

**MINUTES OF A BOARD OF SUPERVISORS MEETING
NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT 06/23/21**

Pursuant to the foregoing Notice, the Board of Supervisors of Northern Palm Beach County Improvement District met at approximately 8:03 a.m. on June 23, 2021, in the Administrative Building and Emergency Operations Center, 359 Hiatt Drive, Palm Beach Gardens, Florida.

1) ROLL CALL

There were present Board President Matthew J. Boykin and Supervisors Adrian M. Salee, Gregory Block, and Ellen T. Baker; District Engineer Robert W. Lawson of Arcadis and General Counsel Kenneth W. Edwards of Caldwell Pacetti, et al.

Also present were Deputy Director Dan Beatty; Finance Director Katie Roundtree; District Clerk Susan Scheff; Director of Operations Ken Roundtree; Capital Construction/Permits Administrator Tim Helms; Programs and Facilities Maintenance Administrator Jared Kneiss; Staff Engineer Kim Leser; Staff Biologist Sam Payson; Environmental Tech Lucas Schaffer; Todd Olsen of Aquatic Vegetation Control, Inc; Lara Donlon of Torcivia, Donlon, et al.; and Sam Graybill of Kimley Horn and Associates, Inc.

2) ESTABLISHMENT OF A QUORUM

Mr. Boykin announced that there was a quorum and that it was in order to consider any business to properly come before the Board.

3) ADDITIONS OR DELETIONS TO THE AGENDA

Mr. Beatty stated that Staff requests Consent Agenda Item a) for Unit No. 3 be moved to Regular Agenda Item a.1) after the Unit No. 2C Item, and the request was approved.

4) APPROVAL OF MINUTES

A **motion** was made by Ms. Baker, seconded by Mr. Block and unanimously passed approving the Minutes of the May 26, 2021 Regular Meeting.

5) COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA

Mr. Boykin called for any comments from the public for items not on the Agenda to which there was no response.

6) CONSENT AGENDA

Mr. Boykin called for any comments from the public on the Consent Agenda to which there was no response.

A **motion** was made by Ms. Baker, seconded by Mr. Block and unanimously passed approving the following Consent Agenda Items:

- a) ~~Unit No. 3 – Horseshoe Acres/Square Lake
Consider Second Amendment to Maintenance Agreement
(Moved to Regular Agenda as noted above)~~
- b) Unit Nos. 9A/9B - Abacoa I and II
Consider Renewal of Annual Service Contract and Change Order No. 3 – Tree Huggers Landscaping & Nursery, LLC
- c) Unit No. 11 – PGA National
 - i) Consider Purchase Order to Ferreira Construction Southern Division Co., Inc.
 - ii) Consider Ratification of Acceptance of Quit Claim Deed
- d) Unit No. 31 – BallenIsles Country Club
 - i) Consider Purchase Order to Straight Ahead Construction, Inc.
 - ii) Consider Second Amendment to Sale and Purchase Agreement
- e) Multi-Unit
 - i) Consider Renewal of Annual Service Contract and Change Order No. 3 – Aquatic Vegetation Control, Inc. (Aquatic Weed Control and Marsh Maintenance)
 - ii) Consider Renewal of Annual Service Contract and Change Order No. 9 – Aquatic Vegetation Control, Inc. (Preserve Maintenance)
 - iii) Consider Renewal of Annual Service Contract and Change Order No. 8 – Clarke Aquatic Services (Aquatic Weed Control – Rural Areas)
 - iv) Consider Renewal of Annual Service Contract and Change Order No. 11 – Future Horizons (Aquatic Weed Control – Urban Areas)
 - v) Consider Renewal of Annual Service Contract and Change Order No. 2 – The Grassroots Corporation (Landscape Maintenance)
 - vi) Consider Renewal of Annual Service Contract and Change Order No. 7 – The Grassroots Corporation (Mowing)

- f) General
Consider Renewal of Annual Service Contracts

- g) Payment Requests

copies of which are contained in applicable Northern files.

7) REGULAR AGENDA

a) UNIT OF DEVELOPMENT NO. 2C – ALTON

Status Report

Mr. Beatty began his report by showing the Board the unit map. He then displayed a site plan and aerial photo which delineated Parcel D followed by several aerial photos of the construction progress within that parcel. He also showed the Board a couple of photos of the Artistry project, noting that the final phase of Artistry is expected to be bid by the end of the year.

Mr. Block inquired about the previous flooding issues within Artistry and Mr. Beatty advised that those issues were dealt with during the preserve project. Mr. Lawson stated that Staff has asked that one or two additional buffer drains be added in the Phase 3 design.

This item was presented for information only and no Board action was required.

a.1) UNIT OF DEVELOPMENT NO. 3 – HORSESHOE ACRES/SQUARE LAKE Consider Second Amendment to Maintenance Agreement

Mr. Edwards explained that the proposed Second Amendment to the Maintenance Agreement was previously brought to the Board to address the mowing issue. He stated that the proposed document was then presented to the Steeplechase Neighborhood Improvement District (SNID) for finalization and acceptance. Mr. Edwards reported that there were a few versions of the document in circulation, so he has been in contact with SNID counsel in the past couple of days to clear up the confusion. He stated that the redlined version that was handed out to the Board today is the final version, noting that the redlining

displays what changes have been made to the document since it was sent to SNID. He briefly reviewed the changes and noted that approval is recommended.

Mr. Boykin called for any comments from the public to which there was no response.

A **motion** was made by Ms. Baker, seconded by Mr. Block and unanimously passed approving the newly submitted Second Amendment to the Maintenance Agreement with Steeplechase Neighborhood Improvement District.

**b) UNIT OF DEVELOPMENT NO. 11 – PGA NATIONAL
Consider Renewal of Annual Service Contract and Change Order No. 1 – Aquatic Vegetation Control, Inc.**

Mr. Beatty stated that this is an Aquatic Weed Control and Marsh Maintenance contract that was awarded to Aquatic Vegetation Control, Inc. (AVC) some time ago, and they are requesting a 10% increase for the annual renewal for fiscal year 2021/2022. He explained that AVC has not requested an increase since 2017, noting that if AVC had requested a 3% increase per year, the contract price would essentially be at the same price that they are requesting now. He further explained that the increase has been requested to cover additional labor expense and fuel costs.

Mr. Beatty reported that a representative from AVC is in attendance if the Board has any questions, and he advised that Staff recommends approval of the annual contract and the requested price increase.

Mr. Boykin called for any comments from the public to which there was no response.

A **motion** was made by Ms. Baker, seconded by Mr. Block and unanimously passed approving Change Order No. 1 to Aquatic Vegetation Control, Inc. to renew its annual contract for the period October 1, 2021 through September 30, 2022, and to increase the contract by \$57,082.00.

**c) UNIT OF DEVELOPMENT NO. 43 – MIRASOL
Consider Purchase Order to Construction Technologies, Inc.**

Mr. Beatty stated that this is an item that Staff intended to include in next year's Capital Improvement Plan, but after recent inspections of the master fuel tank at the Mirasol Master Pump Station, it is recommended that Northern accelerate the replacement of the tank to avoid a possible fuel leak. He showed the Board some photos of the aboveground storage tank and its location. He noted that the inspection revealed some surface cracks in the concrete walls of the tanks. There have been no leaks and none are anticipated, but Staff would like to move forward now instead of waiting until October 1, 2021.

He reported that quotes were solicited from three of Northern's Annual Contractors for the proposed work. He further reported that the only bid received was from Construction Technology, Inc. in the amount of \$89,300.00 and Staff recommends approval.

Mr. Boykin asked if this was a gas-powered pump, and Mr. Beatty advised that this tank holds diesel fuel for the backup generator. Mr. Boykin then asked if any batteries are used, and Mr. Beatty advised that some solar cells are used to run the telemetry in certain areas, but too much power is required for such usage in this case.

Mr. Salee asked what happened since this is a physical structure with a known expected lifetime, and Mr. Beatty advised that the tank is almost 30 years old and has held up through its expected lifetime.

Mr. Boykin asked if the tank was concrete, and Mr. Beatty advised that it is a steel tank encased in double wall concrete, meeting the regulations for secondary containment.

Mr. Boykin called for any comments from the public to which there was no response.

A **motion** was made by Ms. Baker, seconded by Mr. Block and unanimously passed approving the Purchase Order No. 21-550 to Construction Technology, Inc. in the amount of \$89,300.00.

d) UNIT OF DEVELOPMENT NO. 53 – ARDEN

i) Status Report

Mr. Beatty stated that there is nothing to report at this time. He anticipates having some construction progress photos at the next Board Meeting.

This item was presented for information only and no Board action was required.

ii) Consider Acceptance of Water Management Easement

Mr. Lawson stated that this item is housekeeping in nature. He explained that it is a Water Management Easement for an outfall pipe that transverses Tract O-1, which is owned by the Arden Homeowners Association, Inc. (HOA). He stated that Northern requires an easement associated with each of those outfalls. He further stated that this Water Management Easement meets that requirement and Staff recommends approval.

Mr. Boykin called for any comments from the public to which there was no response.

A **motion** was made by Ms. Baker, seconded by Mr. Block and unanimously passed accepting the Water Management Easement.

iii) Consider Purchase Orders to Michael B. Schorah & Associates, Inc. (2)

Mr. Lawson stated that this item is related to Parcels G-North and H-South, noting that Michael B. Schorah & Associates, Inc. submitted a proposal for Construction Phase Services, including materials testing, in the amount of \$136,259.25. He explained that Northern is separating the work into two separate Purchase Orders, Purchase Order No. 21-581 for Materials Testing in the amount of \$39,359.25 and Purchase Order No. 21-582 for Construction Phase Services in the amount of \$96,900.00. He stated that approval of both Purchase Orders is recommended.

Mr. Boykin called for any comments from the public to which there was no response.

A **motion** was made by Ms. Baker, seconded by Mr. Block and unanimously passed approving Purchase Order No. 21-581 for Materials Testing in the amount of \$39,359.25 and Purchase Order No. 21-582 for Construction Phase Services in the amount of \$96,900.00 to Michael B. Schorah & Associates, Inc.

iv) Consider Non-Interference Agreement

Mr. Lawson stated that this item is another step in the process prior to consideration of the Award of Contract for Parcels G-North and H-South. He explained that this is a Non-Interference Agreement which is similar to those approved by the Board in the past when both public and private works are taking place in the same vicinity. He further stated that the Non-Interference Agreement establishes that Northern's work will take precedence over the private work, should there be a conflict. He noted that this Non-Interference Agreement has been approved for every project within this parcel thus far and it has not changed in form.

Mr. Boykin called for any comments from the public to which there was no response.

A **motion** was made by Ms. Baker, seconded by Mr. Block and unanimously passed approving the Non-Interference Agreement with Highland Dunes Associates Property LLC.

v) Consider Award of Contract to Centerline Utilities, Inc.

Mr. Lawson stated that the last item for this project is the Award of Contract for the construction of the Parcels G-North and H-South Improvements within Arden. He reported that three companies picked up plans, but only two bids were received. The bids for the public improvements ranged from \$2,945,661.72 from Centerline Utilities, Inc. to \$3,117,478.50 from CK Development. He explained that Centerline was also the low bidder for the associated private improvements and will be entering into a separate agreement with the Developer.

He stated that Staff recommends approval of Purchase Order No. 21-580 in the amount of \$2,945,661.72 to Centerline Utilities, Inc., noting that they have done a lot of work in this development and Staff has been very pleased with their success.

Mr. Boykin called for any comments from the public to which there was no response.

A **motion** was made by Ms. Baker, seconded by Mr. Block and unanimously passed approving Award of Contract for Construction and Purchase Order No. 21-580 in the amount of \$2,945,661.72 to Centerline Utilities, Inc.

e) GENERAL

i) Consider TRIM Resolution for Proposed Fiscal Year 2021-2022 Annual Budget (2021-06)

Ms. Roundtree stated that this is the next step in the budget approval process for fiscal year 2021/2022, noting that Staff has now received and reviewed the 2021 tax roll from the Property Appraiser's Office. She noted that there were some minor changes with only three larger changes of note. The first was a request by the landowners within Unit of Development No. 12A, Gardens Hunt Club Sub-Unit to remove a proposed additional aerator, which removal resulted in a 3% decrease from the prior year. She stated that the other changes of note involved increases to undeveloped property within Units of Development Nos. 2C, Alton and 53, Arden due to platting changes within each of these units.

Ms. Roundtree reported that Mr. Edwards has prepared Resolution No. 2021-06 which approves the TRIM ("Truth in Millage") rates and allows for changes to the Proposed Budget for Fiscal Year 2021/2022, if necessary.

Mr. Boykin called for any comments from the public to which there was no response.

A **motion** was made by Ms. Baker, seconded by Mr. Block and unanimously passed approving the Proposed Budget for Fiscal Year 2021/2022 and Resolution 2021-06 for adoption of the Proposed Budget and Assessment Rates for TRIM.

ii) Consider Seventeenth Amendment to Employment Agreement

Mr. Beatty stated that the Seventeenth Amendment to Mr. Bardin’s Employment Agreement is in the Board materials and it renews the contract for the period of October 1, 2021 through December 31, 2021, with the understanding that the Agreement may end prior to December 31, 2021, in order to coincide with the commencement of Mr. Beatty’s contract.

Mr. Boykin called for any comments from the public to which there was no response.

A **motion** was made by Ms. Baker, seconded by Mr. Block and unanimously passed approving the Seventeenth Amendment to Employment Agreement, as presented.

8) MISCELLANEOUS REPORTS

a) ENGINEER

Mr. Lawson had nothing to report.

b) ATTORNEY

Mr. Edwards reminded the Board to submit their 2020 Form 1 Statements.

c) EXECUTIVE DIRECTOR

The Public and Community Relations Report is included in the Board materials for review.

9) RECEIVE AND FILE

The following items were presented to be received and filed:

- Assessment Collection Status as of June 15, 2021;
- Northern Monthly Financial Reports; and
- Proof of Publication of Meeting Notice

copies of which are contained in Northern’s records.

10) COMMENTS FROM THE BOARD

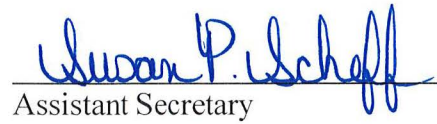
Ms. Baker stated that she attended the Florida Association of Special Districts Conference and she congratulated Staff on the Safety Award that she and Jay Kneiss accepted on Northern's behalf.

11) ADJOURN

There being no further business to come before the Board, the meeting was adjourned.



President



Assistant Secretary