



MEMORANDUM

JESS R. SANTAMARIA

County Commissioner

District 6

Palm Beach County

Board of County Commissioners



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DATE: July 8, 2009

TO: Bob Weisman

FROM: Commissioner Jess Santamaria

REF: Andy Schaller & Fargo Paving

cc: Chairman Jeff Koons and Members, Board of County Commissioners

At about 1 p.m. yesterday (7/7/09) I received a call from George Webb and Marlene Everitt (our legal counsel) to inform me, that after further research, that it was their opinion that **Option 4** (properties west of Frontier are assessed for twice as much as properties east of Frontier) was the option they felt the County would be able to best defend legally. They said they would give the same advice to all Commissioners before the 2 p.m. "Matters by the Public," and they further suggested that the BCC should merely listen to the Ranchette speakers but take "**no action**" at the meeting. I told them I was taking their advice.

I feel that the action taken by the BCC on July 7, 2009 was a big injustice to Mr. Andy Schaller because:

- (1) For over a year, during multiple official public BCC meetings and numerous office meetings between Mr. Schaller and individual Commissioners and County staff we gave him much encouragement to proceed with the normal process, except that now this road paving would be 100% paid by the residents.
- (2) Finally, on **June 2, 2009** at the regular BCC meeting the Board **unanimously approved** the following motion:



“Motion to direct staff to petition the 12 properties on Fargo Avenue to determine if majority would be willing to be assessed for the paving of Fargo between El Paso and Arrowhead in an amount equal to the recent four-road assessment plus the same amount (approximately \$1,300 - \$1,600) that the other 240+/- neighborhood properties would be assessed (a total of approximately \$8,800 - \$9,100). This would be repaid over a 20 year period. If there is a majority in favor, staff should add Fargo to the MSTU program and prioritize the design and construction. Staff should then place the project out to bid and prepare an assessment roll. The properties along Arrowhead, Pinion, Yearling, Rodeo, Pinto and El Paso, between Fargo and Blanchette are also found to benefit from the Fargo paving and should be assessed equally for the benefit. In addition to their base assessment, the original 12 properties on Fargo will also be assessed the same amount as the six roads above. It is understood that the assessed properties above will ultimately pay for 100% of the final project cost.”

There were **no objections**, during the entire discussion and vote, brought up by anyone!

(3) Then, yesterday (7/7/09) the BCC reversed themselves by **postponing indefinitely** the June 2, 2009 approval!

We owe Mr. Andy Schaller an apology for encouraging him to proceed and costing him thousands of dollars of expense and hundreds of hours of wasted time. I intend to personally reimburse him for his monetary expenses, but who can reimburse him for his wasted time and aggravation? We all know how much effort he put into this for over one year!

What are we going to do to prevent a recurrence of this unfair treatment and injustice to other sincere and well-intentioned constituents?


Jess R. Santamaria