

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS**

## AGENDA ITEM SUMMARY

Meeting Date: June 18, 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 June 2019, and **B) receive and file** Report of County Officials Bonds dated June 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 Date 6-3-19

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

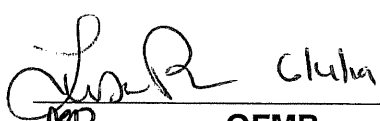
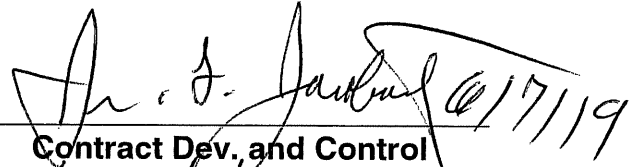
Budget Account No.: Fund Dept. Unit Object

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 9/6/3  
  
Contract Dev. and Control 6/6/19 TW

B. Legal Sufficiency:

  
6/10/19  
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: JUNE 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 Elections	WENDY SARTORY LINK	Old Republic	May, 2022	3 years	\$25,000	\$5,000	\$270
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:**

<b>CLERK &amp; COMPTROLLER -</b>	<b>F.S. 28.02</b>
<b>SHERIFF &amp; DEPUTY SHERIFF(S) -</b>	<b>F.S. 30.02</b>
<b>SUPERVISOR OF ELECTION -</b>	<b>F.S. 98.015</b>
<b>TAX COLLECTOR -</b>	<b>F.S. 137.02</b>
<b>PROPERTY APPRAISER -</b>	<b>F.S. 137.03</b>
<b>COUNTY COMMISSIONERS -</b>	<b>F.S. 137.04</b>

## 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 11

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

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

28                   G:\COMMON\ATTY\WPDATA\ENG\PFK\FINANCE\FIN98\ELCOFIL.ORD

ORDINANCE NO. 98-51