property owners to be assessed in lieu of a public information meeting, as allowed for in Section 26-30.2 of the MSTU Code.

Adoption of the resolution will allow assessment for paving and drainage improvements of the Project.

Attachments:

- 1. Location Sketch
- 2. Resolution with Exhibits I and II
- 3. OCR Budget Availability Statement
- 4. Budget Transfer Capital Outlay Fund
- 5. Budget Transfer Unincorporated Improvement Fund

Recommended By:

[Signature]
SMO

[Signature]
S. T. Welch
Department Director

7/6/16
Date

Approved By:

[Signature]
Assistant County Administrator

7/7/16
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2016	2017	2018	2019	2020
Capital Expenditures	<u>\$392,500</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>\$392,500</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

Is Item Included in Current Budget? Yes No X

Budget Account No:

Fund 3900	Dept 366	Unit X169	Object 6551	\$357,000.00
Fund 3900	Dept 366	Unit X169	Object 6555	\$ 3,000.00
Fund 3511	Dept 366	Unit X169	Object 6551	\$ 32,500.00

Recommended Sources of Funds/Summary of Fiscal Impact:

Capital Outlay
Penny Lane Paving & Drainage Improvements

Transfer funding for MSTU paving and drainage improvement project. Construction contract to be presented to the BOCC at a later date. Capital Outlay Funding \$360,000 and Unincorporated Improvement Fund Reserves \$32,500.

C. Departmental Fiscal Review: Alie Kovalevich

III. REVIEW COMMENTS

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

 John L. [Signature] 6/28/16
 6/23 OFMB 2/21/21 [Signature]

 Doris [Signature] 6/28/16
 Contract Dev. and Control

B. Approved as to Form and Legal Sufficiency:

 Marlon [Signature]
 Assistant County Attorney

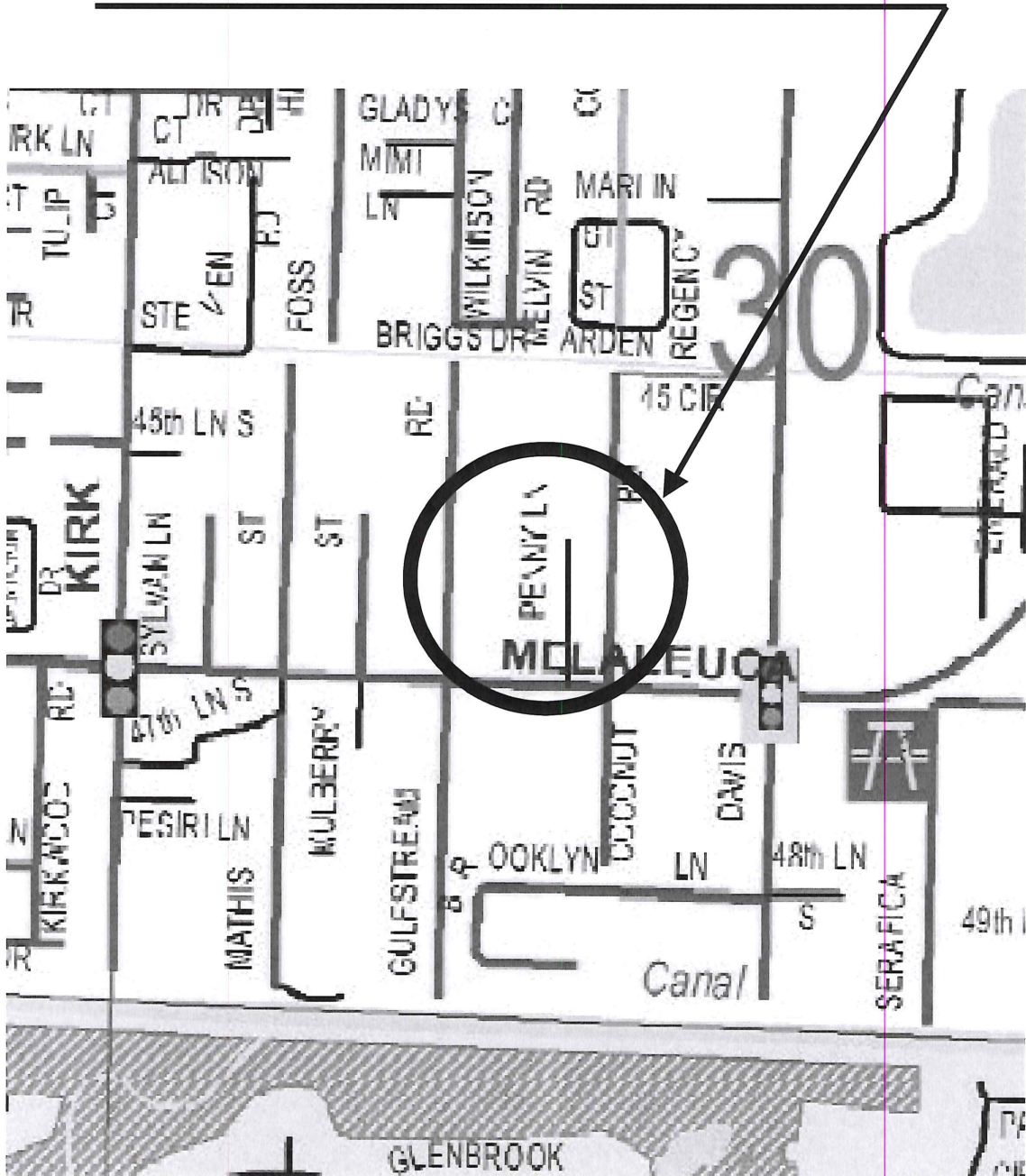
C. Other Department Review:

6/16/16
 Houston L. [Signature]
 Department Director

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

PROJECT LOCATION

Penny Lane, Melaleuca Lane to the Dead End
Project No. 2013131



LOCATION SKETCH

RESOLUTION NO. R-2016-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA CONFIRMING THE SPECIAL ASSESSMENT PROCESS FOR PAVING AND DRAINAGE IMPROVEMENTS OF PENNY LANE, MELALEUCA LANE TO THE DEAD END, SECTION 30, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PURSUANT TO A PUBLIC HEARING HELD THEREON.

WHEREAS, a special assessment process was initiated for the paving and drainage improvement of Penny Lane, Melaleuca Lane to the dead end (Project) located within a Countywide Community Revitalization Team (CCRT) area, 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, paving and drainage Projects located within CCRT areas are capped at \$25 per abutting footage for benefitting property owners; and

WHEREAS, the Board of County Commissioners (Board) authorized the assessment of \$25 per abutting footage to the benefitting property owners, and allocated an amount not to exceed \$32,500 from the MSTU for the Project at the April 16, 2013 Board meeting; and

WHEREAS, the Office of Community Redevelopment (OCR) will provide \$540,900 toward the cost of the Project. The total cost of the Project is currently estimated at \$573,400; and

WHEREAS, pursuant to Section 26-30.3, the Board did hold a public hearing on the 12th day of July, 2016, 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 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 Penny Lane, Melaleuca Lane to dead end, Section 30, Township 44 South, Range 43 East, is on file in the office of the Clerk and Comptroller of the County and attached hereto as EXHIBIT I and EXHIBIT II respectively, and such assessment shall stand affirmed and remain legal, valid and binding as a first lien upon the property

against which such assessment is made until paid. Promptly after such confirmation of assessment, the assessment roll shall be recorded in the official records of the Clerk and Comptroller of the County to facilitate knowledge of the lien by third parties.

1. 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.

2. Pursuant to the MSTU Special Assessment Ordinance, the following Project is hereby approved: Paving and Drainage Improvement of Penny Lane, Melaleuca Lane to dead end, Section 30, Township 44 South, Range 43 East, Palm Beach County, Florida.

3. 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 and one half percent (5.5%) per annum from the date of the acceptance of said improvement by Palm Beach County and shall be payable in ten (10) equal annual installments.

4. A special assessment in the fixed amount of \$25 per abutting footage shall be collected toward the costs of the Project. The total cost of the Project funded through the MSTU is estimated at \$32,500.

5. The Board 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.

6. 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 if the Board shall be satisfied that such assessment is so irregular or defective that the same cannot be enforced or collected; or if the Board omitted to make any 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 any property specially benefitted by such improvement.

PROJECT NUMBER 2013131

REPORT OF COST

PENNY LANE
PAVING & DRAINAGE IMPROVEMENTS

LEGAL ADVERTISING	<u>\$ 1,265.00</u>
ENGINEERING & SURVEY COSTS	<u>\$ 65,000.00</u>
RIGHT-OF-WAY & EASEMENT COSTS	<u>\$ 30,000.00</u>
CONSTRUCTION COSTS (Contract bid rounded)	<u>\$ 362,320.00</u>
PERMITTING COSTS	<u>\$ 1,700.00</u>
SUB-TOTAL	<u>\$ 460,285.00</u>
ADMINISTRATIVE COSTS, FEES,	<u>\$ 22,000.00</u>
CONSTRUCTION STAFF COSTS (roadway, constuction, traffic)	<u>\$ 71,000.00</u>
CONTINGENCIES	<u>\$ 20,115.00</u>
PROJECT TOTAL	<u>\$ 573,400.00</u>
OCR FUNDING TOTAL	<u>\$ 540,900.00</u>
MSTU APPROVED FUNDS	<u>\$ 32,500.00</u>
ABUTTING FOOTAGE - - - -	<u>1271.1</u>
ASSESSMENT PER FRONTAGE FOOTAGE	<u>\$ 25.00</u>
TOTAL ASSESSED COST	<u>\$ 31,777.50</u>

EXHIBIT 1

RESOLUTION NO. R-2016-
July 12, 2016 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:

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 12th day of July, 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



FUND AGENCY ORG	COMMISSION DISTRICT	SECTION TOWNSHIP RANGE
	3 SHELLEY VANA	

No.	Homeowner	PCN/Legal Description	Assessible Footage	Total Assessment	Annual Cost/Per Year	Notes
1	PRINCE MARVIN &	00-43-44-30-01-086-001.0 PALM BEACH FARMS CO PLAT 7 N 80 FT OF S 355 FT OF E 158.75 FT OF BLK 86	80.00	\$2,000.00	\$267.13	
2	MEJIA INES F	00-43-44-30-01-086-001.1 PALM BEACH FARMS CO PL 7 N 105 FT OF E 158.75 FT OF LT A IN OR1085P102 BLK 86	105.00	\$2,625.00	\$350.61	
3	RANDELL SONYA D	00-43-44-30-01-086-001.2 PALM BEACH FARMS CO PL 7 N 81.1 FT OF W 159 FT OF LT A BLK 86	81.10	\$2,027.50	\$270.80	
4	GUELG WILLIAM M	00-43-44-30-01-086-001.3 PALM BEACH FARMS CO PL 7 SLY 55 FT OF W 158.95 FT OF LT A & NLY 25 FT OF W 158.95 FT OF LT B BLK 86	80.00	\$2,000.00	\$267.13	
5	QUEVEDO FEBY &	00-43-44-30-01-086-001.4 PALM BEACH FARMS CO PL 7 S 30 FT OF E 158.75 FT OF LT A & N 30 FT OF E 158.75 FT OF LT B BLK 86	60.00	\$1,500.00	\$200.35	
6	LAKE WEST REAL LLC	00-43-44-30-01-086-002.1 PALM BEACH FARMS CO PL 7 SLY 30 FT OF W 159 FT OF LT B & NLY 50 FT OF W 159 FT OF LT C BLK 86	80.00	\$2,000.00	\$267.13	

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 and a half (5.5) 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
	3 SHELLEY VANA	

No.	Homeowner	PCN/Legal Description	Assessible Footage	Total Assessment	Annual Cost/Per Year	Notes
7	GONGORA CARLOS M &	00-43-44-30-01-086-002.2 PALM BEACH FARMS CO PL 7 S 30 FT OF E 158.75 FT OF LT B & N 50 FT OF E 158.75 FT OF LTC BLK 86	80.00	\$2,000.00	\$267.13	
8	ESCOBAR MIGUEL Q	00-43-44-30-01-086-002.3 PALM BEACH FARMS CO PL 7 N 80 FT OF S 110 FT OF W 159 FT OF LT B BLK 86	80.00	\$2,000.00	\$267.13	
9	CARDENAS MIGUEL A	00-43-44-30-01-086-002.4 PALM BEACH FARMS CO PL 7 S 75 FT OF N 105 FT OF E 158.75 FT OF LT B BLK 86	75.00	\$1,875.00	\$250.43	
10	HOLGUIN MANUEL	00-43-44-30-01-086-003.1 PALM BEACH FARMS CO PL 7 SLY 5 FT OF W 159 FT OF LT C & NLY 75 FT OF W 159 FT OF LT D BLK 86	80.00	\$2,000.00	\$267.13	
11	STEWART PAULINE	00-43-44-30-01-086-003.2 PALM BEACH FARMS CO PL 7 N 80 FT OF S 85 FT OF W 159 FT OF LT C BLK 86	80.00	\$2,000.00	\$267.13	
12	OTERO MARIANA	00-43-44-30-01-086-003.3 PALM BEACH FARMS CO PL 7 S 5 FT OF E 158.75 FT OF LT C & N 75 FT OF E 158.75 FT OF LT D BLK 86	80.00	\$2,000.00	\$267.13	

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 and a half (5.5) 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
	3 SHELLEY VANA	

No.	Homeowner	PCN/Legal Description	Assessible Footage	Total Assessment	Annual Cost/Per Year	Notes
13	SHAH SHYAM &	00-43-44-30-01-086-004.1 PALM BEACH FARMS CO PL 7 S 60 FT OF E 158.75 FT OF LT D & N 20 FT OF E 158.75 FT OF LT E BLK 86	80.00	\$2,000.00	\$267.13	
14	GRISSETTI ANGIE	00-43-44-30-01-086-004.2 PALM BEACH FARMS CO PL 7 S 60 FT OF W 159 FT OF LT D & N 20 FT OF W 159 FT OF LT E BLK 86	80.00	\$2,000.00	\$267.13	
15	TRIA LINDA S	00-43-44-30-01-086-005.1 PALM BEACH FARMS CO PL 7 E 158.75 OF LT E (LESS S 40 FT RD R/W) BLK 86	75.00	\$1,875.00	\$250.43	
16	ANDERSON KAMAAL &	00-43-44-30-01-086-005.2 PALM BEACH FARMS CO PLAT 7 N 75 FT OF S 115 FT OF W 159.15 FT OF LT E BLK 86	75.00	\$1,875.00	\$250.43	
Totals:			1,271.10	\$31,777.50		

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

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 and a half (5.5) 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.

BUDGET AVAILABILITY STATEMENT

REQUEST DATE: April 26, 2016

REQUESTED BY: Omelio Fernandez
PROJECT TITLE: Penny Lane

PHONE: 561 684 4150

PROJECT NO.: 2013131

LOCATION DESCRIPTION: Penny Lane from Melaleuca Lane to Dead End.

CONTRACTOR/CONSULTANT NAME: R&D Paving

PROVIDE A BRIEF STATEMENT OF THE SCOPE OF SERVICES TO BE PROVIDED BY THE CONSULTANT/CONTRACTOR: Paving & Drainage

WILL THIS AMENDMENT CHANGE THE ESTIMATED COST OF THE PROJECT? Yes. IF YES, PROVIDE ESTIMATES OF THE NEW COSTS:

CONSTRUCTION Costs \$360,000
Including staff costs, testing lab, and miscellaneous construction expenses

TOTAL \$360,000

NOTE: Any unused OCR funds will be transferred back to CCRT Recouped Funding account.

**By signing this BAS your department agrees to these staff costs and your account will be charged upon receipt of this BAS by Engineering and Public Works. Unless there is a change in the scope of work, no additional staff charges will be billed.*

BUDGET ACCOUNT NUMBERS (IDENTIFY ALL SOURCES) FUNDING SOURCE (CHECK ALL THAT APPLY) (Various)

FUND:	3900	DEPT:	366	UNIT:	X006	OBJ:	9909	Amount:	\$100,000
	3900		366		X117		8201		\$100,000
	3900		366		X087		8201		\$160,000

AD VALOREM OTHER / GRANT(S) FEDERAL/DAVIS BACON

If Grant(s), specify name of Grant(s): _____

SUBJECT TO INSPECTOR GENERAL FEE YES NO

BAS APPROVED BY *Lois J. [Signature]* DATE: 05/05/2016

ENCUMBRANCE NUMBER: _____

**BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY
BUDGET Transfer**

FUND Capital Outlay

BGEX 051816-1388

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED AS OF 05/17/16	REMAINING BALANCE
<u>EXPENDITURES</u>								
<u>PENNY LANE PAVING & DRAINAGE IMPROVEMENTS</u>								
3900-366-X169-6551	Road & Street Improvements	0	0	357,000	0	357,000		357,000
3900-366-X169-6555	Pavement Marking & Signals	0	0	3,000	0	3,000		3,000
<u>CCRT RECOUP FUNDING</u>								
3900-366-X006-9909	Res-Improvement Program	349,393	249,393		100,000	149,393		149,393
<u>HOME BEAUTIFICATION IMPROVEMENT GRANT</u>								
3900-366-X087-8201	Contributions-Non-Govts Agnces	202,020	202,020		160,000	42,020		42,020
<u>NEIGHBORHOOD PARTNERSHIP GRANT PROGRAM</u>								
3900-366-X117-8201	Contributions-Non-Govts Agnces	103,524	103,524		100,000	3,524		3,524
TOTAL APPROPRIATIONS & EXPENDITURES		14,014,061	20,293,990	360,000	360,000	20,293,990		

SIGNATURE

DATE

By Board of County Commissioners
At Meeting of 7/12/16

Engineering & Public Works

Alicia Kovalainen
[Signature]

5/18/16
6/24/16

Administration / Budget Approval

OFMB Department – Posted

Deputy Clerk to the
Board of County Commissioners

2016- 0889

**BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY
BUDGET Transfer**

FUND Unincorporated Improvement Fund

BGEX 051816-1389

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED AS OF 05/17/16	REMAINING BALANCE
<u>EXPENDITURES</u>								
<u>PENNY LANE PAVING & DRAINAGE IMPROVEMENTS</u>								
3511-366-X169-6551	Road & Street Improvements	0	0	32,500	0	32,500		32,500
RESERVES-FUND 3511								
3511-365-9900-9919	Reserves	8,938,999	8,985,339		32,500	8,952,839		8,952,839
TOTAL APPROPRIATIONS & EXPENDITURES		9,695,069	9,645,187	32,500	32,500	9,645,187		

Engineering & Public Works
Administration / Budget Approval
OFMB Department – Posted

SIGNATURE
Alicia Kovalainen
[Signature]

DATE
5/18/16
6/24/16

By Board of County Commissioners
At Meeting of 7/12/16

Deputy Clerk to the
Board of County Commissioners