



Legislation Details (With Text)

File #: 18-0707

Type: Public Hearing **Status:** Passed

In control: Board of County Commissioners

On agenda: 9/11/2018 **Final action:** 9/11/2018

Title: PUBLIC HEARING AND FINAL ASSESSMENT RESOLUTION FOR THE MACK DAIRY ROAD MUNICIPAL SERVICE BENEFIT UNIT

Sponsors:

Indexes:

Code sections:

Attachments: 1. Final Assessment Resolution (Mack Dairy), 2. 2018-09-11 PH-4 SupplementalMemo, 3. MackDairy_AppendixA_ProofOfPublication, 4. MackDairy_AppendixB_SignedAffidavitOfMailing, 5. MackDairy_AppendixD_AssessmentRoll

Date	Ver.	Action By	Action	Result
9/11/2018	1	Board of County Commissioners	approved	Pass

PLACEMENT: Public Hearings

TITLE:

PUBLIC HEARING AND FINAL ASSESSMENT RESOLUTION FOR THE MACK DAIRY ROAD MUNICIPAL SERVICE BENEFIT UNIT

EXECUTIVE SUMMARY:

The Board of County Commissioners is requested to hold a public hearing and adopt the Final Assessment Resolution for the Mack Dairy Road Municipal Service Benefit Unit to allow for roadway improvements generally described as milling, resurfacing and widening of Mack Dairy Road from Indiantown Road to approximately 200 feet north of Old Indiantown Road as part of a plan to transfer operations and maintenance of Mack Dairy Road to Palm Beach County.

DEPARTMENT: Public Works

PREPARED BY: **Name:** George Dzama, P.E.
Title: Capital Projects Manager

REQUESTED BY: Ranch Colony Property Owners' Association, Inc., The Links Property Owners' Association, Inc., and Don Donaldson, P.E., Deputy County Administrator

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

A request was made to Palm Beach County from the property owners within Ranch Colony Property

Owners' Association (POA) for Mack Dairy Road to be improved and enlarged and subsequently turned over to Palm Beach County for operation and maintenance. The subject roadway is located in Palm Beach County and is the sole ingress and egress for certain residents in Martin County. Palm Beach County mandated the roadway be upgraded to Palm Beach County Roadway Standards before acceptance into Palm Beach County inventory as a roadway asset. Accordingly, Martin County and Palm Beach County have entered into an Interlocal Agreement setting forth the terms and conditions under which such road improvements are to be constructed and the methodology for apportioning the costs of such improvements between Martin County and Palm Beach County. Although a petition of the landowners within the Ranch Colony POA was used to initiate the proposed Mack Dairy Road Improvements, a formal petition and balloting process was not undertaken in connection with the proposed creation of the Mack Dairy Road Municipal Service Benefit Unit and is not required under Florida Law.

Martin County has funded the share, being one-third, of the proposed project within the County's FY17 Capital Improvement Plan. Martin County has also proactively provided design and permitting for the construction of the project. Palm Beach County has also funded a third of the proposed project within Palm Beach County's FY18 Capital Improvement Plan. Property owners within Ranch Colony POA and two additional subdivisions which Mack Dairy Road services shall be equally and fairly assessed for a cumulative one third contribution to the proposed project.

On July 24, 2018, the Board of County Commissioners adopted the Initial Assessment Resolution #18-7.16 for the Mack Dairy Road Municipal Service Benefit Unit.

Based on final design, the initial prepayment amount is estimated to be \$1,175.89 per parcel unit (single family dwelling unit equivalent). Amortizing the project over a 15 year period at an interest rate of 3.5% will result in an estimated annual payment of \$111.89 per parcel unit. The annual payment will also include a total of 8.75% in fees: 2% Tax Collector fee, 2.75% tax roll preparer and legal consultants, and 4% adjustment for early tax bill payments. This project will be financed through internal borrowing as described below under Fiscal Impact. The annual payment will be included in the tax bill to be mailed in October 2018. The proposed assessment will include 261 properties at 361.43 parcel units.

As required by the Initial Assessment Resolution, a copy of the Preliminary Assessment Roll for the project has been prepared and is available and open to the public in the Office of the County Administrator.

As required by the Initial Assessment Resolution, notice of public hearing was published and also mailed, via first class mail, to each property owner within the proposed assessment area at least 20 days' prior to the public hearing on September 11, 2018.

The construction and pervious paving services will be contracted under the County's Annual Requirements contract RFB#2017-2916.

The Final Assessment Resolution completes the process authorizing the imposition of the assessment for the Mack Dairy Road Municipal Service Benefit Unit (MSBU) The Final Assessment Resolution confirms the methodology and findings in the Initials Assessment Resolution, creates the MSBU, imposes the maximum annual assessment for the MSBU and adopts the final assessment roll.

Appendix A (Proof of Publication), Appendix B (Signed Affidavit of Mailing), and Appendix D

(Assessment Roll) of the Final Assessment Resolution will be submitted via Supplemental Memo.

ISSUES:

None

LEGAL SUFFICIENCY REVIEW:

Chris Traber, the County's Special Assessment Counsel, has prepared the Final Assessment Resolution, reviewed the agenda summary and confirmed that the form of each is proper.

RECOMMENDED ACTION:

RECOMMENDATION

1. Move that the Board adopt the Final Assessment Resolution for Mack Dairy Road; and
2. Move that the Board certify and approve the Special Assessment Roll to the Tax Collector by September 15, 2018.

ALTERNATIVE RECOMMENDATIONS

Provide staff direction.

FISCAL IMPACT:

RECOMMENDATION

None

Funding Source	County Funds	Non-County Funds
MSBU		\$425,000.00
Subtotal		
Project Total		

ALTERNATIVE RECOMMENDATIONS

None

DOCUMENT(S) REQUIRING ACTION:

- ☐ Budget Transfer / Amendment ☐ Chair Letter ☐ Contract / Agreement
☐ Grant / Application ☐ Notice ☐ Ordinance ☒ Resolution
☐ Other: