



**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2020	2021	2022	2023	2024
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	=====	=====	=====	=====	=====
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	_____	_____	_____	_____	_____
<b>Is Item Included in Current Budget:</b>		Yes _____	No _____		
<b>Does this item include the use of federal funds?</b>		Yes _____	No _____		
Budget Account No:	Fund _____	Program _____	Dept _____	Unit _____	Object _____

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

Fixed Assets Number N/A

**C. Departmental Fiscal Review:** \_\_\_\_\_

**III. REVIEW COMMENTS**

**A. OFMB Fiscal and/or Contract Development Comments:**

\_\_\_\_\_  
OFMB

\_\_\_\_\_  
Contract Development and Control

**B. Legal Sufficiency:**

\_\_\_\_\_  
Assistant County Attorney

**C. Other Department Review:**

\_\_\_\_\_  
Department Director

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

**ATTACHMENT 1**  
**Proposed Resolution**  
**4 pages**

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, REPEALING AND REPLACING RESOLUTION R-2013-1421; PROVIDING FOR THE PALM BEACH COUNTY PROPERTY REVIEW COMMITTEE; PROVIDING FOR MEMBERSHIP; PROVIDING FOR MEETINGS AND ORGANIZATION; PROVIDING FOR REMOVAL; PROVIDING FOR DUTIES AND FUNCTIONS; PROVIDING FOR BOARD ACTION ADVISORY ONLY; PROVIDING FOR ASSISTANCE TO THE COMMITTEE; PROVIDING FOR SEVERABILITY; PROVIDING FOR UNIFORM POLICIES AND PROCEDURES; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners of Palm Beach County adopted Ordinance No. 2009-052 on December 15, 2009, which ordinance, among other things, required the Board to create by resolution a committee to be named the "Property Review Committee" to review, evaluate and advise the Board regarding real estate transactions involving the purchase (including eminent domain), sale or exchange of fee simple title to real property if certain triggers or thresholds are met; and

**WHEREAS**, the Board established the Property Review Committee on February 23, 2010, pursuant to Resolution R-2010-0292; and

**WHEREAS**, Resolution R-2010-0292 was repealed and replaced by Resolution R-2013-1421 in order to be in compliance with the Board of County Commissioners' uniform policies and procedures on advisory boards as provided for in Resolution R-2013-0193; and

**WHEREAS**, there is a need to reduce the number of members of the Property Review Committee in order to find sufficient members willing to serve on the Committee; and

**WHEREAS**, repealing and replacing Resolution R-2013-1421, pertaining to the Property Review Committee will simplify future reference.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

Section 1. Repeal and replacement of Prior Resolution. Resolution R-2013-1421 is hereby repealed and replaced in its entirety.

Section 2. Creation. There is hereby established a committee to be known as the Palm Beach County Property Review Committee.

Section 3. Membership.

- a. The Property Review Committee shall consist of three (3) members. Appointments shall be based upon nominations of individuals with the following qualifications:
  1. One (1) representative from the Palm Beach County Property Appraiser's Office;
  2. One (1) representative licensed as a real estate broker with an office in Palm Beach County and expertise in Palm Beach County commercial real estate.
  3. One (1) representative with expertise in land planning, eminent domain and/or real estate law who is a licensed attorney with offices in Palm Beach County.
- b. Appointment of new members to fill vacancies and reappointment of members whose terms have expired shall be made at large by the Board of County Commissioners. Should a vacancy occur among the three (3) member categories identified in 3.a. that cannot be filled by that group, that vacancy may be filled by a county resident having experience in real estate valuation or eminent domain. Vacancies occurring during a term shall be filled for the unexpired portion of the term, and shall not count toward the member's term limits.
- c. Members shall serve for staggered terms of three (3) years, with a limit of three (3) consecutive terms. Terms shall begin on October 1<sup>st</sup> and end on September 30<sup>th</sup>. Current members' terms shall expire on September 30<sup>th</sup> of the year in which their term expires. The property appraiser representatives appointed as members shall have discretion to delegate authority to other staff members of such property appraiser's office to represent such office on the Property Review Committee as such representatives deems appropriate.
- d. No member may serve on more than three (3) boards at any one time, except that no member may serve on any other board if doing so would violate Article II, Section 5(a) of the Florida Constitution, which prohibits dual-office holding.

Section 4. Meetings and Organization. The Committee shall establish a time and place for holding meetings as may be necessary and shall adopt such rules of organization and procedure as

may be required. A majority of members of the Committee shall constitute a quorum for the transaction of business and the concurrence of a majority of the members present and voting shall be required to take any official action. All meetings of the Committee and any of its subcommittees shall be open to the public, duly advertised and otherwise comply with all applicable requirements of Florida's "Sunshine" Law as set forth in Chapter 286 Florida Statutes. Minutes shall be taken at each meeting.

Section 5. Removal. All members serve at the pleasure of the Board of County Commissioners and may be removed without cause upon majority vote by the Board of County Commissioners. Any member that fails to attend three (3) consecutive meetings or that fails to attend more than one-half of the meetings scheduled during a calendar year shall be automatically removed for lack of attendance. Participation for less than three-fourths of a meeting shall be the same as failure to attend a meeting.

Section 6. Duties and Functions. The Committee shall have the following duties and functions:

- a. To review, evaluate and advise the Board of County Commissioners regarding real estate transactions required to be reviewed by the Property Review Committee pursuant to Palm Beach County Ordinance No. 2009-052, as may be amended, or which may otherwise be presented to the Property Review Committee by the County.

Section 7. Committee Action Advisory Only. The actions, decisions, and recommendations of the Property Review Committee shall not be final or binding on the Board of County Commissioners but shall be advisory only.

Section 8. Assistance to the Committee. The Property Review Committee may call upon any department or other agency of the County, regional, state, federal, or local governments for information or advice in the performance of its duties and function. County government will provide legal, administrative and consultant support and facilities as needed which is hereby declared to be a County purpose. Staff from the Property and Real Estate Management Division of the Facilities Development and Operations Department shall provide administrative support to the Committee. The County Attorney's office shall act as legal counsel to the Property Review Committee at all its meetings and shall provide such legal advice and assistance as may be requested by the Committee.

Section 9. Uniform Policies and Procedures of Advisory Boards. The Property Review Committee shall be subject to the uniform policies and procedures established by the Board of County Commissioners for Advisory Boards as currently set forth in Resolution No. 2013-0193, as may be amended by action of the Board of County Commissioners.

Section 10. Severability. If any section, sentence, clause, phrase, or word of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holdings shall in no way affect the validity of the remaining portions of this Resolution.

Section 11. Future Review. The Board shall review the effectiveness of the Property Review Committee on or about February 23, 2025 to determine whether a public need exists for the continuation of such Committee.

Section 12. Effective Date. This Resolution shall take effect immediately upon its adoption.

The foregoing Resolution was offered by Commissioner \_\_\_\_\_ who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, was as follows:

	ABSENT	AYE	NAY
Comm. Mack Bernard, Mayor	_____	_____	_____
Comm. Dave Kerner, Vice Mayor	_____	_____	_____
Comm. Hal R. Valeche	_____	_____	_____
Comm. Gregg K. Weiss	_____	_____	_____
Comm. Robert S. Weinroth	_____	_____	_____
Comm. Mary Lou Berger	_____	_____	_____
Comm. Melissa McKinlay	_____	_____	_____

The Mayor thereupon declared the Resolution duly passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

PALM BEACH COUNTY, FLORIDA, BY ITS  
BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK, CLERK & COMPTROLLER

By: \_\_\_\_\_  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

By: \_\_\_\_\_  
Assistant County Attorney

**RESOLUTION NO. R-2013-1421**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, REPEALING AND REPLACING RESOLUTION R2010-0292; PROVIDING FOR THE PALM BEACH COUNTY PROPERTY REVIEW COMMITTEE; PROVIDING FOR MEMBERSHIP; PROVIDING FOR MEETINGS AND ORGANIZATION; PROVIDING FOR REMOVAL; PROVIDING FOR DUTIES AND FUNCTIONS; PROVIDING FOR BOARD ACTION ADVISORY ONLY; PROVIDING FOR ASSISTANCE TO THE COMMITTEE; PROVIDING FOR SEVERABILITY; PROVIDING FOR UNIFORM POLICIES AND PROCEDURES; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Board of County Commissioners of Palm Beach County adopted Ordinance No. 2009-052 on December 15, 2009, which ordinance, among other things, requires the Board to create by resolution a committee to be named the "Property Review Committee" to review, evaluate and advise the Board regarding real estate transactions involving the purchase (including eminent domain), sale or exchange of fee simple title to real property if certain triggers or thresholds are met; and

WHEREAS, the Board established the Property Review Committee on February 23, 2010, pursuant to Resolution R-2010-0292; and

WHEREAS, there is a need to amend the resolution pertaining to the Property Review Committee to bring the resolution into compliance with the Board of County Commissioners' uniform policies and procedures on advisory boards as provided for in Resolution R-2013-0193; and

WHEREAS, repealing and replacing Resolution R-2010-0292, pertaining to the Property Review Committee will simplify future reference.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

Section 1. Repeal and replacement of Prior Resolution. Resolution R2010-0292 is hereby repealed and replaced in its entirety.

Section 2. Creation. There is hereby established a committee to be known as the Palm Beach County Property Review Committee.

Section 3. Membership.

- a. The Property Review Committee shall consist of five (5) members. Appointments shall be based upon nominations from the following:
1. One (1) representative from the Palm Beach County Property Appraiser's Office;
  2. One (1) representative from the Broward County Property Appraiser's Office, the Martin County Property Appraiser's Office or an MAI certified appraiser with offices in Palm Beach County and expertise in the appraisal of Palm Beach County real estate.
  3. One (1) representative licensed as a real estate broker with an office in Palm Beach County and expertise in Palm Beach County commercial real estate.
  4. One (1) representative with expertise in land planning employed by a governmental agency with an office in Palm Beach County or recommended by the Palm Beach County Planning Congress;
  5. One (1) representative with expertise in eminent domain employed as an attorney by a governmental agency with offices in Palm Beach County or in private practice with expertise in eminent domain and an office in Palm Beach County.
- b. Appointment of new members to fill vacancies and reappointment of members whose terms have expired shall be made at large by the Board of County Commissioners. Should a vacancy occur among the five (5) member categories identified in 3.a. that cannot be filled by that group, that vacancy may be filled by a county resident having experience in real estate valuation or eminent domain. Vacancies occurring during a term shall be filled for the unexpired portion

of the term, and shall not count toward the member's term limits.

- c. Members shall serve for staggered terms of three (3) years, with a limit of three (3) consecutive terms. Terms shall begin on October 1<sup>st</sup> and end on September 30<sup>th</sup>. Current members' terms shall expire on September 30<sup>th</sup> of the year in which their term expires. The property appraiser representatives appointed as members shall have discretion to delegate authority to other staff members of such property appraiser's office to represent such office on the Property Review Committee as such representatives deems appropriate.
- d. No member may serve on more than three (3) boards at any one time, except that no member may serve on any other board if doing so would violate Article II, Section 5(a) of the Florida Constitution, which prohibits dual-office holding.

Section 4. Meetings and Organization. The Committee shall establish a time and place for holding meetings as may be necessary and shall adopt such rules of organization and procedure as may be required. A majority of members of the Committee shall constitute a quorum for the transaction of business and the concurrence of a majority of the members present and voting shall be required to take any official action. All meetings of the Committee and any of its sub-committees shall be open to the public, duly advertised and otherwise comply with all applicable requirements of Florida's "Sunshine" Law as set forth in Chapter 286 Florida Statutes. Minutes shall be taken at each meeting.

Section 5. Removal. All members serve at the pleasure of the Board of County Commissioners and may be removed without cause upon majority vote by the Board of County Commissioners. Any member that fails to attend three (3) consecutive meetings or that fails to attend more than one-half of the meetings scheduled during a calendar year shall be automatically removed for lack of attendance. Participation for less than three-fourths of a meeting shall be the same as failure to attend a meeting.

Section 6. Duties and Functions. The Committee shall have the following duties and functions:

- a. To review, evaluate and advise the Board of County Commissioners regarding real estate transactions required to be reviewed by the Property Review Committee pursuant to Palm Beach County Ordinance No. 2009-052, as may be amended, or which may otherwise be presented to the Property Review Committee by the County.

Section 7. Committee Action Advisory Only. The actions, decisions, and recommendations of the Property Review Committee shall not be final or binding on the Board of County Commissioners but shall be advisory only.

Section 8. Assistance to the Committee. The Property Review Committee may call upon any department or other agency of the County, regional, state, federal, or local governments for information or advice in the performance of its duties and function. County government will provide legal, administrative and consultant support and facilities as needed which is hereby declared to be a County purpose. Staff from the Property and Real Estate Management Division of the Facilities Development and Operations Department shall provide administrative support to the Committee. The County Attorney's office shall act as legal counsel to the Property Review Committee at all its meetings and shall provide such legal advice and assistance as may be requested by the Committee.

Section 9. Uniform Policies and Procedures of Advisory Boards. The Property Review Committee shall be subject to the uniform policies and procedures established by the Board of County Commissioners for Advisory Boards as currently set forth in Resolution No. 2013-0193, as may be amended by action of the Board of County Commissioners.

Section 10. Severability. If any section, sentence, clause, phrase, or word of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holdings shall in no way affect the validity of the remaining portions of this Resolution.

Section 11. Future Review. The Board shall review the effectiveness of the Property Review Committee on or about February 23, 2015 to determine whether a public need exists for the continuation of such Committee.

Section 12. Effective Date. This Resolution shall take effect immediately upon its adoption.

The foregoing Resolution was offered by Commissioner Taylor who moved its adoption. The motion was seconded by Commissioner Burdick and upon being put to a vote, was as follows:

	ABSENT	AYE	NAY
Comm. Steven L. Abrams, Mayor	_____	<u>X</u>	_____
Comm. Priscilla A. Taylor, Vice Mayor	_____	<u>X</u>	_____
Comm. Hal R. Valeche	_____	<u>X</u>	_____
Comm. Paulette Burdick	_____	<u>X</u>	_____
Comm. Shelley Vana	_____	<u>X</u>	_____
Comm. Mary Lou Berger	_____	<u>X</u>	_____
Comm. Jess R. Santamaria	_____	<u>X</u>	_____

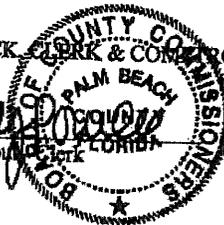
The Mayor thereupon declared the Resolution duly passed and adopted this 22nd day of October, 2013.

PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK, CLERK & COMPTROLLER

By: [Signature]

Deputy Clerk



APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: [Signature]

Assistant County Attorney