

TOWN OF PALM BEACH

Information for Special Town Council Meeting on: September 12, 2023

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Robert Miracle, Deputy Town Manager, Finance and Administration

Re: Via Fontana Underground Assessment Area – Adoption of Assessment Roll and Capital Assessments for FY2024
Resolution No. 115-2023

Date: September 1, 2023

STAFF RECOMMENDATION

Staff recommends the Mayor and Town Council adopt Resolution No. 115-2023, which is the Annual Rate Resolution for the proposed assessments for the Via Fontana Underground Assessment Area in FY2024.

GENERAL INFORMATION

The non-ad valorem assessment process that causes special assessments implemented by the Town to appear on a property owner's property tax bill dovetails with the statewide budget and millage rate adoption schedule. Accordingly, it is time to begin the final steps of implementing the FY2024 proposed debt service and maintenance assessments for the Via Fontana Underground Assessment Area that will appear on a property owner's tax bill mailed on or about November 1. By adopting Resolution No. 115-2023 you will be concluding a process whereby each affected property owner was advised of the amount of their proposed improvement and maintenance assessments and the date, time, and place of this public hearing to adopt the final assessment and associated assessment roll on the Property Appraiser's TRIM notice issued in August of this year.

The Via Fontana net assessment for FY2024 has been calculated as follows:

Cost Description	
Original Principal	\$ 224,672.15
Outstanding Principal	101,202.33
Anticipated Funding Agreement Required Principal Payment	11,233.61
Estimated Interest Payment @ 0.33%	333.97
Interest Rate Surcharge @ 1%	1,012.02
Estimated Attorney Fees	300.00
Estimated Postage (\$.60 x 4 properties)	2.00
Estimated PB Post Advertisement	1,000.00
Property Appraiser Administrative Fees	150.00
Final FY2024 Total Net Assessment	\$ 14,031.60

In order to place assessments on the property tax bill, which virtually assures that the Town will receive payment and avoid having to create an internal billing and collection function, a number of steps are required to be taken in coordination with the Tax Collector and Property Appraiser. The Tax Collector

charges a fee for the work they undertake on the Town's behalf that is 1% of the value of the assessments. The Property Appraiser fee for FY2024 is \$150.00, which has been included as shown above. These costs are passed on to a property owner being assessed. In addition, since a property owner can receive a 4% discount for early payment of their property tax bill in November of each year, the assessments have to be adjusted upward by like amount to ensure the sum needed to pay expenses is realized in full. All totaled, for every \$100 in assessments the Town needs to collect, the assessment will be approximately \$105 in order to net the \$100 needed.

The additional 5 percent is attributable as follows:

- Tax Collector - 1%
- Potential early property tax bill payment discount - 4%
- Total - 5%

After adding these multipliers to the Town's proposed FY2024 net assessment of \$14,031.60 and incorporating the accumulated rounding adjustment (\$1.32), the gross total assessment is \$14,731.79.

Resolution No. 115-2023 implements the intended Via Fontana assessments for FY2024. The resolution among other things:

- references the property to be assessed;
- references past Town Council actions to properly effectuate Via Fontana assessments;
- adopts the updated assessment roll for the fiscal year commencing on October 1, 2023;
- reimposes the assessments;
- provides for Proof of Publication;
- if applicable, provides an executed Affidavit of Mailing executed by staff;
- provides a Certificate to Non-Ad Valorem Assessment Roll for the Mayor to sign and be transmitted to the Tax Collector of Palm Beach County.

The final public hearing will begin at 5:01 p.m. on Tuesday, September 12, 2023, in Town Council Chambers. Property owners received notice of this hearing from the TRIM notice provided by the Property Appraiser which alerts the property owner to the amount of the annual assessment and to the date, time and place of the public hearing so that they may exercise their right to be heard to object or call to the Town's attention any mistakes that they believe may have been made in applying the assessment formula to any given property.

FUNDING/FISCAL IMPACT

All direct costs borne by the Town to accomplish this project are paid for by the properties benefitted by the project improvements as opposed to all property owners in Town.

TOWN ATTORNEY REVIEW

Resolution No. 115-2023 was prepared by Heather Encinosa, Esq., of the law firm Nabors, Giblin & Nickerson. Ms. Encinosa focuses her practice on assessments and special districts and previously prepared the Town's ordinance that established Chapter 90 of the Town Code pertaining to special assessments.

Attachments

cc: John C. Randolph, Town Attorney
Heather Encinosa, Esq.