

**MINUTES OF A BOARD OF SUPERVISORS MEETING  
NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT 04/26/23**

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Pursuant to the foregoing Notice, the Board of Supervisors of Northern Palm Beach County Improvement District met at approximately 8:01 a.m. on April 26, 2023, 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 Gregory Block, Ellen T. Baker and Brian J. LaMotte; Executive Director Dan Beatty; and General Counsel Kenneth W. Edwards of Caldwell Pacetti, et al.

Also present were Director of Finance & Administration Katie Roundtree; District Engineer Kim Leser; District Clerk Susan Scheff; Director of Operations Ken Roundtree; Capital Construction/Permits Administrator Tim Helms; Programs & Facilities Maintenance Administrator Jared Kneiss; Budget & Tax Roll Manager Laura Ham; Technical Assistant/Records Management Specialist Kathleen Maloney-Pollock; Field Technician II Justin Helms; Samantha Saucier and Bruce Barber of FPL; Jeff Bergmann of WGI; David Logan of Murray Logan Construction; W. Jeff Holland, Bruce Wyman, and Louis Conter (Unit 20).

**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 requested removal of item 7) d) from the Agenda to be considered at a later date and the Board consented to the request.

#### **4) APPROVAL OF MINUTES**

A **motion** was made by Ms. Baker, seconded by Mr. Block and unanimously passed approving the Minutes of the March 22, 2023 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) Multi-Unit
  - i) Consider Renewal of Annual Service Contracts
  - ii) Consider Renewal of Annual Service Contract and Change Order No. 6 - Aquatic Vegetation Control, Inc. - Aquatic Weed Control and Marsh Maintenance
  - iii) Consider Change Order No. 12 - Aquatic Vegetation Control, Inc. - Preserve Maintenance
  - iv) Consider Renewal of Annual Service Contract and Change Order No. 1 - Palmera Complete Landscaping – Annual Landscape Maintenance Contract No. 1
  - v) Consider Renewal of Annual Service Contract and Change Order No. 1 - Palmera Complete Landscaping – Annual Landscape Maintenance Contract No. 2
  - vi) Consider Renewal of Annual Service Contract and Change Order No. 2 - The Grassroots Corporation Annual Landscape Maintenance Contract No. 3
  - vii) Consider Renewal of Annual Service Contract and Change Order No. 13 - Future Horizons - Aquatic Weed Control
- b) Unit No. 2C – Alton  
Consider Bill of Sale to Seacoast Utility Authority – Parcel G, Phase III
- c) Unit No. 9A – Abacoa I  
Consider Acceptance of Bill of Sale
- d) Unit Nos. 9A/9B – Abacoa I & II  
Consider Renewal of Annual Service Contract and Change Order No. 2 - Aquatic Vegetation Control, Inc. - Aquatic Weed Control, Greenway and Preserve Maintenance

- e) Unit No. 11 – PGA National
  - i) Consider Purchase Order to The Grassroots Corporation
  - ii) Consider Renewal of Annual Service Contract and Change Order No. 3 – Aquatic Vegetation Control, Inc. - Aquatic Weed Control and Marsh Maintenance
  
- f) Unit No. 18 – Ibis Golf & Country Club
  - i) Consider Ratification of Purchase Order to Everglades Laboratories, Inc.
  - ii) Consider Renewal of Annual Service Contract and Change Order No. 13 – Aquatic Vegetation Control, Inc. - Aquatic Weed Control and Marsh Maintenance
  
- g) Unit No. 19A – Regional Center – Irrigation  
 Consider Purchase Order to F & S Enterprises, Inc.
  
- h) Unit No. 53 – Arden
  - i) Consider Bill of Sale and No Lien Affidavit for Pod D-Southeast
  - ii) Consider Change Order to Centerline Utilities – Pods D-Southeast, D-Southwest & I-North (CO No. 2)
  
- i) General
  - i) Consider Renewal of Annual Service Contract and Change Order No. 3 – Image Janitorial Services, Inc. – Janitorial Contract
  - ii) Consider Declaration of Surplus Equipment
  
- j) Payment Requests

copies of which are contained in applicable Northern files.

## 7) **REGULAR AGENDA**

### a) **UNIT OF DEVELOPMENT NO. 1 – GRAMERCY PARK (CYPRESS RUN)** **Consider Grant of Easement to FPL**

Prior to consideration of a Grant of Easement to Florida Power and Light Company (FPL), Mr. Boykin recused himself from the vote, having previously filled out a Form 8B on matters involving this company.

Mr. Beatty stated that this item is for the consideration of an Easement to FPL. He explained that this Unit is located south of the Beeline Highway and essentially includes the Solid Waste Authority as well as areas between the Turnpike and I-95, displaying an overhead of the Unit boundaries and the Easement area. He further explained that this is not the typical easement that Northern normally grants. Mr. Beatty stated that, as a result of the type of facilities FPL is installing, they have requested additional restrictions

and limitations within the proximity of their facilities. He explained that there are maintenance activities that Northern will need to perform on a regular basis, but one benefit is that the new line will be higher with more clearance than the existing line. He reported that the District Engineer and Staff have evaluated the area and are comfortable with approving the Easement with the referenced restrictions.

Ms. Baker called for any comments from the public to which there was no response.

A **motion** was made by Mr. Block, seconded by Mr. LaMotte and unanimously passed granting the referenced Easement to Florida Power and Light Company.

**b) UNIT OF DEVELOPMENT NO. 2C – ALTON**

**i) Status Report**

Mr. Beatty began by showing the Board the unit map and displaying the site plan. He explained that the current construction projects have been completed, but there are new construction-related items coming up on the agenda which will be presented at this time.

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

**ii) Consider First Amendment to Funding Agreement No. 20**

**iii) Consider Funding Agreement No. 21**

Ms. Roundtree explained that there are two Funding Agreements that are in conjunction with another item on the agenda. She stated that the first is the First Amendment to Funding Agreement No. 20 which is related to the final lift of pavement for Alton Road South, Pasteur Boulevard, Beckman Terrace and the Parcel E and F Neighborhood roadways. She noted that the engineer's estimate was lower than the bids received, so additional funding was needed. Ms. Roundtree stated that Northern has requested an additional \$418,680.96 from the landowner for funding of the private improvements. KH Alton, LLC is aware that this Agreement, the next Agreement and the bid approval will be contingent upon receipt of the required funds.

Ms. Roundtree explained that the second Funding Agreement is related to the public improvements. She further explained that when Kolter Homes began this development, they decided to fund the public improvements remaining at the end of the project, once the bonds funds were expended. She reported that Funding Agreement No. 21 is in the amount of \$187,305.00, which covers 125% of the remaining public improvements not covered by bond funds.

Ms. Roundtree stated that Staff is requesting a motion for each of the Funding Agreements presented.

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 First Amendment to Funding Agreement No. 20 in the amount of \$418,680.96.

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. LaMotte and unanimously passed approving Funding Agreement No. 21 in the amount of \$187,305.00.

**iv) Consider Award of Contract to J.W. Cheatham, LLC**

Ms. Leser explained that Northern went out for bid for the final lift of pavement on Alton Road South, Pasteur Boulevard, Beckman Terrace and the Parcel E and F Neighborhood roadways, noting that the plans were prepared by Michael B. Schorah and Associates. She stated that the private alleyway improvements were also included and will be funded by the landowner, KH Alton, LLC. She reported that the project was advertised for public bid in March and the apparent low bidder is J.W. Cheatham LLC in the amount of \$1,478,279.70 for the public improvements and \$459,863.35 for the private improvements. The total bid amount for this project is \$1,938,143.05.

Ms. Leser stated that, as previously mentioned, the engineer's opinion of probable cost was slightly lower than the low bid, but it is her opinion that the bid represents the value of the project in the marketplace today. She noted that Northern has done a substantial amount of work with J.W. Cheatham and, subject to

the bidder's ability to provide the required payment and performance bonds, we recommend that J.W. Cheatham LLC be designated the lowest and best bid for this project. She reiterated that award of this contract will be contingent upon receipt of funding as addressed in the preceding two Agenda items.

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 Award of Contract for Construction and Purchase Order No. 23-583 to J.W. Cheatham LLC in the amount of \$1,938,143.05, subject to receipt of the necessary funding, as presented.

**c) UNIT OF DEVELOPMENT NO. 5 – HENRY ROLF**

**i) Consider Addendum No. 4**

**ii) Consider Award of Contract to Johnson-Davis, Inc.**

Ms. Leser explained that this item is associated with the rehabilitation and replacement of an existing 96-inch corrugated metal culvert that connects Unit 5B, C and D to Unit 5A, noting that it runs from RiverWalk to Vista Center. She stated that Mock Roos and Associates, Inc. prepared plans for the culvert replacement and Northern obtained a loan to cover a portion of the estimated cost of the construction and also applied for several grants, which Northern did not receive. She reported that the Project was advertised for public bid in January 2023, with a budget estimate of \$2,700,000.00, noting that the only bid received was from Johnson-Davis, Inc. in the amount of \$3,065,125.00.

Ms. Leser stated that Staff reviewed the project with the Project Engineer and, based on how it was designed, it was determined that a portion of the project could be removed and bid at a later date as a separate project, briefly reviewing the project in more detail. She reported that Northern negotiated with Johnson-Davis, Inc. to lower the bid to \$2,099,930.00 which included some value engineering as well. She further reported that in exchange for the significant reduction in their bid, Johnson-Davis requested that the Project be changed from Unit Price to Lump Sum and add 60 days to the contract based on current material shortages and delays.

Mr. Boykin asked about the size of the pipe and Mr. Beatty advised that it is 96 inches in diameter. Ms. Leser explained that the project involves replacement under Vista Parkway South and sliplining under Jog Road.

Mr. LaMotte asked if the pipe provides drainage for the Unit 5 sub-units along Okeechobee Boulevard and Ms. Leser responded affirmatively.

Ms. Leser explained that, in addition to accumulated reserves, Northern obtained a loan of \$2,400,000.00 for the work, adding that Northern will have to obtain funding to do the work that was removed from the bid at some point in the future.

Mr. Boykin asked how many people are served by this project and Staff advised that the project involves all of the residents of Units 5A, B, C & D, plus businesses, which amounts to a large number of residents.

Ms. Leser stated that this recommendation requires two motions. The first motion is to consider Addendum No. 4 to the Unit 5 Rehabilitation and Replacement Project. She explained that the Addendum includes revising the project to modify the Bid Proposal's scope of work, adding 60 calendar days to the contract time, and changing the contract from Unit Price to Lump Sum.

Mr. LaMotte asked if they are moving the pipe under Vista Parkway or putting it back in the same place. Ms. Leser advised that they are putting it back in the same place, and described the process in a little more detail.

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 Addendum No. 4 to the Unit 5 Rehabilitation and Replacement Project, as presented.

Ms. Leser stated that the second motion is to consider the Award of a Lump Sum Contract to Johnson-Davis, Inc. in the amount of \$2,099,930.00 and the issuance of Purchase Order 23-585.

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 a Lump Sum Contract and Purchase Order 23-585 to Johnson-Davis, Inc. in the amount of \$2,099,930.00.

**d) UNIT OF DEVELOPMENT NO. 9B – ABACOA II  
Consider Purchase Orders to WGI, Inc. (6)**

This item was previously removed from the agenda.

**e) UNIT OF DEVELOPMENT NO. 11 – PGA NATIONAL  
Consider Award of Contract to J.W. Cheatham**

Ms. Leser stated that this item involves consideration of a contract to J.W. Cheatham, LLC for the Avenue of the Masters milling and resurfacing project, noting that this project was identified and budgeted as part of Northern’s Five Year Capital Improvement Plan. She stated that this project includes pavement milling and resurfacing within Avenue of the Masters and was advertised for public bid in February. She further stated that two bids were received and opened on March 29, 2023, and the low bidder was J.W. Cheatham, LLC in the amount of \$692,610.85.

Ms. Leser reported that this bid result was the opposite of the previous public bid result, noting that the engineer's opinion of probable cost for the project of \$999,731.50 was higher than the lowest bid received. She stated that it is Staff’s opinion that the bids represent the value of the project in the marketplace today and J. W. Cheatham is very well qualified to do the work. She further stated that, subject to the bidder’s ability to provide the required payment and performance bonds, she recommends that J.W. Cheatham, LLC be designated the lowest and best bid for this project. Ms. Leser explained that the work was budgeted in a previous year, funds are available and Staff recommends Award of Contract for Construction and Purchase Order No. 23-558 to J.W. Cheatham, LLC in the amount of \$692,610.85.

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 an Award of Contract for Construction and Purchase Order No. 23-558 to J.W. Cheatham, LLC in the amount of \$692,610.85.

**f) UNIT OF DEVELOPMENT NO. 16 – PALM BEACH PARK OF COMMERCE**

**i) Consider Acceptance of Bill of Sale – IAAI West**

Ms. Leser stated that this item is associated with a Northern permitted project in the Palm Beach Park of Commerce. She explained that the Developer of the IAAI West Project requested and previously received a release of the Blanket Water Management Easement from Northern in exchange for the Developer’s grant to Northern of a new relocatable Water Management Easement which encompassed the location of Northern’s two existing drainage ditches bisecting the property at the time. She noted that a Northern permit was subsequently issued for development of the property and the work authorized in the permit is now complete. She briefly explained that upon Northern’s acceptance, the Bill of Sale conveys the therein described public improvements to Northern. She confirmed that the Engineer’s certification is included in the Board materials and Staff recommends acceptance of the Bill of Sale.

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 acceptance of the Bill of Sale.

**ii) Consider Partial Release of Easement**

Ms. Leser explained that this next item is related to the one previously presented. She directed the Board’s attention to the related aerial photos being displayed and explained that the backfilled ditches included in the “Initial Easement Area” are no longer needed and this Partial Release covers that area. She also noted that Northern did receive an Easement to an additional piece of property upon completion of the Bill of Sale improvements. Ms. Leser stated that there is no cost associated with this Partial Release of

Easement and she recommends approval of the Partial Release of Easement for the “Initial Easement Area” as recorded in ORB 3119, PG 1525, Official Records of Palm Beach County, Florida.

Mr. LaMotte asked why Northern had a Blanket Water Management Easement (Blanket WME) over the entire property to begin with and Mr. Edwards advised that when Northern forms a Unit, Northern obtains a Blanket WME over the entire project, so some of it has been in place for a long time. He further explained that it provides various rights and access for any work that Northern needs to do, but when the works are constructed and access under the Blanket WME is no longer needed for a parcel, Northern releases the encumbered property.

Ms. Leser added that it gives Staff the ability to confirm that Northern has all of the access needed to conduct any maintenance activities before releasing the property.

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 Partial Release of Easement for the “Initial Easement Area” as recorded in ORB 3119, PG 1525, Official Records of Palm Beach County, Florida.

**g) UNIT OF DEVELOPMENT NO. 18 – IBIS GOLF & COUNTRY CLUB  
Consider City of West Palm Beach Development Application Owner Consent Form**

Mr. Beatty stated that the Board has seen this type of document in the past for other projects and he gave a previous example from Unit 14. He explained that, in this case, The Club at Ibis Property Owners Association, Inc. (Club) is planning to develop an area of common property into a pickleball facility which will involve the Club filling in a portion of Northern’s lake. In return, they would make an equivalent area available somewhere else on their property within the same drainage basin. He noted that Mr. Edwards has included modified consent language on Northern’s behalf to address its usage and scope.

Mr. Beatty stated that Staff is recommending execution of the consent to allow the developer to move forward with their site plan modifications and submittal to the City of West Palm Beach.

At this time, Mr. LaMotte recused himself from the vote due to his employer's involvement, having previously filled out a Form 8B on matters involving said employer.

Ms. Baker asked about the location of the development and Mr. Beatty pointed it out on an overhead projection.

Mr. Edwards explained that this item is an approval of the consent for the developer to file an application with the City of West Palm Beach. He stated that the Club will still need to file for a permit from Northern for authorization to perform the work.

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 passed by the voting members authorizing the execution of the City of West Palm Beach Modified Consent Form.

#### **h) UNIT OF DEVELOPMENT NO. 20 – JUNO ISLES**

**i) Consider Waiver of Engineering Standards Manual Requirement**

**ii) Consider Purchase Order to Murray Logan Construction, LLC.**

Mr. Beatty explained that this is essentially a two-item request. He stated that in September of 2021, a Purchase Order was issued to WGI for design, permitting, bid and construction phase services for the rehabilitation or replacement of the existing salinity weir structure within Unit 20, Juno Isles. The design was also to incorporate a salinity backflow prevention mechanism that would mitigate saltwater intrusion as a result of seasonal high tides. Over the past year, WGI has conducted a number of analyses to determine the most efficient method of reconstructing the existing weir and incorporating a passive tidal backflow mechanism.

Mr. Beatty stated that there are a number of challenges that WGI faced with respect to the design, such as available access for construction equipment, overhead power lines and delivery and storage of construction materials. After numerous discussions, it was determined that a marine contractor should be incorporated into the design team to provide value engineering from a constructability perspective. He

stated that this is not unusual, noting that Staff tries to incorporate contractors as often as possible, because it makes the design and construction go smoother. He reported that David Logan of Murray Logan Construction has provided a number of practical solutions in past projects. He further reported that Mr. Logan agreed to meet with Northern Staff, as well as representatives from WGI, to help develop a solution that would be cost effective and provide the desired result. The concept of a passive tidal prevention device had to be abandoned, but with the assistance of Mr. Logan, WGI developed a manually-operated mechanism that can be raised and lowered as needed to prevent saltwater intrusion and will be significantly more cost effective to construct and maintain. In addition, the existing weir will be fortified and refurbished to provide many years of stormwater protection for the community.

Mr. Beatty stated that Murray Logan Construction has provided a quote to refurbish the existing weir structure and fabricate and install the tidal backflow prevention device in the amount of \$268,000.00. He explained that this is significantly lower than the previously anticipated cost of over \$1,000,000 for the passive concept. He further explained that the tidal prevention mechanism is being fabricated by another company and will be designed and reviewed by WGI to confirm it complies with all structural standards before it is constructed.

Mr. Beatty explained that the other part of this item is that since Murray Logan was involved with the concept and assisted with this process, he believes that it is a very good value for the desired end result, which is essentially a new weir and a salinity backfill prevention device. He stated that David Logan of Murray Logan Construction and Jeff Bergmann of WGI are both in attendance and he believes they are ready to begin this project as expeditiously as possible. He also acknowledged that some representatives from Juno Isles are also in attendance and stated that they are looking forward to having this project completed as well.

Mr. Beatty stated that the first request is for a waiver of Section 5.B.2.c.(2) of the Engineering Standards Manual which requires Northern to obtain a minimum of three quotes for construction work less than \$300,000.00.

Mr. Beatty then stated that the second request is for approval of Purchase Order No. 23-573 to Murray Logan Construction, LLC. in the amount of \$268,000.00.

Ms. Baker expressed her disappointment in the timeframe of this project, noting that she participated in the Engineering Review Committee (ERC) Meeting that reviewed the approach methodologies for this project in August 2021. She stated that the Request for Proposals went out in May of 2021 and she visited the project site prior to the ERC meeting, so she has been aware that no work has appeared to have been done. She stated that she has questions about the timeline, what has taken so long and why there have been no status reports or status monitoring of the project.

Mr. Bergmann was asked to address the Board at this time. He stated that the lead engineer on this project left the firm, so someone else had to review the project again from an engineering standpoint. He explained that when one engineer takes over from another, they have to assume full responsibility for the project, so that process took some time. Mr. Bergmann stated that, after the subsequent review of the project, WGI then had discussions with Northern regarding some access issues, noting that they had determined that accessing the project from Northern's easement on Ellison Wilson was not going to be feasible. He apologized for the lateness of the project.

Mr. Boykin asked how they were going to replace the weir and Ms. Leser advised that it is a rehabilitation, not a replacement.

Mr. Bergmann explained that it is being rehabilitated since the access route is burdened by power lines and other issues involving the boat lift.

Ms. Baker stated that all those factors were known when WGI first saw the project, noting that there have not been any changes over the past 19 months, and Mr. Bergmann advised that over the years

WGI has recommended replacement of the bulkhead located on the north side of the canal. Ms. Baker also stated that Mr. Bergmann was originally listed as the principal in charge of the project. She then asked who the gentleman was who left the firm and Mr. Bergmann advised that it was Tim DeLand.

Mr. Bergmann stated that WGI will be working with David Logan, adding that they already have a fabricator, based in the Clewiston area, which has done specialty and custom gates for South Florida Water Management District (SFWMD).

Mr. Boykin asked when the community can expect to have this project done, and Mr. Beatty asked David Logan to address the Board.

Ms. Baker stated that originally the project was expected to be completed within four to six months, with construction beginning within the year, which did not occur.

Mr. Logan addressed the Board and stated that he was brought into the project approximately six months ago, meeting with Northern and WGI and advising that rehabilitation was the better way to proceed. He stated that portions of the structure were in very good shape and can be saved. He then described the proposed rehabilitation project in more detail, noting an anticipated three to four months completion time. He stated that WGI is fairly far along with the value engineering plans and D&J Machinery is ready to go, so he believes he can commit to having the project completed in four months from the date of the Board Meeting.

Ms. Baker asked who is now responsible for carrying out the project. Mr. Logan advised that Mr. Bergmann would be responsible for the design and Murray Logan Construction would be responsible for the construction, if the project is awarded to them.

Ms. Baker then asked Mr. Bergmann how far along he is in the design and permitting process. Mr. Bergmann stated that the next step is a meeting with the fabricator, since this gate will have to be made in sections.

Ms. Baker asked if any permitting applications have been submitted. Mr. Bergmann advised that he needs the design from D&J Machinery before proceeding with SFWMD. He confirmed that he has had discussions with SFWMD and it appears that they will be able to get an exemption since the project will stop saltwater intrusion.

Mr. Boykin asked how long it takes to get a permit from SFWMD, and Mr. Bergmann advised that he should have the exemption within 30 days.

Mr. Logan advised that the final design and permitting process will run parallel with the work being done by Murray Logan.

Ms. Baker requested that the Board receive an update next month. She also stated that she would like to see the WGI contract again and see what has been done thus far, expressing her disappointment in the process once again. She also asked to hear from the homeowners in attendance.

Mr. Edwards asked which contract Ms. Baker was asking to see and she confirmed that she wishes to see the WGI contract once again to review the timelines.

Jeff Holland addressed the Board stating that he and Bruce Wyman are essentially the Board of Juno Isles Boat Owners Association (BOA) which is separate from the Homeowners Association. He further stated that they are very interested in this project as part of the BOA and due to the boat lift. They fully support the salinity device as they are tired of dealing with loading sandbags and taking them off. He explained that the biggest concern for the community and the BOA is that, although they understand that the weir has to be rehabilitated, they want to make sure that Murray Logan and WGI understand that the boat lift has to be able to go over the weir. He stated that they understand that when the salinity device is in operation, the boat lift cannot be used, but they want to make sure that the design does not impede the use of the boat lift. Mr. Holland further stated that the BOA has 60 boat owners/members in the community and collects approximately \$12,000 in dues a year. He reported that the group is growing and they are considering making some future upgrades to the boat lift, due to potential homeowners in the future with

larger boats. He closed by stating that the BOA is all for the upgrade to the weir and the installation of a salinity device, but he is asking that they be kept in loop and their concerns be taken into consideration.

The Board thanked Mr. Holland for his comments.

Lou Conter also addressed the Board stating that he is also a resident of Juno Isles and asked about the estimated date of completion. Mr. Beatty advised that he believes it will be four months from this date. He stated that they were initially told that the project was going to take place during the winter and now he is concerned about the project taking place during the heart of boating season.

Mr. Beatty asked Mr. Logan how long he estimates that the boat lift will be impacted, and Mr. Logan estimates that the boat lift will only be impacted for 45 to 60 days of the estimated four-month project. Mr. Conter thanked the Board.

Mr. Boykin asked about the possibility of moving the project timeframe, and Mr. Beatty advised that there is no good time to do this project as people boat all year long.

Ms. Baker explained that she sympathizes with those concerned with the timing.

Mr. Boykin called for a motion and Mr. LaMotte stated that he is abstaining from the vote due to WGI's involvement in this project.

Mr. Edwards asked that the motions be done in two parts, with the first motion being to waive the pertinent Section of the Engineering Standards Manual requirement.

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 waiving the Engineering Standards Manual requirement, as presented. Mr. Boykin also voted to approve. Ms. Baker then chose to vote against the motion. The motion passed with a vote of 2-1 with Mr. LaMotte abstaining from the vote.

Mr. Boykin stated that the second motion for consideration was the approval of a Purchase Order to Murray Logan Construction.

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 approving the Purchase Order to Murray Logan Construction, as presented. Ms. Baker then chose to vote against the motion. The motion passed on a majority vote.

**i) UNIT OF DEVELOPMENT NO. 43 – MIRASOL  
Consider Payment Request to WGI**

Mr. Beatty explained that this item is a payment request in the amount of \$3,554.25 to WGI, Inc. for Unit No. 43 Boardwalk Repairs.

Prior to consideration of the Payment Request to WGI, Inc., Mr. LaMotte recused himself from the vote, having previously filled out a Form 8B on matters involving this company.

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 passed by the voting members approving a payment request in the amount of \$3,554.25 to WGI, Inc.

**j) UNIT OF DEVELOPMENT NO. 44 – THE BEAR’S CLUB  
Discuss Request for Acceptance of Title to Acreage**

Mr. Edwards stated that this item has to do with a 15 ½ acre parcel that is subject to a conservation easement. He reported that the property was previously conveyed to Northern, but in 2015, a number of requests were made that Northern return the property to the Developer, and the Board ultimately agreed to the request. He stated that representatives of the current Landowner have asked if Northern would be interested in taking the property back, noting that this request is related to a new development project with the Town of Jupiter which would require giving the property back to Northern before moving forward.

Mr. Edwards explained during the initial transfer in 2015, Northern had to amend the Plan of Improvements and the Report of Engineer as well, which is a costly process. He has already advised the representatives of the potential costs involved for such a future transfer. He also noted that Staff has gone out and looked at the property and it has not been maintained up to Northern’s standards for an area subject to a conservation easement and there would be some additional costs for removal of exotics.

Mr. Edwards reported that he has advised them of the potential costs and that if Northern takes this property back, it will be in perpetuity. He wanted to make the Board aware of this request and check with the Board to find out if they are interested in moving forward with this property transfer, should the Landowner be interested in pursuing the matter.

Following a general discussion with regard to the amount quoted, the maintenance of the property, if any formal request has been made, it was the general consensus of the Board to move forward as long as the new Landowner is willing to pay the necessary costs.

**k) UNIT OF DEVELOPMENT NO. 53 – ARDEN  
Status Report**

Mr. Beatty began his report by initially displaying the unit map and site plan, and stated that this is a verbal report. He stated that most of the construction activity is winding down. There have been no conversations with the Developer with regard to additional future funding, but the next few phases will require funding from the Developer in some manner.

Mr. Edwards stated that there are of couple of items that Northern is still waiting for from the Developer. He noted that Northern had previously sent them a Funding Agreement for a new project and has heard nothing back. He also noted that an Easement will be required from the northern end of the lake to the Okeechobee right-of-way and a draft was sent with no response thus far. He stated that additional easements will also be required and he is concerned that there has not been any response from the Developer. He will be addressing these issues with them since they need to be addressed before moving forward with any future development.

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

**1) GENERAL**

**Consider Approval of Outside Member to Budget, Banking & Audit Committee – Auditor Selection**

Ms. Roundtree stated that Marcum LLP had recently presented the Financial Statements to the Board and Northern currently has a contract with them for auditor services. She explained that Marcum was awarded the contract through an RFP process in 2008, and then in 2018, following several extensions, the Budget, Banking and Audit (BB&A) Committee recommended continuing with the existing contract for Audit Services for five additional years rather than go through an RFP process. She reported that the recommendation included that after five subsequent renewals, the BB&A Committee should meet again to review the current Audit Services contract to determine whether to continue to renew the contract or issue a new RFP.

Ms. Roundtree stated that it is now time to reconvene the BB&A Committee to review the contract and determine how to proceed. She explained that, while the law does not prescribe a maximum term for an audit services contract or a maximum number of renewal periods, the Auditor General's office recommends that once the contract period, including renewals, has expired, any further required annual audit services should be subjected to the auditor selection law in accordance with Section 218.391, Florida Statutes.

Ms. Roundtree explained that the law changed in 2019, and Staff is no longer allowed to participate in the rankings or make selection recommendations. She further explained that the statute also specifies that a minimum of three members should serve on the Committee, and Staff is recommending the Board appoint Ms. Emily Alves, Accounting Manager for the Solid Waste Authority to serve on this Committee. Ms. Roundtree stated that she served in a similar capacity for the Solid Waste Authority for Ms. Alves during their audit selection process, so Ms. Alves has agreed to serve on Northern's Committee for this purpose. She noted that Ms. Alves previously worked for Rachlin as a governmental auditor, has been in government for years and is highly qualified. Ms. Roundtree stated that there are currently two members

on the Committee, with Mr. Boykin serving as an alternate, so the Committee would be comprised of the two current Members and Ms. Alves would be appointed to serve on a temporary basis to assist with the auditor selection process.

Mr. Boykin asked what the annual cost of the audit is and Ms. Roundtree replied that it is currently \$85,000. He then asked if a BB&A Committee meeting will be scheduled once Ms. Alves is approved to serve and Ms. Roundtree responded affirmatively, noting that a meeting has tentatively been scheduled for May 18th.

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 appointing Ms. Emily Alves to the Budget, Banking and Audit Committee temporarily to assist in the auditor selection process.

## **8) MISCELLANEOUS REPORTS**

### **a) ENGINEER**

Ms. Leser reported that there is not much to report except that Staff is getting ready to begin the projects that were just approved by the Board.

### **b) ATTORNEY**

Mr. Edwards reported that the Legislative Session is ongoing and there are really only two pending bills involving special districts. He stated the one bill mentioned previously regarding the removal of the exemption for Chapter 298 elected Board Members had issues from the beginning and the exemption has been put back into the bill with a cautionary note with regard to potential ethics requirements. He further stated that the requirement for four hours of ethics training has remained in the bill.

Mr. Edwards reported that the other bill related to throwing trash in water bodies of special districts and gives Staff the legal authority to contact the appropriate authorities and press charges against those responsible for littering.

There was a general discussion with regard to Reedy Creek and possible changes to the Financial Disclosure requirements.

**c) EXECUTIVE DIRECTOR**

Mr. Beatty began by announcing that Tim Helms is retiring. He gave a brief speech, noting that Mr. Helms has saved the District millions of dollars over the years that he has been employed. He thanked Mr. Helms for his friendship and his service.

The Board wished him well.

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;
- Northern Quarterly Financial Report; and
- Proof of Publication of Meeting Notice

copies of which are contained in Northern's records.

**10) COMMENTS FROM THE BOARD**

Ms. Baker asked for a possible workshop about oversight of the Committees and progress assessments along the way.

Mr. Boykin asked Mr. Beatty if Northern uses Gant charts. Mr. Beatty advised that there was a chronology of items associated with this entire project and he will take responsibility for the timing issues. He stated he was new to his position as Executive Director and once he became more familiar with the project and the issues that arose, he was able to get the right people in place to achieve the appropriate end result for the residents.

Mr. Boykin asked for a process in place for active construction projects regarding timing. Ms. Leser clarified that a process is in place for construction projects, but it has not involved the design phase of the project.

A general discussion followed with respect to issues caused by grant delays, adding timeline tracking for the design portion of a project, and how lump sum payments will be dealt with.

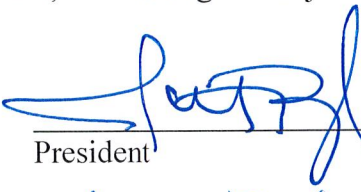
Mr. Edwards also clarified the difference between projects going out for public bid and projects that are bid among a list of general services contractors previously approved by Northern.


Mr. Boykin stated that typically all engagements should include time expectations.

**11) ADJOURN**

A **motion** was made by Ms. Baker, seconded by Mr. Block and unanimously passed to adjourn the meeting.

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

  
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President

  
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Assistant Secretary