

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: January 15, 2019 **(X) Consent** **() Regular**
 () Ordinance **() Public Hearing**

Department Submitted By: Clerk & Comptroller

Submitted For: BOARD OF COUNTY COMMISSIONERS

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to: A) review for sufficiency Report of County Officials Bonds dated January 2019, and **B) receive and file** Report of County Officials Bonds dated January 2019.

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. (DB) Countywide.

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.

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 12-18-18
Date

Approved by: N/A
County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

| Fiscal Years | 2019 | 2020 | 2021 | 2022 | 2023 |
|---|-------|-------|-------|-------|-------|
| 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 _____

Does this item include the use of Federal Funds? Yes _____ No _____

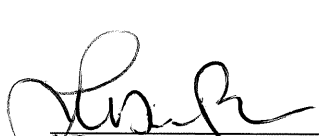
Budget Account No.: Fund _____ Dept. _____ Unit _____ Object _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:
No Fiscal Impact


C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

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



OFMB
12/19/18



Contract Dev. and Control
12/20/18

B. Legal Sufficiency:



Assistant County Attorney
12/26/18

C. Other Department Review:

Department Director

| Report of County Official's Bonds | | | | | | | |
|--|--------------------------------|--------------------|-----------------|--------------|---------------|--------------------------|--------------|
| Sureties Sufficiency Examination | | | | | | | |
| (Required by F.S. 137.05) | | | | | | | |
| Dated: JANUARY 2019 | | | | | | | |
| Office Bonded | | Surety Co Name | Expiration Date | Premium Term | Amount Bonded | Required \$ By ORD 98-51 | Premium Cost |
| Clerk & Comptroller | SHARON R. BOCK | Hartford Fire | January, 2021 | 4 years | \$50,000 | \$50,000 | \$680 |
| Property Appraiser | DOROTHY JACKS | Fidelity & Deposit | January, 2021 | 4 years | \$5,000 | \$5,000 | \$400 |
| Tax Collector | ANNE M. GANNON | Ohio Casualty | January, 2021 | 4 years | \$100,000 | \$100,000 | \$2,438 |
| Supervisor of Election | SUSAN BUCHER | Ohio Casualty | January, 2021 | 4 years | \$5,000 | \$5,000 | \$325 |
| Sheriff | RIC L. BRADSHAW | Western Surety | January, 2021 | 4 years | \$25,000 | \$25,000 | \$425 |
| Sheriff | Deputy Sheriffs (blanket bond) | Travelers Casualty | August, 2019 | 1 year | \$1,000 | \$1,000 | \$100 |
| Commissioner Dist. #1 | HAL R. VALECHE | Hartford Fire | November, 2020 | 4 years | \$2,000 | \$2,000 | \$355 |
| Commissioner Dist. #2 | GREGG K. WEISS | Hartford Fire | November, 2022 | 4 years | \$2,000 | \$2,000 | \$340 |
| Commissioner Dist. #3 | DAVE KERNER | Hartford Fire | November, 2020 | 4 years | \$2,000 | \$2,000 | \$355 |
| Commissioner Dist. #4 | ROBERT S. WEINROTH | Hartford Fire | November, 2022 | 4 years | \$2,000 | \$2,000 | \$340 |
| Commissioner Dist. #5 | MARY LOU BERGER | Hartford Fire | November, 2020 | 4 years | \$2,000 | \$2,000 | \$355 |
| Commissioner Dist. #6 | MELISSA MCKINLAY | Hartford Fire | November, 2022 | 4 years | \$2,000 | \$2,000 | \$340 |
| Commissioner Dist. #7 | MACK BERNARD | Hartford Fire | November, 2020 | 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 & DEPUTY SHERIFF(S) - | F.S. 30.02 |
| SUPERVISOR OF ELECTION - | F.S. 98.015 |
| TAX COLLECTOR - | F.S. 137.02 |
| PROPERTY APPRAISER - | 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. 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 14

1 Section 13. Severability.

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

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

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

12 SECTION 15. Effective Date.

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

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

18 DOROTHY H. WILKEN, CLERK PALM BEACH COUNTY, FLORIDA, BY ITS
19 Board of County Commissioners BOARD OF COUNTY COMMISSIONERS
20 By: [Signature] DEPUTY CLERK
21 COUNTY CLERK
22 COUNTY CLERK
23 COUNTY CLERK
24 COUNTY CLERK
25 COUNTY CLERK
26 COUNTY CLERK
27 COUNTY CLERK
28 COUNTY CLERK

20 APPROVED AS TO FORM AND
21 LEGAL SUFFICIENCY
22 By: Paul F. [Signature]
23 County Attorney

24 By: [Signature]
25 Chairman

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

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ORDINANCE NO. 98-51