

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

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Meeting Date: July 7, 2020  Consent  Regular  
 Workshop  Public Hearing  
Department: Engineering & Public Works  
Submitted By: Engineering & Public Works  
Submitted For: Roadway Production Division

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I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to:

- A) **adopt** a resolution to amend the original Municipal Service Taxing Unit (MSTU) special assessment amount, for paving and drainage improvements of Bishoff Road from the dead end to Jog Road (Project), from \$249.46 to the actual cost of \$233.18 per abutting footage and accept the project;
- B) **authorize** the Palm Beach County Tax Collector and the Clerk & Comptroller’s Office to process and collect the assessment; and
- C) **approve** acceptance of Bishoff Road from the dead end to Jog Road to the Palm Beach County (County) Road Maintenance Inventory.

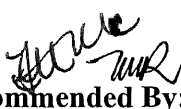


**SUMMARY:** Adoption of this Resolution will serve to amend the special assessment for the project. This will allow the assessment payments to be processed and collected by the Tax Collector and the Clerk & Comptroller’s Office. On July 10, 2018, the BCC held a public hearing to adopt Resolution R-2018-1058 confirming the special assessment for the project. The initial special assessment amount was estimated at \$331,500 or \$249.46 per abutting footage for benefitting properties within the project limits. The updated total assessment is \$233.18 per abutting footage to all 14 benefitting property owners along Bishoff Road payable in 20 equal annual installments at an interest rate of five and one-half percent (5.5%) per annum as set by the Board of County Commissioners (BCC). Bishoff Road, dead end to Jog Road, will be changed from being courtesy maintained to full County ownership and maintenance. District 2 (YBH)


**Background and Justification:** The final cost of the project is \$309,868.24, which equates to \$233.18 per abutting footage. Upon approval of this item, the Tax Collector’s Office and the Clerk & Comptroller’s Office will process and collect the assessment from the project’s property owners. Bishoff Road will be changed from privately owned to full County ownership and maintenance.

**Attachments:**

- 1. Location Sketch
- 2. Resolution with Exhibits I and II

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Recommended By:   5/28/2020  
YBH County Engineer Date  


Approved By:  \_\_\_\_\_  
Assistant County Administrator Date

**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	2020	2021	2022	2023	2024
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  
 Does this item include the use of federal funds? Yes No X

**Budget Account No:**  
 Fund 3511 Dept 365 Unit S210 Object

**Recommended Sources of Funds/Summary of Fiscal Impact:**

\*\* No fiscal impact. This Board action finalizes the assessment roll which was approved at the July 10, 2018 Public Hearing. Fiscal impact for the project was presented at that time. This agenda item finalizes the paving and drainage improvement project and formally accepts the roadway maintenance.

**C. Departmental Fiscal Review:** Alicia Kovalainen

**III. REVIEW COMMENTS**

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

[Signature] 3/11/2020  
 OFMB 3/19  
 3/19

[Signature] 6/19/2020  
 Contract Dev. and Control 3/23/2020 TW  
 6-4-20 TW

**B. Approved as to Form and Legal Sufficiency:**

[Signature]  
 Assistant County Attorney  
 Heligaeta B. Horman

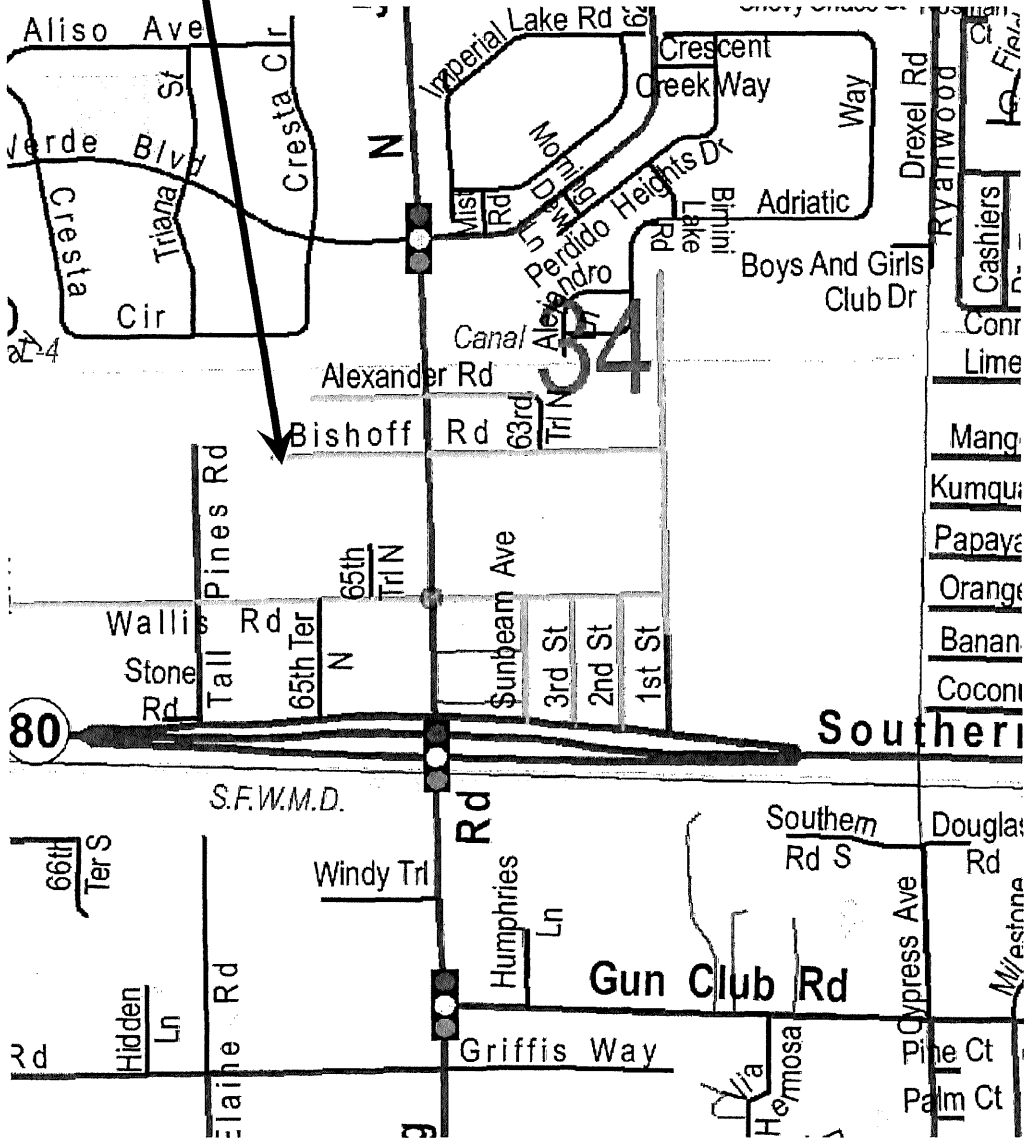
**C. Other Department Review:**

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

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

**PROJECT LOCATION  
BISHOFF ROAD, DEAD END TO JOG ROAD**

**PALM BEACH COUNTY  
PROJECT NO. 2016085**



**LOCATION MAP**

**RESOLUTION NO. R2020-**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING RESOLUTION 2018-1058 PERTAINING TO THE MUNICIPAL SERVICE TAXING UNIT (MSTU) SPECIAL ASSESSMENT FOR PAVING AND DRAINAGE IMPROVEMENTS ON BISHOFF ROAD, FROM THE DEAD END TO JOG ROAD, SECTION 34, TOWNSHIP 43 SOUTH, RANGE 42 EAST.**

**WHEREAS**, a special assessment process was initiated for the paving and drainage improvements on Bishoff Road, from the dead end to Jog Road (PROJECT), pursuant to Palm Beach County Code Chapter 26, Article II, Division 1, known as the Municipal Service Taxing Unit (MSTU) Special Assessment Ordinance (ORDINANCE); and

**WHEREAS**, Resolution R-2018-1058 confirming the special assessment process for the PROJECT was approved by the Board of County Commissioners (BCC) at a public hearing held on July 10, 2018; and

**WHEREAS**, the initial special assessment amount was estimated at \$331,500 or \$249.46 per abutting footage for benefitting properties within the PROJECT; and

**WHEREAS**, the final cost of the PROJECT is \$309,868.24 or \$233.18 per abutting footage; and

**WHEREAS**, this Resolution amends the special assessment for the PROJECT at an amount of \$233.18 per abutting footage to the benefitting property owners, payable in twenty (20) equal annual installments, at an interest rate of five and one half percent (5.5%) per annum; and

**WHEREAS**, the BCC finds that the public notice and public hearing requirements of the ORDINANCE have been met.

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

1. The above recitals are true and are incorporated herein.
2. The Report of Costs and the Special Assessment Roll for the PROJECT in Section 34, Township 43 South, Range 42 East, are on file in the office of the Clerk and Comptroller of Palm Beach County (Clerk and Comptroller) 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 as a first lien upon the property against which such assessment is made until paid and to provide notice of the lien to third parties.

3. The said special assessment is hereby made upon all parcels of land described in said Special Assessment Roll in the amount shown thereon.
4. Pursuant to the ORDINANCE, the PROJECT is hereby accepted.
5. Pursuant to the 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 PROJECT, shall be subject to interest at a rate of five and one half percent (5.5%) per annum and shall be payable in twenty (20) equal annual installments.
6. The total cost of the PROJECT is \$309,868.24 as shown in EXHIBIT I. 100% of the cost of the PROJECT will be paid for by special assessment.
7. The BCC further finds that each parcel listed on EXHIBIT II will obtain a special benefit which is at least equal to the amount of the special assessment made against each parcel.
8. Pursuant to Section 26-30.6 of the ORDINANCE, if any special assessment made under the provisions of this ORDINANCE 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 BCC shall be satisfied that such assessment is so irregular or defective that the same cannot be enforced or collected, or if the BCC omitted to make such assessment when it might have done so, the BCC 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, following the provisions of this ORDINANCE.

**THIS SPACE LEFT BLANK INTENTIONALLY**

RESOLUTION NO. R2020-  
July 7, 2020

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 3:	Dave Kerner, Mayor	_____
District 4:	Robert S. Weinroth, Vice Mayor	_____
District 1:	Hal R. Valeche	_____
District 2:	Gregg K. Weiss	_____
District 5:	Mary Lou Berger	_____
District 6:	Melissa McKinlay	_____
District 7:	Mack Bernard	_____

The Mayor thereupon declared the Resolution duly passed and adopted this 7<sup>th</sup> day of July, 2020.

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: YBH *Anne Delgant*  
for Yelizaveta B. Herman Assistant County Attorney

**REPORT OF COSTS  
PROJECT # 2016085  
BISHOFF ROAD, DEAD END TO JOG ROAD**

**RIGHT OF WAY**

STAFF CHARGES	\$ 2,250.40
<b>TOTAL RIGHT OF WAY</b>	<b>\$ 2,250.40</b>

**DESIGN**

STAFF CHARGES	
ROADWAY	\$ 23,667.45
CONST. COORD	\$ 63.73
TRAFFIC	\$ 77.40
CIVIL DESIGN	\$ 50,841.61
WFTV INC	\$ 1,437.92
ADMINISTRATIVE ADJUSTMENT	\$ (1.80)
<b>TOTAL DESIGN</b>	<b>\$ 76,086.31</b>

**ROAD & STREET IMPROVEMENTS**

STAFF CHARGES	
ROADWAY	\$ -
CONST. COORD	\$ 24,607.93
TRAFFIC	\$ 10,802.97
ALMAZAN CONSTRUCTION, LLC	\$ 191,275.69
RADISE INTERNATIONAL, L.C.	\$ 4,078.40
SOUTHWIDE INDUSTRIES, INC.	\$ 245.85
SIGN	\$ 520.69
<b>TOTAL ROAD &amp; STREET IMPROVEMENTS</b>	<b>\$ 231,531.53</b>
<b>TOTAL PROJECT COSTS</b>	<b>\$ 309,868.24</b>
<b>ABUTTING FOOTAGE:</b>	<b>1,328.88</b>
<b>ASSESSMENT PER ABUTTING FOOTAGE:</b>	<b>\$ 233.18</b>



FUND AGENCY ORG	COMMISSION DISTRICT	SECTION TOWNSHIP RANGE
	2 GREGG K. WEISS	34 43S 42E

No.	Homeowner	PCN/Legal Description	Assessable Footage	Assessment	Cost/Per Year	Notes
1	FIVE PARTNERS LTD	00-42-43-27-05-005-064.0 PALM BEACH FARMS CO PL 3 E 73 FT OF W 584 FT OF S 1/4 OF TR 45 (LESS N 25 FT RD R/W)BLK 5	73.00	\$17,022.14	\$1,441.08	
2	PEREZ MIGUEL &	00-42-43-27-05-005-094.1 PALM BEACH FARMS CO PL 3 W 100 FT OF E 238 FT OF N 1/2 OF S 1/2 OF TR 45 (LESS S 25 FT RD R/W)	100.00	\$23,318.00	\$1,974.08	
3	BENNETT GERILYN S	00-42-43-27-05-005-094.2 PALM BEACH FARMS CO PL 3 W 122 FT OF N 1/2 OF S 1/2 OF TR 45 (LESS S 25 FT RD R/W)BLK 5	122.00	\$28,447.96	\$2,408.38	
4	FIVE PARTNERS LTD	00-42-43-27-05-005-095.1 PALM BEACH FARMS CO PL 3 E 219 FT OF W 511 FT OF S 1/4 OF TR 45 (LESS N 25 FT RD R/W)BLK 5	219.00	\$51,066.42	\$4,323.23	
5	FLY IN WHEELS M C INC	00-42-43-27-05-005-095.2 PALM BEACH FARMS CO PL 3 W 73 FT OF S 1/4 OF TR 45 (LESS N 25 FT RD R/W) BLK 5	73.00	\$17,022.14	\$1,441.08	
6	FLY IN WHEELS M C INC	00-42-43-27-05-005-095.3 PALM BEACH FARMS CO PL 3 E 73 FT OF W 146 FT OF S 1/4 OF TR 45 (LESS N 25 FT RD R/W)BLK 5	73.00	\$17,022.14	\$1,441.08	

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 twenty equal annual installments of principal and interest.





<b>FUND AGENCY ORG</b>	<b>COMMISSION DISTRICT</b>	<b>SECTION TOWNSHIP RANGE</b>		
	2 GREGG K. WEISS	34	43S	42E

No.	Homeowner	PCN/Legal Description	Assessable Footage	Assessment	Cost/Per Year	Notes
7	6515 BISHOFF ROAD LLC	00-42-43-27-05-005-096.0 PALM BEACH FARMS CO PL 3 W 100 FT OF E 138 FT OF N 1/2 OF S 1/2 OF TR 45 (LESS S 25 FT BISHOFF DRIVE & ELY 47.16 FT JOG RD R/W/S) BLK 5	76.88	\$17,926.88	\$1,517.67	
8	MARTIN LARRY &	00-42-43-27-05-005-097.0 PALM BEACH FARMS CO PL 3 W 100 FT OF E 338 FT OF N 1/2 OF S 1/2 OF TR 45 (LESS S 25 FT RD R/W) BLK 5	100.00	\$23,318.00	\$1,974.08	
9	RODRIGUEZ PEDRO R	00-42-43-27-05-005-098.0 PALM BEACH FARMS CO PL 3 W 100 FT OF E 438 FT OF N 1/2 OF S 1/2 OF TR 45 (LESS S 25 FT RD R/W) BLK 5	100.00	\$23,318.00	\$1,974.08	
10	LAKE WEST REAL LLC	00-42-43-27-05-005-102.0 PALM BEACH FARMS CO PL 3 W 100 FT OF E 538 FT OF N 1/2 OF S 1/2 OF TR 45 (LESS S 25 FT RD R/W) BLK 5	100.00	\$23,318.00	\$1,974.08	
11	MORROS ANTHONY	00-42-43-27-05-005-108.0 PALM BEACH FARMS CO PLAT NO 3 E 230 FT OF N 124 FT OF S 264 FT OF TR 46 BLK 5	73.00	\$17,022.14	\$1,441.08	
12	412 TALL PINES LLC	00-42-43-27-05-005-109.1 PALM BEACH FARMS CO PL 3 S 140 FT OF E 144 FT OF TR 46 BLK 5	73.00	\$17,022.14	\$1,441.08	

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 twenty equal annual installments of principal and interest.



FUND AGENCY ORG	COMMISSION DISTRICT	SECTION TOWNSHIP RANGE
	2 GREGG K. WEISS	34 43S 42E

No.	Homeowner	PCN/Legal Description	Assessable Footage	Assessment	Cost/Per Year	Notes
13	RIDGE BEVERLY V	00-42-43-27-05-005-501.0 PALM BEACH FARMS CO PL 3 E 73 FT OF W 219 FT OF S 1/4 OF TR 45 (LESS N 25 FT RD R/W)BLK 5	73.00	\$17,022.14	\$1,441.08	
14	THIBODEAU LAURABELLE	00-42-43-27-05-005-502.0 PALM BEACH FARMS CO PL 3 E 73 FT OF W 292 FT OF S 1/4 OF TR 45 (LESS N 25 FT RD R/W)BLK 5	73.00	\$17,022.14	\$1,441.08	
<b>Totals:</b>			1,328.88	\$309,868.24		

**NOTES**

- 1 ASSIGNED FRONT FOOTAGE
- 2 ASSIGNED AVERAGE FRONT FOOTAGE
- 3 50% OF SUM OF ALL ABUTTING FOOTAGE
- 4 ASSESSMENT FOR THIS PCN WAS SATISFIED FOR THE SPLIT
- 5 ACTIVE ASSESSMENT SPLIT; PRE-SPLIT PAYMENTS APPLIED TO ORIGINAL PCN; ORIGINAL ASSESSMENT ADJUSTED TO EQUALIZE REMAINING PAYMENTS
- 6 LOTS COMBINED INTO ONE PCN/LEGAL DESCRIPTION
- 7 PAID IN FULL

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 twenty equal annual installments of principal and interest.