



CITY OF BOYNTON BEACH SPECIAL MEETING

DATE: Tuesday, September 10, 2019

TIME: 6:00 PM

PLACE: Intracoastal Clubhouse Park 2240 N. Federal Highway

1. AGENDA ITEMS

- A. Call to Order - Mayor Steven B. Grant

Invocation

Pledge of Allegiance to the Flag led by Mayor Steven B. Grant

Roll Call

Agenda Approval:

1. Additions, Deletions, Corrections
2. Adoption

- B. **PROPOSED RESOLUTION NO. R19-092** - Conduct a Public Hearing to adopt the Final Assessment Resolution for the FY 2019-2020 Fire Assessment.

- C. Request approval of a temporary construction easement at Oceanfront Park.

2. ADJOURN

NOTICE

NOTICE IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE CITY COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, HE/SHE WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, HE/SHE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. (F.S. 286.0105)

THE CITY SHALL FURNISH APPROPRIATE AUXILIARY AIDS AND SERVICES WHERE NECESSARY TO AFFORD AN INDIVIDUAL WITH A DISABILITY AN EQUAL OPPORTUNITY TO PARTICIPATE IN AND ENJOY THE BENEFITS OF A SERVICE, PROGRAM, OR ACTIVITY CONDUCTED BY THE CITY. PLEASE CONTACT THE CITY CLERK'S OFFICE, (561) 742-6060 OR (TTY) 1-800-955-8771, AT LEAST 48 HOURS PRIOR TO THE PROGRAM OR ACTIVITY IN ORDER FOR THE CITY TO REASONABLY ACCOMMODATE YOUR REQUEST. ADDITIONAL AGENDA ITEMS MAY BE ADDED SUBSEQUENT TO THE PUBLICATION OF THE AGENDA ON THE CITY'S WEB SITE. INFORMATION REGARDING ITEMS ADDED TO THE AGENDA AFTER IT IS PUBLISHED ON THE CITY'S WEB SITE CAN BE OBTAINED FROM

THE OFFICE OF THE CITY CLERK.



CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

REQUESTED ACTION BY COMMISSION:

Call to Order - Mayor Steven B. Grant

Invocation

Pledge of Allegiance to the Flag led by Mayor Steven B. Grant

Roll Call

Agenda Approval:

1. Additions, Deletions, Corrections
2. Adoption

EXPLANATION OF REQUEST:

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?

FISCAL IMPACT:

ALTERNATIVES:

STRATEGIC PLAN:

STRATEGIC PLAN APPLICATION:

CLIMATE ACTION:

CLIMATE ACTION DISCUSSION:

Is this a grant?

Grant Amount:



CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

REQUESTED ACTION BY COMMISSION: PROPOSED RESOLUTION NO. R19-092 - Conduct a Public Hearing to adopt the Final Assessment Resolution for the FY 2019-2020 Fire Assessment.

EXPLANATION OF REQUEST:

On July 16, 2019, the City Commission adopted Resolution No. R19-076 to continue the Fire Assessment Program for FY 2019-2020.

On August 19, 2019, the City published a "Notice of Hearing to Impose and Provide for Collection of Fire Rescue Special Assessments" in the Palm Beach Post. In addition, the City had a statutorily required Notice to Property Owner mailed to affected property owners by first class mail. In addition, the Palm Beach County Property Appraiser's Office mailed TRIM notices informing all property owners of the assessment via their proposed property tax bill. All notices provided the time, date and place of this Hearing that the Commission would consider the adoption of the Final Assessment Resolution.

The proposed Assessment for residential property owners is \$120.00 annually per dwelling unit. This remains unchanged from the previous year.

The City Commission recognizes that the Assessment may create a hardship on certain residential property owners in the City. Therefore, the Final Rate Resolution provides a means whereby property owners may request H.E.L.P. (Hardship Extension Loan Program) for a total or partial waiver through an application review process. A copy of the application and criteria is attached. Notice of the Hardship Extension Loan Program (H.E.L.P.) was also uploaded to the City's website.

In addition, the Resolution provides for a Mobile Home Park Vacancy Adjustment whereby vacancies result in the absence of structures on unoccupied spaces as compared to other residential properties and lack demand for Fire Rescue services for unoccupied spaces which lack structures.

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES? The Fire Assessment provides only partial funding to the total Fire Department in order to maintain its excellent response time. It does not provide funding for EMS services. Only Fire Rescue services are allowed under Florida Statutes.

FISCAL IMPACT:

For Fiscal Year 2019-20, the estimated gross Fire Rescue Assessed cost is \$8,205,584 reduced to a net realized assessment of \$7,150,936 after excluding tax exempt properties.

The net realized Fire Assessment of \$7,150,936 would equal an increase to the ad valorem property tax rate of 1.4600 to raise the same amount of revenue to the City.

The Fire Rescue Assessments to be assessed and apportioned among benefitted property parcels follow.

Proposed FY 19/20:

Property Use Category	Rate Per Dwelling Unit
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Residential	\$120.00
Non-Residential Property Use Categories	Rate Per Square Foot (*)
Commercial	\$0.27
Industrial/Warehouse	\$0.06
Institutional	\$0.30
Nursing Home	\$0.30

(*)There is a maximum of 77,001 square foot cap on non-residential buildings.

Current FY 18/19:

Property Use Category	Rate Per Dwelling Unit
Residential	\$120.00
Non-Residential Property Use Categories	Rate Per Square Foot (*)
Commercial	\$0.27
Industrial/Warehouse	\$0.06
Institutional	\$0.30
Nursing Home	\$0.30

(*)There is a maximum of 77,001 square foot cap on non-residential buildings.

The above rates for FY 19/20 only assess approximately 59% of the eligible Fire Rescue costs after excluding EMS costs of the Fire Department. If they were assessed at 100% of the eligible costs, the rates would be \$202.00 per dwelling unit and approximately twice the square footage rates for commercial property.

ALTERNATIVES:

1. Approve the proposed assessment levels. (\$120.00 per dwelling unit, etc.)
2. Approve an alternate assessment level with proportional adjustments to the Fire Department non-EMS budget (the assessment rates may be lowed, but not increased, from the proposed rates).
3. Not approve the Fire Assessment with proportional consequences to above

STRATEGIC PLAN:

STRATEGIC PLAN APPLICATION:

CLIMATE ACTION: No

CLIMATE ACTION DISCUSSION:

Is this a grant? No

Grant Amount:

ATTACHMENTS:

Type	Description
<input type="checkbox"/> Resolution	Fire Assessment Reso
<input type="checkbox"/> Attachment	Hardship Application
<input type="checkbox"/> Attachment	Proof of Publication
<input type="checkbox"/> Attachment	Affadavit of Mailing

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CITY OF BOYNTON BEACH, FLORIDA

ANNUAL ASSESSMENT RESOLUTION

ADOPTED SEPTEMBER 10, 2019

22

RESOLUTION NO. R19-

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A RESOLUTION OF THE CITY OF BOYNTON BEACH, FLORIDA, RELATING TO THE PROVISION OF FIRE RESCUE SERVICES, FACILITIES, AND PROGRAMS IN THE CITY OF BOYNTON BEACH, FLORIDA; IMPOSING FIRE RESCUE ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019; APPROVING THE RATE OF ASSESSMENT; APPROVING THE ASSESSMENT ROLL; CONFIRMING AND CONTINUING A PROCEDURE FOR HARDSHIP WAIVERS OR DEFERRALS OF ALL OR PART OF THE CITY'S FIRE RESCUE SPECIAL ASSESSMENT INCLUDING APPLICATION AND REVIEW BY THE CITY'S FINANCE DIRECTOR OR DESIGNEE, AND ELIGIBILITY CRITERIA FOR SUCH WAIVERS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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WHEREAS, the City Commission of Boynton Beach, Florida (the "City Commission"), has enacted Ordinance No. 08-017 (the "Ordinance"), which authorizes the imposition of Fire Rescue Assessments each Fiscal Year for the fire rescue services, facilities, and programs against Assessed Property located within the City; and

WHEREAS, the imposition of a Fire Rescue Assessment for fire rescue services, facilities, and programs each fiscal year is an equitable and efficient method of allocating and apportioning the Fire Rescue Assessed Cost among parcels of Assessed Property; and

WHEREAS, the City Commission desires to continue a Fire Rescue Assessment program and impose a Fire Rescue Assessment in the City using the procedures provided by the Ordinance, including the tax bill collection method, for the Fiscal Year beginning on October 1, 2019; and

WHEREAS, the City Commission, on July 1, 2008, adopted Resolution No. R08-076 (the "Initial Assessment Resolution"); and

52 **WHEREAS**, the City Commission, on July 16, 2019, adopted Resolution No. R19-
53 076 (the “Preliminary Assessment Resolution”), which set forth the preliminary assessment
54 rates for Fiscal Year 2019-20, and which contains and references a brief and general
55 description of the fire rescue services, facilities, and programs to be provided to Assessed
56 Property; describes the method of apportioning the Fire Rescue Assessed Cost to compute
57 the Fire Rescue Assessment for fire rescue services, facilities, and programs against
58 Assessed Property; confirmed the rates of assessment; and directs the updating and
59 preparation of the Assessment Roll and provision of the notice required by the Ordinance;
60 and

61 **WHEREAS**, in order to impose Fire Rescue Assessments for the Fiscal Year
62 beginning October 1, 2019, the Ordinance requires the City Commission to adopt an Annual
63 Rate Assessment Resolution, which confirms and establishes the rates of assessment, and
64 approves the Assessment Roll for the upcoming Fiscal Year, with such amendments as the
65 City Commission deems appropriate, after hearing comments and objections of all
66 interested parties; and

67 **WHEREAS**, the Assessment Roll has heretofore been made available for
68 inspection by the public, as required by the Ordinance; and

69 **WHEREAS**, notice of a public hearing has been published and mailed, as required
70 by the terms of the Ordinance. An Affidavit of Mailing is attached hereto as Appendix A
71 and the Proof of Publication is attached hereto as Appendix B; and

72 **WHEREAS**, the City Commission recognizes that the special assessment may
73 work a hardship on certain residential property owners in the City, and desires to continue

74 to provide a means whereby affected property owners may request a total or partial waiver
75 of the special assessment for hardship; and

76 **WHEREAS**, a public hearing was held on September 10, 2019, and comments and
77 objections of all interested persons have been heard and considered as required by the terms
78 of the Ordinance.

79 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF**
80 **THE CITY OF BOYNTON BEACH, FLORIDA THAT:**

81
82 **SECTION 1. AUTHORITY.** This resolution is adopted pursuant to Ordinance
83 No. 08-017; Resolution No. R08-076; Resolution No. R19-076; Article VIII, Section 2,
84 Florida Constitution; Sections 166.021 and 166.041, Florida Statutes; and other applicable
85 provisions of law.

86 **SECTION 2. DEFINITIONS AND INTERPRETATION.** This resolution
87 constitutes the Annual Rate Resolution as defined in the Ordinance. All capitalized words
88 and terms not otherwise defined herein shall have the meanings set forth in the Ordinance,
89 the Initial Assessment Resolution and the Preliminary Assessment Resolution.

90 **SECTION 3. IMPOSITION OF FIRE RESCUE ASSESSMENTS.**

91 (A) The parcels of Assessed Property described in the Assessment Roll, which
92 is hereby approved, are hereby found to be specially benefited by the provision of the fire
93 rescue services, facilities, and programs described or referenced in the Preliminary
94 Assessment Resolution, in the amount of the Fire Rescue Assessment set forth in the
95 Assessment Roll, a copy of which was present or available for inspection at the above
96 referenced public hearing and is incorporated herein by reference. It is hereby ascertained,
97 determined, and declared that each parcel of Assessed Property within the City will be
98 specially benefited by the City's provision of fire rescue services, facilities, and programs in

99 an amount not less than the Fire Rescue Assessment for such parcel, computed in the
100 manner set forth in the Preliminary Assessment Resolution. Adoption of this Annual Rate
101 Resolution constitutes a legislative determination that all parcels assessed derive a special
102 benefit in a manner consistent with the legislative declarations, determinations and findings
103 as set forth in the Ordinance, the Preliminary Assessment Resolution, and this Annual Rate
104 Resolution from the fire rescue services, facilities, or programs to be provided and a
105 legislative determination that the Fire Rescue Assessments are fairly and reasonably
106 apportioned among the properties that receive the special benefit as set forth in the
107 Preliminary Assessment Resolution.

108 (B) The method for computing Fire Rescue Assessments described and
109 referenced in the Preliminary Assessment Resolution is hereby approved. The Parcel
110 Apportionment methodology described in Appendix F of the Preliminary Assessment
111 Resolution, and adopted in Section 7 of the Preliminary Assessment Resolution, is hereby
112 approved.

113 (C) For the Fiscal Year beginning October 1, 2019, the estimated net Fire
114 Rescue Assessed Cost to be assessed is \$8,205,584.00. The Fire Rescue Assessments to be
115 assessed and apportioned among benefitted parcels pursuant to the Cost Apportionment and
116 Parcel Apportionment to generate the estimated Fire Rescue Assessed Cost for the Fiscal
117 Year commencing October 1, 2019, are hereby confirmed and established as follows:

Property Use Category	Rate Per Dwelling Unit
Residential	\$120.00
Non-Residential Property Use Categories	Rate Per Square Foot
Commercial	\$0.27
Industrial/Warehouse	\$0.06
Institutional	\$0.30
Nursing Home	\$0.30

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119 (D) The above rates of assessment are hereby approved. Fire Rescue
120 Assessments for fire rescue services, facilities, and programs in the amounts set forth in the
121 Assessment Roll, as herein approved, are hereby levied and imposed on all parcels of
122 Assessed Property described in such Assessment Roll for the Fiscal Year beginning
123 October 1, 2019.

124 (E) As authorized in Section 2.14 of the Ordinance, no Fire Rescue Assessment
125 shall be imposed upon a parcel of Government Property, except as provided in the
126 Preliminary Assessment Resolution, or upon Institutional Use buildings on a parcel of
127 Institutional Property whose building use is wholly exempt from taxation under Florida law.

128 (F) Any shortfall in the expected Fire Rescue Assessment proceeds due to any
129 reduction or exemption from payment of the Fire Rescue Assessments required by law or
130 authorized by the City Commission shall be supplemented by any legally available funds, or
131 combination of such funds, and shall not be paid for by proceeds or funds derived from the
132 Fire Rescue Assessments.

133 (G) As authorized in Section 2.13 of the Ordinance, interim Fire Rescue
134 Assessments are also levied and imposed against all property for which a Building Permit is
135 issued after adoption of this Annual Rate Resolution based upon the rates of assessment
136 approved herein.

137 (H) Fire Rescue Assessments shall constitute a lien upon the Assessed Property
138 so assessed equal in rank and dignity with the liens of all state, county, district, or municipal
139 taxes and other non-ad valorem assessments. Except as otherwise provided by law, such
140 lien shall be superior in dignity to all other liens, titles and claims, until paid.

141 (I) The Assessment Roll, as herein approved, shall be delivered to the Tax
142 Collector for collection using the tax bill collection method in the manner prescribed by the
143 Ordinance. The Assessment Roll, as delivered to the Tax Collector, shall be accompanied
144 by a Certificate to Non-Ad Valorem Assessment Roll in substantially the form attached
145 hereto as Appendix C.

146 (J) No Emergency Medical Services shall be funded from the Fire Rescue
147 Assessment revenues.

148 **SECTION 4. CONFIRMATION OF PRELIMINARY ASSESSMENT**
149 **RESOLUTION.** The Preliminary Assessment Resolution is hereby confirmed.

150 **SECTION 5. EFFECT OF ADOPTION OF RESOLUTION.** The adoption of
151 this Annual Rate Resolution shall be the final adjudication of the issues presented
152 (including, but not limited to, the determination of special benefit and fair apportionment to
153 the Assessed Property, the method of apportionment and assessment, the rate of assessment,
154 the Assessment Roll and the levy and lien of the Fire Rescue Assessments), unless proper
155 steps shall be initiated in a court of competent jurisdiction to secure relief within 20 days
156 from the date of this Annual Rate Resolution.

157 **SECTION 6. HARDSHIP WAIVERS OR DEFERRALS.**

158 (A) The City Commission of the City of Boynton Beach, Florida hereby
159 continues its program for qualified individuals who need financial assistance to pay all or
160 part of the Fire Rescue Assessment levied on their property or who seek deferral of payment
161 of all or part of the Fire Rescue Assessment on their property.

162 (B) The City's program for financial assistance shall be commonly referred to
163 as H.E.L.P., Hardship Extension Loan Program. The following types of financial assistance
164 are available, based upon need:

- 165 1. Relief from all payments of an annual Fire Rescue Assessment.
- 166 2. Relief from a portion of payments of an annual Fire Rescue
167 Assessment.
- 168 3. Deferral of payments of an annual Fire Rescue Assessment.
- 169 4. Deferral of a portion of payments of an annual Fire Rescue
170 Assessment.
- 171
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173 (C) The following individuals are eligible for financial assistance.

- 174 1. Residential Property Owners who meet 2019 HHS Poverty
175 Guidelines.
- 176
- 177 2. Residential property owners that are exempt from ad valorem
178 taxation pursuant to the following Florida Statutes are eligible to
179 apply for a Hardship Waiver or Deferral:
 - 180 a. Section 196.081, Florida Statutes (totally disabled veterans
181 and surviving spouses of veterans);
 - 182 b. Section 196.081, Florida Statutes (surviving spouses of first
183 responders who died in the line of duty);
 - 184 c. Section 196.091, Florida Statutes (disabled veterans confined
185 to wheelchairs);
 - 186 d. Section 196.101, Florida Statutes (totally and permanently
187 disabled persons);
 - 188 e. Section 196.102, Florida Statutes (totally and permanently
189 disabled first responders).
- 190 3. Residential Property Owners that qualify for the additional
191 homestead exemption for persons 65 and over authorized pursuant
192 to Section 196.075, Florida Statutes are also eligible to apply for the
193 Hardship Waiver.
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200 4. Residential Property Owners that are qualified under the Florida
201 Homestead Property Tax Deferral Act, Section 197.242, et al.,
202 Florida Statutes.

203
204 (D) Eligible Residential Property Owners may submit an application for a
205 Hardship Waiver or Deferral, on a form prepared by the City, with the Finance Department.
206 The Application shall include the following:

- 207 1. Documentation demonstrating eligibility for the Hardship Waiver or
208 Deferral through one of the criteria from exemptions listed in
209 Section C above;
210
211 2. A copy of the Tax Bill for the subject property;
212
213 3. Description of the facts and circumstances of the hardship.

214 (E) All Applications for the Hardship Waiver or Deferral must be received by
215 the City's Finance Department on or before October 18, 2019.

216 (F) Once received, all applications shall be reviewed by the City's Finance
217 Director, or his or her designee ("Reviewing Official"). The Reviewing Official shall
218 review the facts and circumstances to determine whether a hardship exists to warrant a
219 partial or total waiver of the special assessment levied upon the applicant's real property or
220 a deferral of payment of such. The decision of the Reviewing Official is final.

221 (G) The Reviewing Official shall render a written decision and provide such to
222 the applicant.

223 (H) If a partial or total waiver or deferral is granted by the Reviewing Official,
224 the Finance Director shall ensure appropriate documentation is provided to the Tax
225 Collector as to the revised amount of the assessment as to the applicant.

226 (I) An applicant may apply for a Hardship Waiver as to one property only.

 (J) An applicant must apply for the Hardship Waiver on an annual basis.

227 (K) A deferral may be granted for no longer than the end of the then current
228 fiscal year.

229 (L) When financial assistance is granted pursuant to the H.E.L.P. program, any
230 shortfall in the expected Fire Rescue Assessment proceeds due to any reduction or
231 exemption from payment of the Fire Rescue Assessments authorized by this Section shall
232 be supplemented by any legally available funds, or combination of such funds, and shall not
233 be paid for by proceeds or funds derived from the Fire Rescue Assessments.

234 **SECTION 7. MOBILE HOME VACANCY ADJUSTMENT.** As authorized in
235 Section 5(L) of the Preliminary Rate Resolution, there shall be a Mobile Home Vacancy
236 Adjustment procedure for Mobile Home and Recreational Vehicle Park Property, using the
237 procedures established in Resolution R11-089. Any shortfall in the expected Fire Rescue
238 Assessment proceeds due to any adjustment for vacancy shall be supplemented by any
239 legally available funds and shall not be paid for by proceeds or funds derived from Fire
240 Rescue Assessments. Failure of the Owner to timely provide the information to the City
241 will result in no Vacancy Adjustment for the special assessment.

242 **SECTION 8. CONFLICTS.** All resolutions or parts of resolutions in conflict
243 herewith are hereby repealed to the extent of such conflict.

244 **SECTION 9. SEVERABILITY.** If any clause, section, other part or application
245 of this resolution is held by any Court of competent jurisdiction to be unconstitutional or
246 invalid, in part or application, it shall not affect the validity of the remaining portions or
247 applications of this Resolution.

248 **SECTION 10. EFFECTIVE DATE.** This Resolution shall become effective
249 immediately upon its passage and adoption.

250 **PASSED AND ADOPTED** this ____ day of September, 2019.

251 CITY OF BOYNTON BEACH, FLORIDA

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253

YES

NO

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Mayor – Steven B. Grant

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Vice Mayor – Justin Katz

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Commissioner – Mack McCray

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Commissioner – Christina Romelus

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Commissioner – Ty Penserga

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264 ATTEST:

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Crystal Gibson, MMC

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City Clerk

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(Corporate Seal)

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APPENDIX A
AFFIDAVIT OF MAILING

APPENDIX B

PROOF OF PUBLICATION

APPENDIX C

**FORM OF CERTIFICATE
TO
NON-AD VALOREM ASSESSMENT ROLL
CERTIFICATE
TO
NON-AD VALOREM ASSESSMENT ROLL**

I HEREBY CERTIFY that I am the Mayor of the City of Boynton Beach, or authorized agent of the City of Boynton Beach, Florida (the “City”); as such, I have satisfied myself that all property included or includable on the non-ad valorem assessment roll for fire rescue services (the “Non-Ad Valorem Assessment Roll”) for the City is properly assessed so far as I have been able to ascertain; and that all required extensions on the above-described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I FURTHER CERTIFY that, in accordance with the Uniform Assessment Collection Act, this certificate and the herein described Non-Ad Valorem Assessment Roll will be delivered to the Palm Beach County Tax Collector by September 15, 2019.

IN WITNESS WHEREOF, I have subscribed this certificate and directed the same to be delivered to the Palm Beach County Tax Collector and made part of the above described Non-Ad Valorem Assessment Roll, this ____ day of _____, 2019.

CITY OF BOYNTON BEACH, FLORIDA

BY: _____

TITLE: _____

[To be delivered to Palm Beach County Tax Collector by September 15]



Fire Assessment Application for Determination of Eligibility for H.E.L.P.

Page 2

Please explain the financial hardship that makes it difficult or impossible for you to pay this year's Fire Assessment Amount as levied on the attached Notice from Palm Beach County.

Under penalty of perjury, I hereby swear or affirm that the information I am submitting is true, complete and correct in order to determine my eligibility for H.E.L.P.

Applicant's signature

Date

DETERMINING IF YOU MEET HHS POVERTY GUIDELINES

2019 HHS Poverty Guidelines

Size of Family Unit	Poverty Guideline
1	\$ 12,490
2	\$ 16,910
3	\$ 21,330
4	\$ 25,750
5	\$ 30,170
6	\$ 34,590
7	\$ 39,010
8	\$ 43,430
For each additional person, add	\$ 4,420

Source: Federal Register, Vol. 84, No. 22, February 1, 2019, pp. 1167-1168

PLEASE NOTE WHAT INCOME TO INCLUDE

Income used to calculate if you meet poverty level status includes the following sources:

Wages, unemployment compensation, Social Security, Supplemental Social Security Income, public assistance, veterans' payments, survivor benefits, pension or retirement income, interest, dividends, rents, royalties, income from estates, trust, educational assistance, alimony, child support, assistance from outside the household, and other miscellaneous sources.

CITY REVIEW PROCESS:

- Applicant submits application to City of Boynton Beach, Financial Services Department, P.O. Box 310, Boynton Beach FL 33425-0310 **delivered no later than October 18, 2019**
- The Hardship Waiver will be reviewed by the City's Finance Director or his or her designee (Reviewing Official).
- Once the Reviewing Official makes a determination, the applicant will be notified in writing of the Reviewing Official's decision. The decision of the Reviewing Official is final.

PLEASE SIGN AND RETURN THIS COMPLETED APPLICATION, ALONG WITH YOUR 2019 TAX NOTICE FROM PALM BEACH COUNTY AND THE REQUIRED DOCUMENTATION FOR THE BOX CHECKED ON PAGE 1 OF THIS APPLICATION TO:

City of Boynton Beach
Financial Services Department
P.O. Box 310
Boynton Beach, FL 33425-0310
(561) 742-6310

The Palm Beach Post

Palm Beach Daily News

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PROOF OF PUBLICATION

STATE OF FLORIDA

PUBLIC NOTICE

Before the undersigned authority, personally appeared Teal Pontarelli, who on oath, says that he/she is a Legal Advertising Representative of The Palm Beach Post, a daily and Sunday newspaper, published in West Palm Beach and distributed in Palm Beach County, Martin County, and St. Lucie County, Florida; that the attached copy of advertising for a P-Main Legal ROP was published in said newspaper on: first date of Publication 08/19/2019 and last date of Publication 08/19/2019. Affiant further says that the said The Palm Beach Post is a newspaper published in West Palm Beach, in said Palm Beach County, Florida and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

BOYNTON BEACH; CITY OF
PO BOX 310
BOYNTON BEACH, FL 33425

Invoice/Order Number: 0000505220

Ad Cost: \$1,575.00

Paid: \$0.00

Balance Due: \$1,575.00

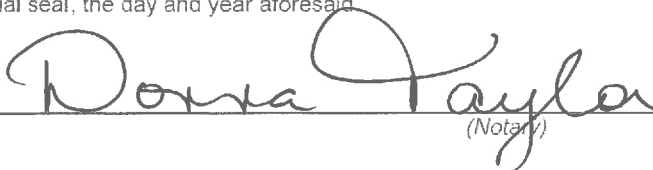
Signed



(Legal Advertising Agent)

Sworn or affirmed to, and subscribed before me, this 19th day of August, 2019 in Testimony whereof, I have hereunto set my hand and affixed my official seal, the day and year aforesaid.

Signed



(Notary)



DONNA S. TAYLOR
MY COMMISSION # GG 031838
EXPIRES: September 19, 2020
Bonded Thru Budget Notary Services

Please see Ad on following page(s).

Invoice/Order Number: 0000505220
Ad Cost: \$1,575.00
Paid: \$0.00
Balance Due: \$1,575.00

NOTICE OF HEARING TO IMPOSE AND PROVIDE FOR COLLECTION OF FIRE RESCUE SPECIAL ASSESSMENTS

Notice is hereby given that the City Commission of the City of Boynton Beach will conduct a public hearing to consider the imposition of annual fire rescue special assessments for the provision of fire rescue services within the municipal boundaries of the City of Boynton Beach.

The hearing will be held at 6:00 p.m., on September 10, 2019, at the Intracoastal Park Clubhouse, 2240 North Federal Highway, Boynton Beach, Florida 33435, for the purpose of receiving public comment on the proposed assessments. All affected property owners have a right to appear at the hearing and to file written objections with the City Commission within 20 days of this notice. If a person decides to appeal any decision made by the City Commission with respect to any matter considered at the hearing, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the City Clerk's Office at (561) 742-6060, at least three days prior to the date of the hearing.

The assessment for each parcel of property will be based upon each parcel's classification and the total number of billing units attributed to that parcel. The proposed fire rescue assessment schedule for Fiscal Year 2019-2020 is as follows:

<u>Property Use Category</u>	<u>Rate Per Dwelling Unit</u>
Residential	\$120.00
<u>Non-Residential Property Use Categories</u>	<u>Rate Per Square Foot</u>
Commercial	\$0.27
Industrial/Warehouse	\$0.06
Institutional	\$0.30
<u>Nursing Home</u>	<u>\$0.30</u>

Copies of the Fire Rescue Assessment Ordinance, the Initial Assessment Resolution, the Preliminary Rate Resolution, and the Preliminary Assessment Roll are available for inspection at the City Clerk's Office in City Hall, located at 3301 Quantum Blvd, Boynton Beach, Florida, 33426.

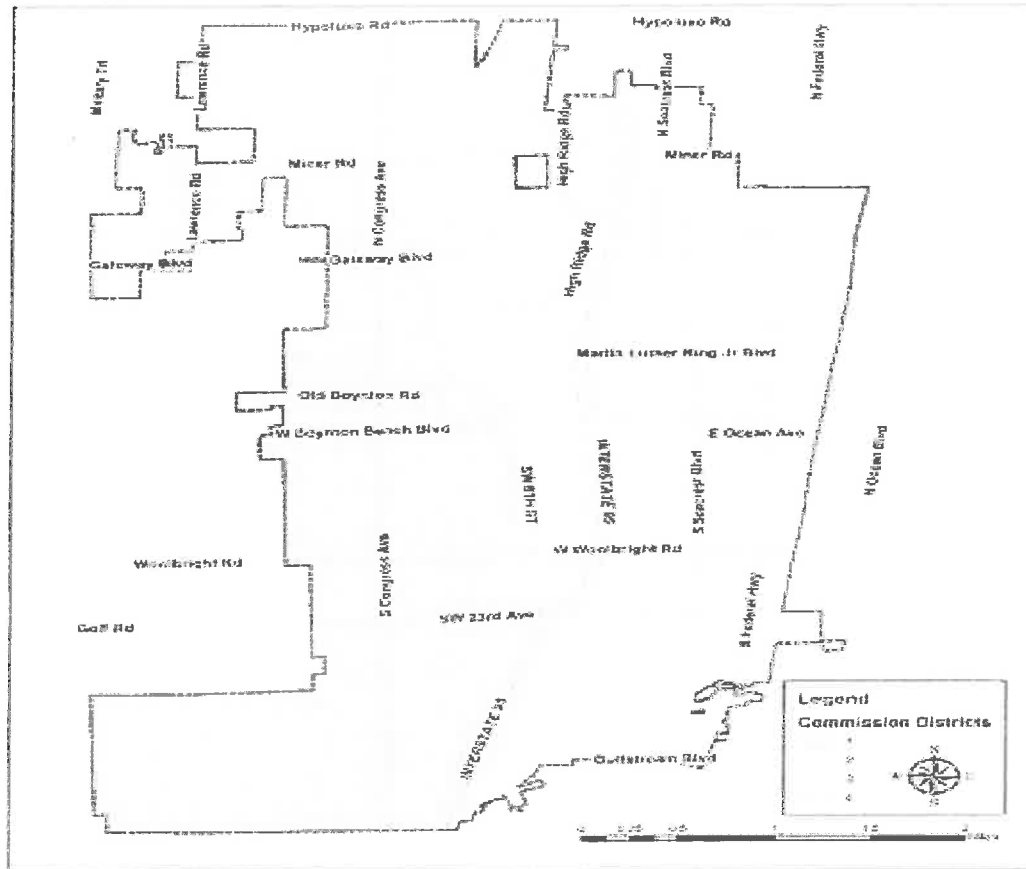
The fire rescue non-ad valorem assessment will be collected on the ad valorem tax bill to be mailed in November 2019. Failure to pay the assessments will cause a tax certificate to be issued against the property, which may result in a loss of title.

which may result in a loss of time.

If you have any questions, please contact the Finance Department at (561) 742-6310, Monday through Friday between 8:00 a.m. and 5:00 p.m.



City of Boynton Beach



Publish: August 19, 2019

CITY COMMISSION
CITY OF BOYNTON BEACH, FLORIDA

AFFIDAVIT OF MAILING

BEFORE ME, the undersigned authority, personally appeared Lori LaVerriere and Tammy Peters, who, after being duly sworn, depose and say:

1. Lori LaVerriere, as City Manager of the City of Boynton Beach, Florida ("City"), pursuant to the authority and direction received from the City Commission, timely directed the preparation of the Assessment Roll and the preparation, mailing, and publication of notices in accordance with Sections 2.03, 2.04, and 2.05 of Ordinance No. 08-071, the Fire Rescue Assessment Ordinance (the "Assessment Ordinance") in conformance with the Preliminary Rate Resolution adopted by the City Commission on July 16, 2019 (the "Preliminary Rate Resolution").

2. In accordance with the Assessment Ordinance and Chapter 92-264, Laws of Florida, as amended by Chapter 2003-348, Laws of Florida (collectively, the "Special Act"), Ms. LaVerriere timely provided all necessary information for notification of the Fire Rescue Assessment to the Property Appraiser of Palm Beach County to be included as part of the notice of proposed property taxes under section 200.069, Florida Statutes, the truth-in-millage notification. The information provided to the Property Appraiser to be included on the truth-in-millage notification included the following: the Fire Rescue Assessment rate expressed in dollars and cents per billing unit, the associated Fire Rescue Assessment amount, and the purpose of the Fire Rescue Assessment.

3. Because the assessment was being levied against newly affected property owners for the first time for Fiscal Year 2019-20, additional notice by first class mail to the Owner of each newly affected parcel of Assessed Property was also required by the Assessment Ordinance and the Special Act.

RECEIVED

AUG 22 2019

CITY MANAGER'S OFFICE

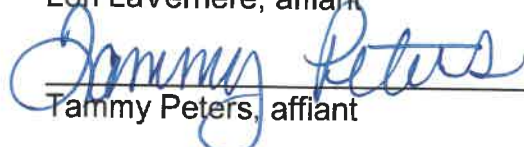
via Fed Ex Page 25 of 40

4. Tammy Peters is the Office Manager for GSG. GSG has caused the additional mailed notices required by Section 2.05 of the Assessment Ordinance to be prepared in conformance with the Preliminary Rate Resolution. An exemplary form of such notice is attached hereto. GSG has caused such individual notices for each affected property owner to be prepared and each notice included the following information: the purpose of the assessment; the total amount proposed to be levied against each parcel; the unit of measurement to be applied against each parcel to determine the assessment; the number of such units contained within each parcel; the total revenue the City expects to collect by the assessment; a statement that failure to pay the assessment will cause a tax certificate to be issued against the property which may result in a loss of title; a statement that all affected property owners have a right to appear at the hearing and to file written objections with the local governing board within 20 days of the notice; and the date, time, and place of the hearing.

5. On or before August 19, 2019, GSG caused the mailing of the above-referenced notices in accordance with Sections 2.05 of the Assessment Ordinance and the Preliminary Rate Resolution by First Class Mail to each affected owner, at the addresses then shown on the real property assessment tax roll database maintained by the Palm Beach County Property Appraiser for the purpose of the collection of ad valorem taxes.

FURTHER AFFIANTS SAYETH NOT.


Lori LaVerriere, affiant


Tammy Peters, affiant

STATE OF FLORIDA
COUNTY OF PALM BEACH

5th The foregoing Affidavit of Mailing was sworn to and subscribed before me this Sept. day of Sept., 2019 by Lori LaVerriere, City Manager, City of Boynton Beach, Florida. She is personally known to me or has produced _____ as identification and did take an oath.



Crystal D. Gibson
Printed Name: Crystal Gibson
Notary Public, State of Florida
At Large
My Commission Expires: _____
Commission No.: _____

STATE OF FLORIDA
COUNTY OF LEON

20th The foregoing Affidavit of Mailing was sworn to and subscribed before me this August day of August, 2019 by Tammy Peters, Office Manager, Government Services Group, Inc., a Florida corporation. She is personally known to me or has produced _____ as identification and did take an oath.



Sandra N Walker
Printed Name: _____
Notary Public, State of Florida
At Large
My Commission Expires: _____
Commission No.: _____

City of Boynton Beach
P.O. Box 310
Boynton Beach, FL 33425-0310

CITY OF BOYNTON BEACH, FLORIDA
NOTICE OF HEARING TO IMPOSE AND PROVIDE
FOR COLLECTION OF FIRE RESCUE
NON-AD VALOREM ASSESSMENTS

NOTICE DATE: AUGUST 19, 2019

AUGUSTIN ANNECY LESSEE &
HFHSPBC CLT, INC LESSOR
228 NW 6TH AVE
BOYNTON BEACH FL 33435-3748

Parcel Tax ID: 08434521070021140
Sequence Number: BBF-0015
Legal: BOYNTON HILLS LT 114 BLK B

***** NOTICE TO PROPERTY OWNER *****

As required by Section 197.3632, Florida Statutes, and City Ordinance No. 08-017 notice is given by the City of Boynton Beach that an annual assessment for fire rescue services using the tax bill collection method, may be levied on your property for the fiscal year October 1, 2019 - September 30, 2020. The City has levied a fire rescue special assessment since 2001 pursuant to Ordinance No. 01-34, as amended, which Ordinance sunset on September 30, 2008. The City then adopted Ordinance No. 08-017 to provide for reenactment of the fire rescue special assessment within the City commencing with the 2008-2009 fiscal year. The purpose of this assessment is to fund fire rescue services benefiting improved property located within the City of Boynton Beach. The total annual fire rescue assessment revenue to be collected within the City of Boynton Beach is estimated to be \$8,205,584. The annual fire rescue assessment is based on the classification of each parcel of property and number of billing units contained therein.

Category	Type and Number of Billing Units	Fiscal Year 19-20 Assessment
Residential Building	1 Dwelling Unit	\$120.00
Total Assessment		\$120.00

The maximum annual fire rescue services assessment that can be imposed without further notice for the above parcel for Fiscal Year 2019-20 and future fiscal years is \$120.00.

A public hearing will be held at 6:00 p.m. on September 10, 2019, at the Intracoastal Park Clubhouse, 2240 N Federal Highway, Boynton Beach, Florida for the purpose of receiving public comment on the proposed assessments. You and all other affected property owners have a right to appear at the hearing and to file written objections with the City Commission within 20 days of this notice. If you decide to appeal any decision made by the City Commission with respect to any matter considered at the hearing, you will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the City Clerk's office at (561) 742-6060, at least three days prior to the date of the hearing.

Unless proper steps are initiated in a court of competent jurisdiction to secure relief within 20 days from the date of City Commission action at the above hearing (including the method of apportionment, the rate of assessment and the imposition of assessments), such action shall be the final adjudication of the issues presented.

Copies of the Fire Rescue Assessment Ordinance, the Initial Assessment Resolution, the Preliminary Rate Resolution, and the preliminary assessment roll are available for inspection at the City Clerk's office, located at 3301 Quantum Boulevard, Boynton Beach, Florida, 33426.

Pursuant to Chapter 92-264, Laws of Florida, as amended by Chapter 2003-348, Laws of Florida, a special act relating to the County, notice of the fire rescue assessment imposed by the City shall also be included by the Property Appraiser as part of the notice of proposed property taxes under Section 200.069, Florida Statutes, the truth-in-millage notification.

Both the fire rescue non-ad valorem assessment amount shown on this notice and the ad valorem taxes for the above parcel will be collected on the ad valorem tax bill mailed in November. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title.

If there is a mistake on this notice, it will be corrected. If you have any questions regarding your fire rescue service assessment, please contact the Finance Department at (561) 742-6310, Monday through Friday between 8:00 a.m. and 5:00 p.m.

***** THIS IS NOT A BILL *****



CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

REQUESTED ACTION BY COMMISSION: Request approval of a temporary construction easement at Oceanfront Park.

EXPLANATION OF REQUEST:

The Federal Government through Palm Beach County is ready to open bids for a beach renourishment project for the beach area in Ocean Ridge including Oceanfront Park. Due to budgetary constraints, the bid opening has been accelerated and the COE will require a temporary easement from the City to perform the work. Once the easement is approved, the bids will be opened.

Staff has reviewed the request and recommends approval.

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES? No impact to existing services.

FISCAL IMPACT: There is no fiscal impact for the City

ALTERNATIVES:

STRATEGIC PLAN:

STRATEGIC PLAN APPLICATION:

CLIMATE ACTION:

CLIMATE ACTION DISCUSSION:

Is this a grant?

Grant Amount:

ATTACHMENTS:

Type	Description
<input type="checkbox"/> Attachment	Temporary Construction Easement
<input type="checkbox"/> Attachment	Legal Description

Return To:
Tracy Logue, Coastal Geologist
Palm Beach County
Environmental Resources Management
2300 North Jog Road, 4th Floor
West Palm Beach, FL 33411-2743

TEMPORARY EASEMENT AGREEMENT FOR CONSTRUCTION ACCESS AND STAGING

THIS EASEMENT AGREEMENT is made this ____ day of _____, 2019 between the City of Boynton Beach, whose mailing address is 3301 Quantum Boulevard, Suite 101, Boynton Beach, FL 33426 (“Grantor”), and Palm Beach County, a political subdivision of the State of Florida, whose mailing address is 301 North Olive Avenue, West Palm Beach, Florida 33401, (“Grantee”), both being herein referred to collectively as the “parties”, for the sole purpose of providing construction access and staging for the OCEAN RIDGE SHORE PROTECTION PROJECT (“the Project”).

1. Grant of Easement. In consideration of the mutual benefits to be derived from the Project, the sufficiency of which is hereby acknowledged by the parties, the Grantor hereby grants, bargains, and conveys to the Grantee, its subcontractors, agents and employees, a temporary construction access and staging easement on, over, under, through and across the three separate parcels described in Exhibit “A,” attached hereto and incorporated herein (“the Easement Premises”) for construction access and staging purposes. This instrument is further subject to all easements, restrictions, covenants, conditions, limitations, and reservations of record, if any.

2. Not a Public Dedication. Nothing herein contained shall be deemed to be a gift to any public authority or any third party, and this Easement shall be strictly limited to and for the temporary limited purposes expressed herein. Nothing herein contained shall be deemed to give the public or any other persons, other than Grantor, Grantor’s successors, assigns, officers, directors, partners, contractors, tenants, lessees, mortgagee, agents, employees, guests, customers, invitees, members, and Grantee and its subcontractors, agents, and employees any access rights to the Easement Premises or access to the beach from the Grantor’s property other than as may have existed prior to the date of this Agreement. Grantor hereby reserves the right to the continued free use of the property in a manner not inconsistent with the rights granted herein to Grantee and subject to the terms and conditions of this Agreement.

3. Grantee’s Use. The Easement Premises may be used by Grantee, its subcontractors, agents, or employees solely for the purpose of providing access and staging during and only during periods of construction or maintenance associated with the Project. For purposes of this Easement, staging is defined as the temporary storage of equipment or supplies in support of the Project. The parties acknowledge that it may be necessary to remove obstructions from the Easement Premises and this may include removing vegetation, pruning vegetation, and removing fencing or any other obstacles within the Easement Premises.

4. Grantee’s Obligations. Grantee shall obtain all permits and approvals required by all applicable governmental entities. Grantee shall safeguard and maintain the Easement Premises and its immediate environs throughout the term of the Project. Any and all damage caused by Grantee or its agents or employees to the surface or sub-surface portion of the Easement Premises or any property of the Grantor or others located therein shall be repaired timely by the Grantee in a workmanlike manner satisfactory to the Grantor. Such repair work may include, but is not limited to, placing sod on the easement area and re-routing any existing irrigation lines and repaving. Grantee will use best efforts to restore the easement area no later than three months after the completion of each nourishment event requiring construction access in support of the Project. Generally, construction work associated with the Project will commence on or about November 1st through February 28th of the following year; construction access and staging will be required during that period.

Grantee shall provide Grantor with thirty (30) days prior written notification of Grantee's desire to enter onto the Easement Premises.

5. Grantor's Obligations. Grantor shall not commit any act that would interfere with or impede the rights granted to Grantee, its subcontractors, agents or employees under this Agreement.

6. Term. This Agreement shall be effective upon execution by both parties and shall continue for twenty-four (24) months. The rights and Easement granted herein shall automatically terminate twenty-four (24) months from the date of its commencement. Either party may thereafter record a memorandum or notice of termination.

7. Subordination of Rights. The Easement hereby granted is subject and subordinate to: (i) the easements granted in and by any Declaration recorded or to be recorded by Grantor and any such amendments to the Declaration hereinafter enacted; and (ii) Grantor's right to enter and work upon the Easement Premises.

8. Insurance. Without waiving the right to sovereign immunity as provided by S.768.28 F.S., the Grantee acknowledges that it is a political subdivision of the State subject to the limitations of 768.28 FS as amended. Grantee shall maintain a fiscally sound and prudent liability program with regard to its obligations under this Agreement. Should Grantee contract with a third-party to provide any services related to this Agreement, Grantee shall require third-party to provide at least the following insurance:

- a. Commercial General Liability with minimum limits of \$500,000 per occurrence and to endorse Grantee and Grantor as Additional Insureds
- b. Workers' Compensation in accordance with Chapter 440 FS, with coverage for Employer's Liability.
- c. Business Automobile Liability with minimum limits of \$500,000 each accident.
- d. Grantor shall be named as additional insured.

9. Indemnification. Each party shall be liable for its own actions and negligence and, to the extent permitted under S.768.28 F.S., Grantee shall indemnify, defend and hold harmless Grantor against any actions, claims, or damages arising out of Grantee's negligence in connection with this Agreement, and shall indemnify, defend and hold harmless Grantee against any actions, claims, or damages arising out of Grantor's negligence in connection with this Agreement. The foregoing indemnification shall not constitute a waiver of sovereign immunity beyond the limits set forth in Florida Statutes, Section 768.28, nor shall the same be construed to constitute agreement by either party to indemnify the other party for such other party's negligent, willful, or intentional acts or omissions.

10. Grantor's Representations. Grantor represents and warrants that Grantor is the lawful owner of and has good and marketable legal title to the Easement Premises; Grantor has the full right, power, and authority to grant this Easement, and all other rights granted hereunder to Grantee and that Grantor has disclosed the location and terms of all other known easements that may affect the Easement Premises. If any person shall seek to set aside this Easement or to nullify the rights granted hereunder based upon an alleged superior right in the Easement Premises, then Grantor shall, upon Grantee's request and at Grantor's expense, take any action reasonably necessary to secure to Grantee the rights and interest granted hereunder.

11. Authority to Execute This Agreement. Any person executing this Agreement and representing Grantor hereby warrants and represents that he or she has received all governmental authorization necessary to bind Grantor to the terms of this Agreement. Any person executing this Agreement and representing Grantee hereby warrants and represents that he or she has received all governmental authorization necessary to bind Grantee to the terms of this Agreement.

12. Assignment. The Grantee may assign the Agreement to another governmental entity for the purpose of restoring and maintaining the vegetated dune and the sandy beach in accordance with this Agreement.

13. Prohibited Acts by Grantee. With the sole exception of the Easement Premises, Grantee, its agents and employees shall not enter on, over, under, through, or across any other portion of

Grantor's property for access to staging or to do work on the Easement Premises. Grantee shall promptly and at Grantee's expense repair or replace any unauthorized portion of Grantor's property damaged or destroyed and/or impairment thereto caused by Grantee during the course of Grantee's work. Grantee shall not plant or erect anything upon the dune without the prior consent of Grantor and which shall unreasonably interfere with Grantor's use of any portion of Grantor's Non-Easement Premises. Grantee shall promptly remove, on a daily basis, any unauthorized debris resulting from Grantee's work on the Easement Premises.

14. Impending Damage. Nothing herein shall prevent Grantor from reasonably protecting its property including the dune and Easement Premises from impending damage or loss due to wind, seas, storms, or other forces of nature in the event that Grantee is unwilling or unable to undertake such actions for any reason including lack of funding.

15. Governing Law and Venue. Any action to enforce this Agreement shall be brought in Palm Beach County, Florida. This Agreement shall be governed by the laws of the State of Florida.

16. Modification. This instrument shall not be modified or terminated except by written agreement signed by Grantor and Grantee.

17. Binding Effect. The covenants contained in this instrument, including all benefits and burdens, are not personal, but shall run with the land and shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, personal representatives, transferees, successors and assigns.

18. No Joint Venture. Nothing in this instrument shall be construed to make the parties hereto partners or joint venturers or render them liable for the debts or obligations of the other.

19. Recordation. This instrument shall be recorded in the Public Records of Palm Beach County, Florida.

20. Termination. It is understood and agreed by the parties that the rights granted herein shall automatically terminate twenty-four (24) months from the date of its commencement which is the date the parties to this Easement Agreement executes it.

21. Tropical Event. In the event the National Hurricane Center issues a Tropical Storm Warning or Watch or a Hurricane Warning or Watch which affects the easement premises, Grantee shall remove all equipment from the easement premises.

(The remainder of this page left blank intentionally)

IN WITNESS WHEREOF, Grantor and Grantee have set hereto their hand and seals on the day and year first above set forth.

Signed, Sealed, and Delivered
in the presence of:

GRANTOR:
City of Boynton Beach

Witness

By: _____

Name – Typed or Printed

Name – Typed or Printed

Witness

Title

Name – Typed or Printed

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this ____day of _____, 2019 by _____, as Authorized Signatory of the City of Boynton Beach and who is personally known to me or who produced _____ as identification.

Witness my hand and official seal this _____ day of _____ 2019.

Notary Public, State of Florida

Printed Name:_____

My Commission Expires:

Notary Commission Number

ATTEST:

GRANTEE:

SHARON R. BOCK, CLERK
AND COMPTROLLER

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

By:_____
Clerk

By:_____
Mack Bernard, Mayor

APPROVED AS TO LEGAL FORM
AND SUFFICIENCY

APPROVED AS TO TERMS AND
CONDITIONS

By:_____
Assistant County Attorney

By:_____
Deborah Drum, Director

SKETCH OF DESCRIPTIONS

WITHIN THE SOUTH 986.93 FEET OF GOV. LOT 5 LYING EAST OF AND
ADJACENT TO STATE ROAD A1A (OCEAN BLVD.) a.k.a. OCEANFRONT PARK
SECTION 22, TOWNSHIP 45 SOUTH, RANGE 43 EAST,
PALM BEACH COUNTY, FLORIDA

NOTES:

1. THIS IS NOT A SURVEY.
2. THIS SKETCH, AND ANY REPRODUCTION THEREOF, IS NOT VALID WITHOUT AN ORIGINAL OR VERIFIED DIGITAL SIGNATURE AND SEAL OF A FLORIDA REGISTERED SURVEYOR. ADDITIONALLY, THIS SURVEY IS NOT VALID IF PRINTED BEARING A DIGITAL SIGNATURE AND SEAL.
3. ANY ADDITION OR DELETIONS TO THIS SKETCH BY ANYONE OTHER THAN THE SIGNING PARTY OR PARTIES IS STRICTLY PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
4. OTHER THAN THOSE SHOWN ON THIS SKETCH, NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED FOR EASEMENTS, ENCUMBRANCES OR OTHER INSTRUMENTS OF RECORD WHICH MAY AFFECT THIS PARCEL OF LAND.
5. THE EASEMENT LEGAL DESCRIPTIONS SHOWN HERON WERE PREPARED UNDER THE DIRECT SUPERVISION OF THE SIGNING SURVEYOR.
6. THE LEGAL DESCRIPTION AND DEEDS FOR THE PARENT TRACT WERE PROVIDED BY THE CLIENT.
7. BEARINGS SHOWN HEREON ARE GRID BEARINGS AND REFERENCED TO FDOT RIGHT OF WAY MAP OF STATE ROAD A1A, SECTION No. 93060-2510.
8. THE PURPOSE OF THIS SKETCH AND LEGAL DESCRIPTION IS TO CREATE TWO TEMPORARY CONSTRUCTION ACCESSES AND ONE TEMPORARY CONSTRUCTION STAGING AREA WITHIN THE CITY OF BOYNTON BEACH OCEANFRONT PARK.
9. THIS SKETCH IS NOT VALID WITHOUT THE SEQUENCED NUMBER OF SHEETS.
10. BEARINGS, DISTANCES AND COORDINATES SHOWN HERON ARE RELATIVE TO THE NORTH AMERICA DATUM OF 1983, FLORIDA STATE PLANE, ZONE 901, TRANSVERSE MERCATOR PROJECTION IN THE U.S. SURVEY FOOT UNIT OF MEASUREMENT.

CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON 8/23/19. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17 ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTE 472.027.

KENNETH C. JACKSON, PSM - FLORIDA REGISTRATION NUMBER 4549

ABBREVIATIONS:

APX.	APPROXIMATE
CONST.	CONSTRUCTION
D.B.	DEED BOOK
E'LY	EASTERLY
GOV.	GOVERNMENT
No.	NUMBER
O.R.B.	OFFICIAL RECORDS BOOK
PBC	PALM BEACH COUNTY
P.B.C.R.	PALM BEACH COUNTY RECORDS
PBCPA	PALM BEACH COUNTY PROPERTY APPRAISER
PG(S)	PAGE(S)
R.	RANGE
S.	SECTION
S'LY	SOUTHERLY
S.R.	STATE ROAD
T.	TOWNSHIP
TYP	TYPICAL

VICINITY MAP
NOT TO SCALE



THIS IS NOT A SURVEY

<div>TERRAQUATIC</div> <div>SURVEYING AND MAPPING</div>	DRAWING: OCEANFRONT PARK EASEMENTS.dwg			DRAWN BY: BL	
	SCALE: N/A	DATE: 8/26/19	JOB No.: 19-870	CHECKED BY: KCJ	
	REV:			SHEET 1 OF 6	
<div>PREPARED BY:</div> <div>TERRAQUATIC, INC</div> <div>1220 TANGELO TERR, UNIT A12</div> <div>DELRAY BEACH, FL 33444</div> <div>TELEPHONE: (561) 806-6085</div> <div>CERTIFICATE OF AUTHORIZATION NO. 7324</div>	<div>SITE OWNER / ADDRESS</div> <div>CITY of BOYNTON BEACH</div> <div>OCEANFRONT PARK</div> <div>6415 N OCEAN BLVD.</div> <div>OCEAN RIDGE, FL 33435</div>			<div></div> <div>Page 35 of 40</div>	

LEGAL DESCRIPTION - CONSTRUCTION ACCESS EASEMENT NORTH

THIS IS NOT A SURVEY

A TEMPORARY CONSTRUCTION ACCESS EASEMENT OVER AND ACROSS THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN DEED BOOK 1110, PAGE 679 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING IN GOVERNMENT LOT 5, SECTION 22, TOWNSHIP 45 SOUTH, RANGE 43 EAST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID CERTAIN PARCEL, SAID POINT ALSO BEING ON THE EASTERLY RIGHT OF WAY OF STATE ROAD A1A, THENCE SOUTHERLY ALONG SAID EASTERLY RIGHT OF WAY ALONG THE ARC OF A CURVE CONCAVE TO THE WEST WHOSE RADIUS POINT BEARS N84°21'36"W A DISTANCE OF 983.03 FEET THROUGH A CENTRAL ANGLE OF 0°34'13" A DISTANCE OF 9.78 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID EASTERLY RIGHT OF WAY AND SAID ARC THROUGH A CENTRAL ANGLE OF 0°55'58" A DISTANCE OF 16.00 FEET; THENCE DEPARTING SAID EASTERLY RIGHT OF WAY S84°42'30"E A DISTANCE OF 80.42 FEET TO A POINT ON A TANGENTIAL CURVE CONCAVE TO THE SOUTHWEST; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 67°20'29" AND A RADIUS OF 44.45 FEET A DISTANCE OF 52.24 FEET; THENCE N89°36'30"E A DISTANCE OF 32.02 FEET; THENCE N44°56'10"E A DISTANCE OF 38.39 FEET; THENCE S86°57'08"E A DISTANCE OF 96.54 FEET; THENCE N04°11'42"E A DISTANCE OF 33.54 FEET; THENCE N86°46'06"W A DISTANCE OF 76.82 FEET; THENCE S85°20'01"W A DISTANCE OF 138.55 FEET; THENCE N84°42'30"W A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBE EASEMENT CONTAINS 8,628.89 SQUARE FEET (0.198AC) MORE OR LESS AND IS SUBJECT TO EASEMENTS, RESERVATIONS, RESTRICTIONS AND RIGHT OF WAY, IF ANY.

LEGAL DESCRIPTION - CONSTRUCTION ACCESS EASEMENT SOUTH

A TEMPORARY CONSTRUCTION ACCESS EASEMENT OVER AND ACROSS THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN DEED BOOK 1110, PAGE 677 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING IN GOVERNMENT LOT 5, SECTION 22, TOWNSHIP 45 SOUTH, RANGE 43 EAST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID CERTAIN PARCEL, SAID POINT ALSO BEING ON THE EASTERLY RIGHT OF WAY OF STATE ROAD A1A, THENCE N21°36'52"E ALONG SAID EASTERLY RIGHT OF WAY A DISTANCE OF 102.49 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID EASTERLY RIGHT OF WAY S68°23'08"E A DISTANCE OF 50.59 FEET; THENCE N21°42'43"E A DISTANCE OF 25.00 FEET; THENCE N68°23'08"W A DISTANCE OF 50.63 FEET TO A POINT ON SAID EASTERLY RIGHT OF WAY; THENCE S21°36'52"W ALONG SAID EASTERLY RIGHT OF WAY A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBE EASEMENT CONTAINS 1,265.22 SQUARE FEET (0.029AC) MORE OR LESS AND IS SUBJECT TO EASEMENTS, RESERVATIONS, RESTRICTIONS AND RIGHT OF WAY, IF ANY.

LEGAL DESCRIPTION - STAGING AREA EASEMENT

A TEMPORARY CONSTRUCTION STAGING AREA EASEMENT OVER AND ACROSS THOSE CERTAIN PARCELS OF LAND AS DESCRIBED IN DEED BOOK 1110, PAGE 677 HEREINAFTER REFEREED TO AS PARCEL "A" AND DEED BOOK 988 PAGE 30 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING IN GOVERNMENT LOT 5, SECTION 22, TOWNSHIP 45 SOUTH, RANGE 43 EAST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE AFOREMENTIONED PARCEL "A", SAID POINT ALSO BEING ON THE EASTERLY RIGHT OF WAY OF STATE ROAD A1A, N21°36'52"E A DISTANCE OF 102.49 FEET TO A POINT ON THE SOUTHERLY LINE OF THE ABOVE DESCRIBED CONSTRUCTION ACCESS EASEMENT SOUTH; THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE S68°23'08"E ALONG THE SOUTHERLY LINE OF SAID CONSTRUCTION ACCESS EASEMENT SOUTH A DISTANCE OF 21.98 FEET TO THE POINT OF CURVATURE OF A TANGENTIAL CURVE CONCAVE TO THE NORTHWEST AND THE POINT OF BEGINNING; THENCE DEPARTING SAID SOUTHERLY LINE ALONG THE ARC OF A CURVE WITH A CENTRAL ANGLE OF 177°55'56" AND A RADIUS OF 5.82 FEET A DISTANCE OF 18.07 FEET; THENCE N70°27'11"W A DISTANCE OF 13.42 FEET; THENCE S21°24'06"W A DISTANCE OF 76.79 FEET; THENCE S18°30'09"W A DISTANCE OF 64.27 FEET TO THE POINT OF CURVATURE OF A TANGENTIAL CURVE CONCAVE TO THE SOUTHEAST; THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 5°28'27" AND A RADIUS OF 815.00 FEET A DISTANCE OF 77.87 FEET; THENCE S76°02'41"E A DISTANCE OF 62.53 FEET TO THE POINT OF CURVATURE OF A NON-TANGENTIAL CURVE; THENCE ALONG THE ARC OF SAID CURVE WHOSE RADIUS POINT BEARS S76°02'41"E A DISTANCE OF 870.00 FEET THROUGH A CENTRAL ANGLE OF 4°59'44" A DISTANCE OF 75.86 FEET; THENCE N18°57'03"E A DISTANCE OF 59.30 FEET; THENCE N19°52'35"E A DISTANCE OF 80.32 FEET; THENCE N68°05'43"W A DISTANCE OF 14.83 FEET TO THE POINT OF CURVATURE OF A TANGENTIAL CURVE CONCAVE TO THE NORTHEAST; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°30'46" AND A RADIUS OF 5.06 FEET A DISTANCE OF 7.99 FEET; THENCE N21°42'43"E A DISTANCE OF 1.93 FEET TO THE SOUTHEASTERLY CORNER OF SAID CONSTRUCTION ACCESS EASEMENT SOUTH; THENCE N68°23'08"W ALONG THE SOUTHERLY LINE OF SAID CONSTRUCTION ACCESS EASEMENT SOUTH A DISTANCE OF 28.61 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBE EASEMENT CONTAINS 13,950.29 SQUARE FEET (0.320AC) MORE OR LESS AND IS SUBJECT TO EASEMENTS, RESERVATIONS, RESTRICTIONS AND RIGHT OF WAY, IF ANY.


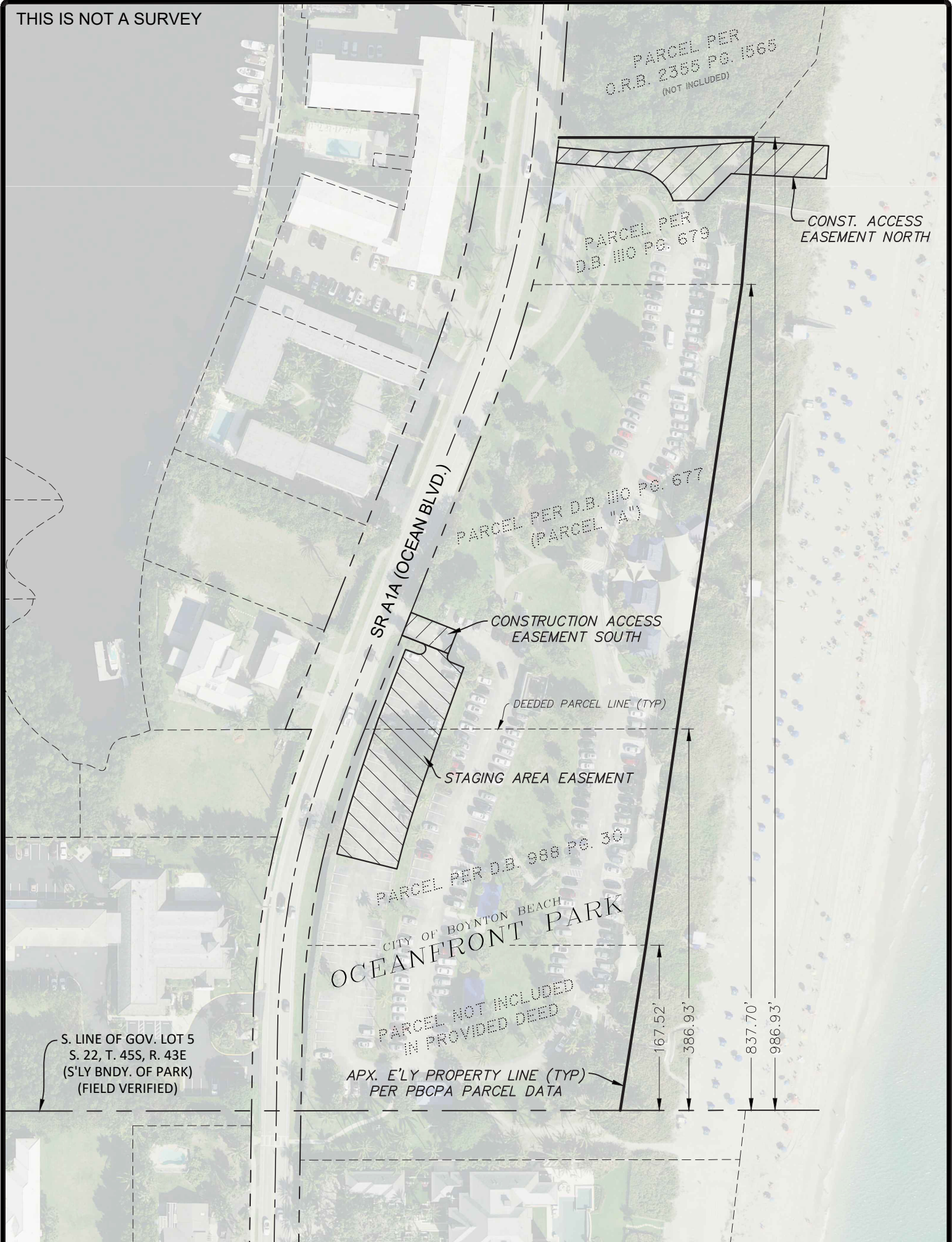
 SURVEYING AND MAPPING	DRAWING: OCEANFRONT PARK EASEMENTS.dwg			DRAWN BY: BL
	SCALE: N/A	DATE: 8/26/19	JOB No.: 19-870	CHECKED BY: KCJ
	REV:			SHEET 2 OF 6
PREPARED BY: TERRAQUATIC, INC 1220 TANGELO TERR, UNIT A12 DELRAY BEACH, FL 33444 TELEPHONE: (561) 806-6085 CERTIFICATE OF AUTHORIZATION NO. 7324	SITE OWNER / ADDRESS CITY of BOYNTON BEACH OCEANFRONT PARK 6415 N OCEAN BLVD. OCEAN RIDGE, FL 33435			Page 36 of 40

EXHIBIT "A"

THIS IS NOT A SURVEY



TERRAQUATIC
SURVEYING AND MAPPING

DRAWING: OCEANFRONT PARK EASEMENTS.dwg

DRAWN BY: BL

SCALE: 1" = 120'

DATE: 8/26/19

JOB No.: 19-870

CHECKED BY: KCJ

REV:

SHEET 3 OF 6

PREPARED BY:

TERRAQUATIC, INC

1220 TANGELO TERR, UNIT A12

DELRAY BEACH, FL 33444

TELEPHONE: (561) 806-6085

CERTIFICATE OF AUTHORIZATION NO. 7324

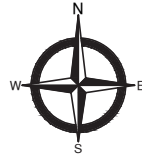
SITE OWNER / ADDRESS

CITY of BOYNTON BEACH

OCEANFRONT PARK

6415 N OCEAN BLVD.

OCEAN RIDGE, FL 33435

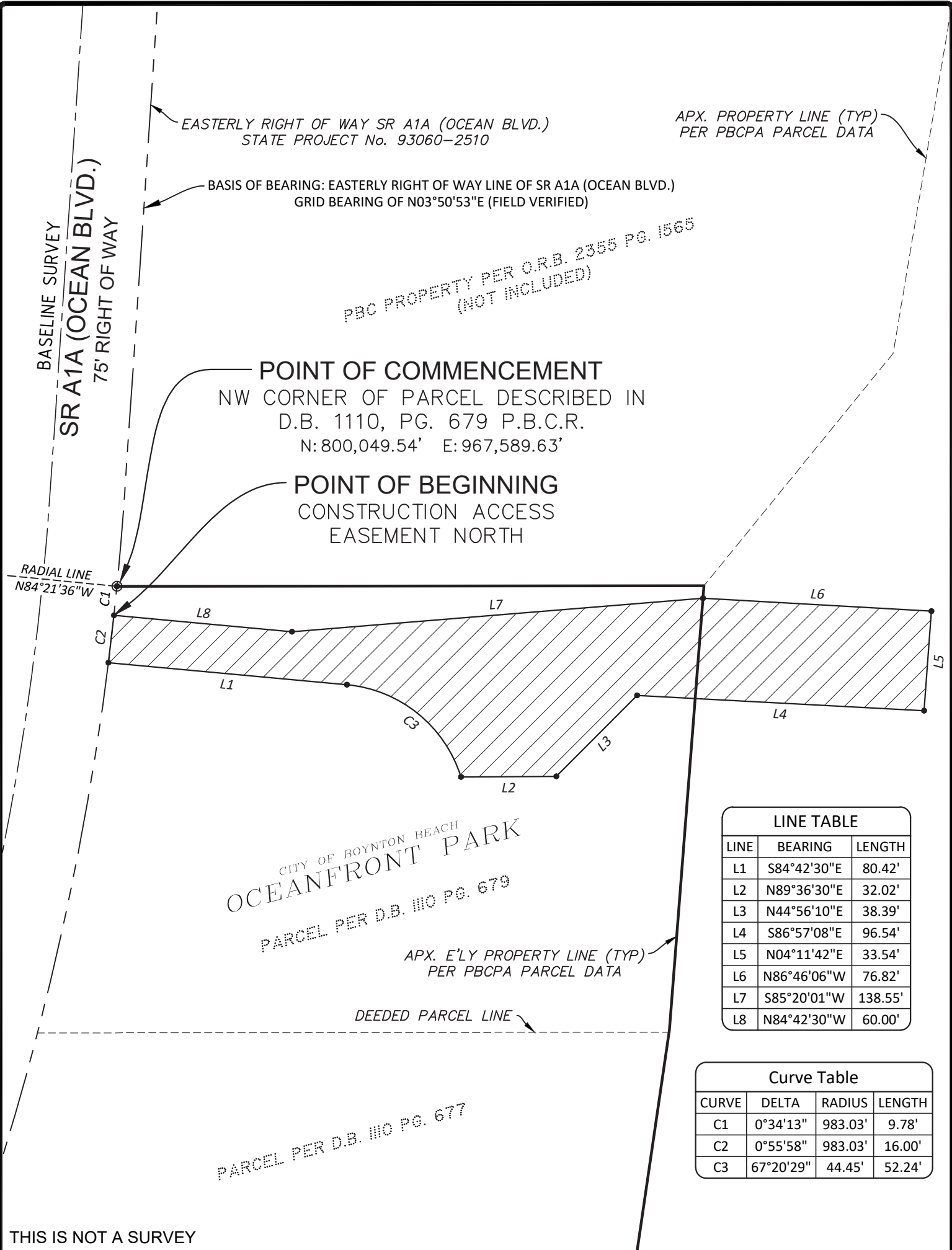


0' 60' 120'

HORIZONTAL SCALE 1" = 120'

Page 37 of 40


EXHIBIT "A"



LINE TABLE		
LINE	BEARING	LENGTH
L1	S84°42'30"E	80.42'
L2	N89°36'30"E	32.02'
L3	N44°56'10"E	38.39'
L4	S86°57'08"E	96.54'
L5	N04°11'42"E	33.54'
L6	N86°46'06"W	76.82'
L7	S85°20'01"W	138.55'
L8	N84°42'30"W	60.00'

Curve Table			
CURVE	DELTA	RADIUS	LENGTH
C1	0°34'13"	983.03'	9.78'
C2	0°55'58"	983.03'	16.00'
C3	67°20'29"	44.45'	52.24'

THIS IS NOT A SURVEY



TERRAQUATIC
SURVEYING AND MAPPING

DRAWING: OCEANFRONT PARK EASEMENTS.dwg

SCALE: 1" = 40'

DATE: 8/26/19

JOB No.: 19-870

REV:

DRAWN BY: BL

CHECKED BY: KCJ

SHEET 4 OF 6

PREPARED BY:

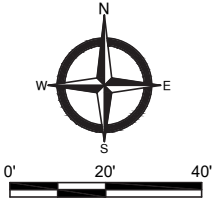
TERRAQUATIC, INC

1220 TANGELO TERR, UNIT A12
DELRAY BEACH, FL 33444
TELEPHONE: (561) 806-6085
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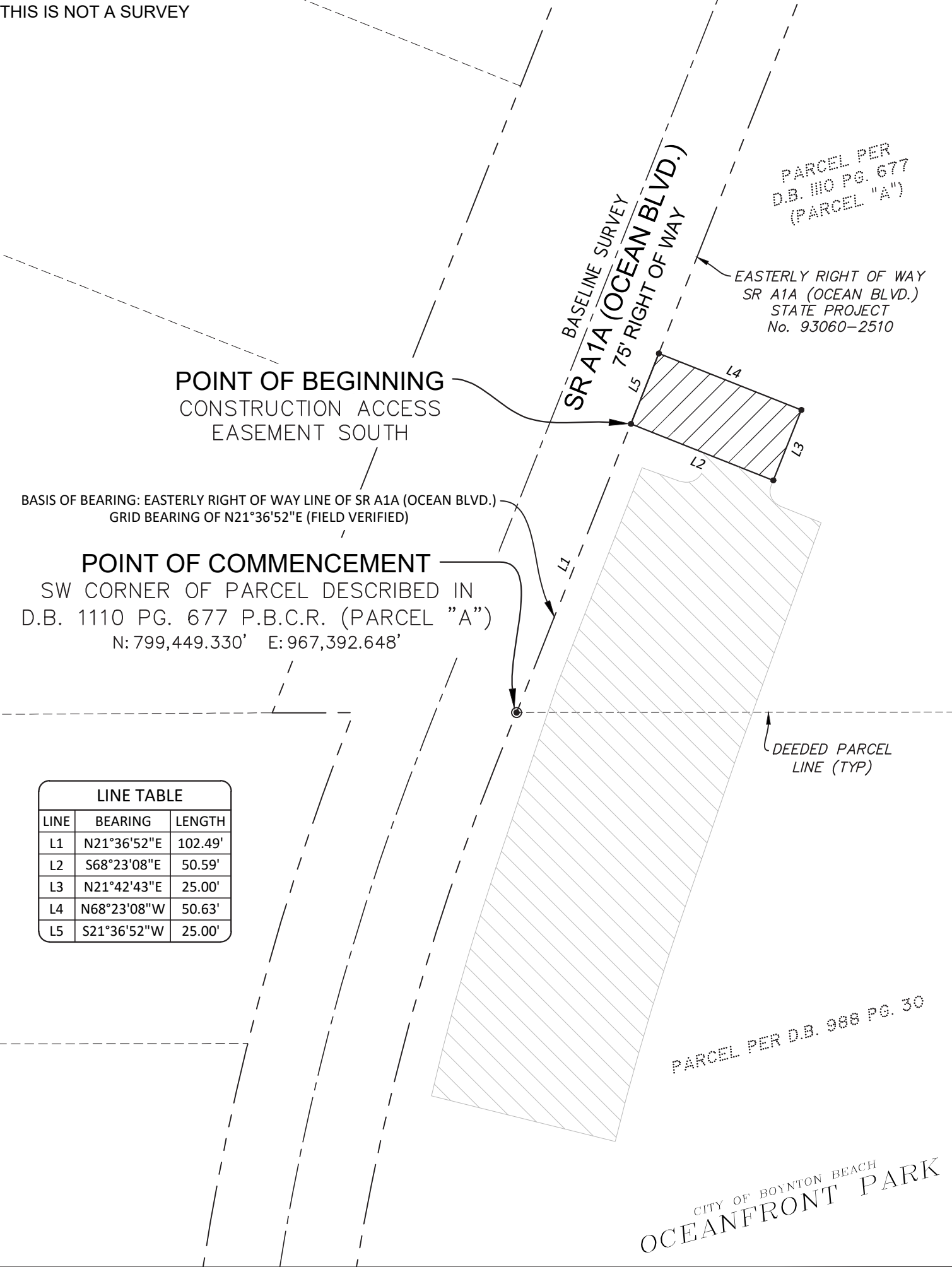
0' 20' 40'


HORIZONTAL SCALE: 1" = 40'

Page 38 of 40

EXHIBIT "A"

THIS IS NOT A SURVEY





SURVEYING AND MAPPING

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SHEET 5 OF 6

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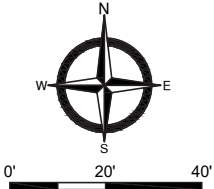
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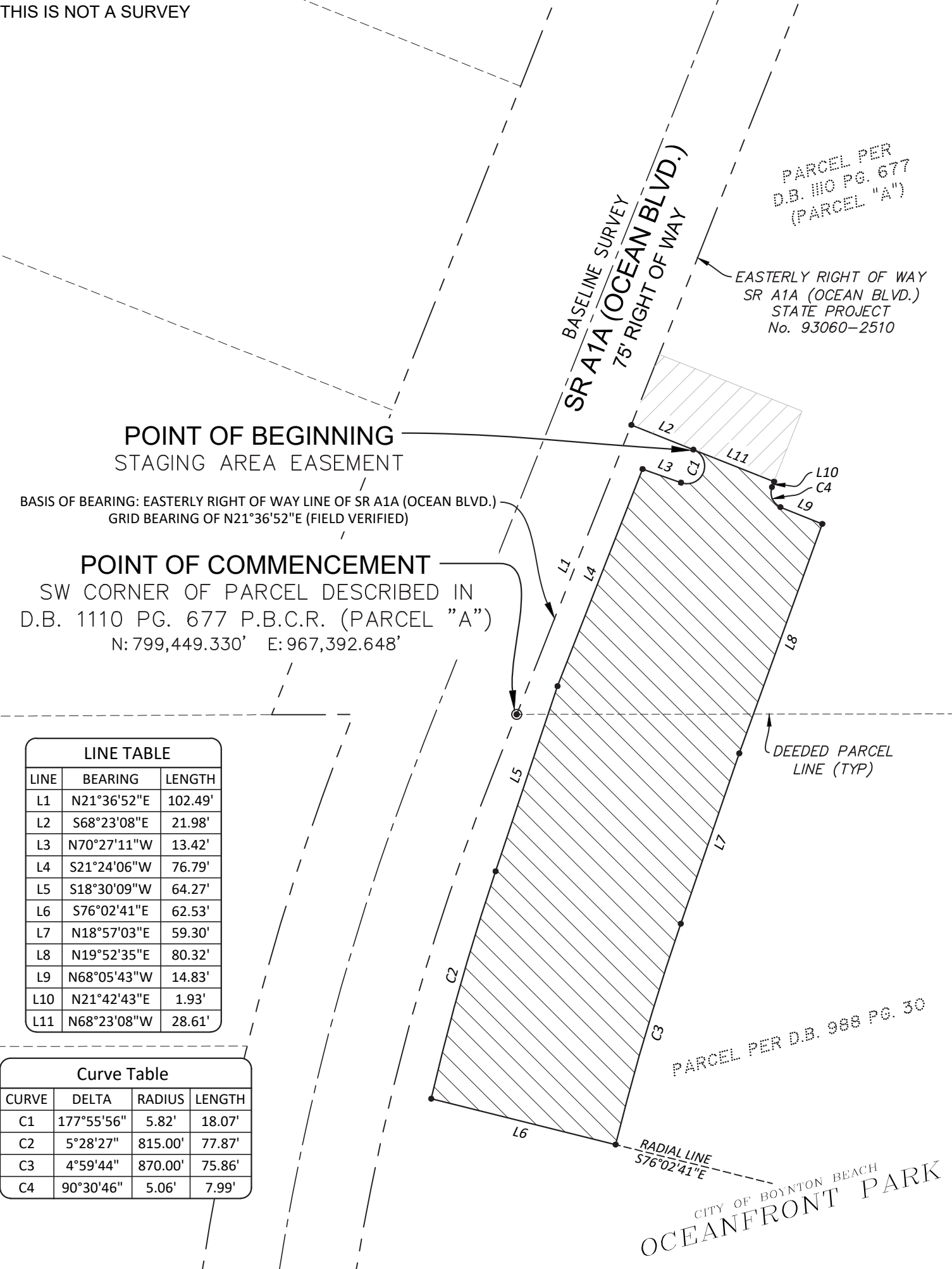
0' 20' 40'

HORIZONTAL SCALE: 1" = 40'

Page 39 of 40

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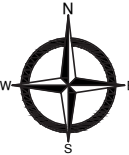
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OCEAN RIDGE, FL 33435



0' 20' 40'

HORIZONTAL SCALE: 1" = 40'

Page 40 of 40