

**MINUTES OF A BOARD OF SUPERVISORS MEETING
NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT 11/18/20**

Pursuant to the foregoing Notice, the Board of Supervisors of Northern Palm Beach County Improvement District met at approximately 8:03 a.m. on November 18, 2020, 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 L. Marc Cohn, Gregory Block, and Ellen T. Baker; Executive Director O'Neal Bardin, Jr.; 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; Brooke Lewis and Brad Baker (family of Supervisor Ellen T. Baker).

Supervisor Adrian M. Salee participated via conference call.

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. Bardin asked that the agenda be modified to include a swearing in ceremony for Mr. Boykin and Ms. Baker following this item. He also requested the Board remove consideration of one of the Bills of Sale and the Water Management Easement from Item 7c) for Unit No. 16 – Palm Beach Park of Commerce, and there was a general consensus by the Board approving the request.

4) APPROVAL OF MINUTES

A **motion** was made by Mr. Salee, seconded by Mr. Cohn and unanimously passed approving the Minutes of the October 28, 2020 Regular Meeting.

ADMINISTER OATH OF OFFICE TO NEW SUPERVISORS

Mr. Edwards administered the Oaths of Office to Ellen T. Baker for Seat No. 4 and Matthew J. Boykin for Seat No. 5, and they were congratulated by Mr. Edwards and those in attendance.

5) NOMINATION AND ELECTION OF OFFICERS

Mr. Boykin announced that it was in order to nominate and elect the officers to serve the Northern Board.

Mr. Cohn suggested that the Board's Officers remain the same for this term, unless someone would like to make a change.

Mr. Boykin stated that the only proposed change was that Susan Scheff replace O'Neal Bardin, Jr. as Assistant Secretary.

A **motion** was made by Mr. Cohn, seconded by Mr. Salee and unanimously passed retaining the current slate of the Board's Officers, with the exception of Susan Scheff replacing O'Neal Bardin, Jr. as Assistant Secretary.

6) CONSIDER APPOINTMENTS

Mr. Boykin reported that it was in order to consider the Committee Appointments, Intergovernmental Representatives and Miscellaneous Appointments at this time.

Mr. Boykin briefly ran through the Committee Appointments, Intergovernmental Representatives and Miscellaneous Appointments asking Ms. Baker if she would be interested in filling the vacancies left by Mr. Cohen. Ms. Baker stated that she would be happy to fill the vacancies.

A **motion** was made by Mr. Block, seconded by Ms. Baker and unanimously passed retaining the current slate of Committee Appointments, Intergovernmental Representatives and Miscellaneous Appointments with Ms. Baker filling the vacancies left by Mr. Cohen.

7) 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.

8) 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 Mr. Block, seconded by Ms. Baker and unanimously passed approving the following Consent Agenda Items:

- a) General
 - i) Consider Purchase Order to MTS Software Solutions, Inc.
 - ii) Consider Change Order to Aquatic Vegetation Control, Inc. (CO No. 2)
- b) Payment Requests

copies of which are contained in applicable Northern files.

8) REGULAR AGENDA

**a) UNIT OF DEVELOPMENT NO. 2C – ALTON
Status Report**

Mr. Beatty gave a status report of this project, noting that there is currently very little to present. He stated that one of the Board Members had asked for the percentage of completion of this project and, after doing an evaluation, he reported that the project's bonded improvements are 92% complete. He noted that Northern has made great strides in the last six years of this project. There are no currently no construction activities to report on, but Staff anticipates a couple of projects will be bid in the first quarter of next year.

Mr. Salee stated that he would be interested in knowing the percentage of completion of each of Northern's projects moving forward. Mr. Beatty stated that the completion percentage for Unit No. 53 will be presented in that Status Report. Mr. Salee suggested that completion percentage information be available to the Board on future projects at any time. Mr. Bardin explained that his request has been added to the list of items to touch on for each project.

Mr. Block stated that he cycled from Botanica to Alton and had some questions for Mr. Beatty regarding sidewalk maintenance responsibilities in Abacoa. Mr. Beatty advised that Northern is responsible for some maintenance obligations on the sidewalks along Central Boulevard, but the remainder of the sidewalks are maintained by the Town of Jupiter. They agreed to discuss this further, so Mr. Beatty could look into the matter.

Mr. Bardin added that Northern has a regular inspection routine that is done for all of the roads and sidewalks whereby certain areas are marked for replacement or repairs.

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

**b) UNIT OF DEVELOPMENT NO. 14 - EASTPOINTE
Consider First Amendment to Agreement**

Mr. Bardin stated that Northern entered into an Agreement with Eastpointe Country Club, Inc. as Seller and EPBG, LLC. as Buyer on June 27, 2019. He explained that it was anticipated that the activities would be concluded by October 29, 2020, but they were not. He further explained that this was partially due to COVID and partially due to delays in obtaining the necessary approvals from Palm Beach County Planning, Zoning and Building. Mr. Bardin stated that Staff is asking the Board to approve an Amendment to the Agreement which will extend the deadlines to October 29, 2021, and replaces the Quit Claim Deed which has become stale as well.

Mr. Edwards stated that the Board is being asked to approve the First Amendment to the NPBCID Agreement and authorize the execution of the revised Quit Claim Deed, all of which are included in the Board package.

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

A **motion** was made by Mr. Block, seconded by Ms. Baker and unanimously passed approving the First Amendment to NPBCID Agreement and authorizing the execution of the revised Quit Claim Deed, as presented.

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

i) Consider Bill of Sale ~~Consider Bills of Sale (2)~~

This item was modified at the beginning of the meeting and one Bill of Sale was removed.

Mr. Beatty stated that the remaining Bill of Sale for Board consideration is for the “As Is” item. He explained that this Bill of Sale is for a permitted project and the improvements were constructed. He further explained that the project has been certified by the engineer of record and Mr. Edwards prepared the Bill of Sale, so it is appropriate at this time to accept it.

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

A **motion** was made by Mr. Block, seconded by Ms. Baker and unanimously passed approving the Bill of Sale, as presented.

~~ii) Consider Water Management Easement~~

This item was removed from the agenda at the beginning of the meeting.

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

Mr. Beatty gave a status report of this project, noting that, as was the case with the Unit No. 2C project, there is not really any construction activity going on at this time. He stated that he will defer to Mr. Lawson to report on the status of the Amendment to the Plan of Improvements (POI) and the subsequent Amendment to the Report of Engineer (ROE).

Mr. Lawson stated that last month the Board saw the proposed Amendment to the POI which is now going through a process which involves several Public Hearings. He reported that the Amendment to the POI

identifies the differences that have occurred since Northern started the project, namely the change in the quantity of residential units from 2,000 to 2,334. He reported that the next step is an Amendment to the Report of Engineer which establishes the benefits received by each of the land classifications within the unit. He reviewed the different types of residential units and explained the process involved in the reallocation of benefits. Mr. Lawson stated that a draft of the Amendment to the ROE has been circulated internally and he reviewed the next steps.

Mr. Edwards clarified the process by noting that a Public Hearing will be held in December on the Amendment to the POI and to authorize the preparation of the Amendment to the ROE. He stated this will be followed by another Public Hearing to be held in January to approve both the Amendment to the POI and the Amendment to the ROE.

Mr. Bardin added that Northern will be mailing a letter to each of the residents in Unit 53, advising them of the Public Hearing and including the Legal Notice.

In conclusion, Mr. Beatty reported that this project is 50% complete.

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

e) GENERAL
Discuss Approach Methodology Concept

Mr. Beatty stated that Section II, E. of the Engineering Standards Manual is included in the Board package. He explained that he is bringing it to the Board and ultimately the Engineering Review Committee, because Northern has not gone through this process in quite some time. He further explained that Staff anticipates a couple of projects which meet the criteria for this approach methodology process in the coming year. He then briefly reviewed the process to be followed in order to make the Board aware of what will be occurring in the future.

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

8) MISCELLANEOUS REPORTS

a) ENGINEER

Mr. Lawson had nothing to report.

b) ATTORNEY

Mr. Edwards had nothing to report.

c) EXECUTIVE DIRECTOR

Mr. Bardin stated that the Public and Community Relations Report is included in the Board materials for review.

9) COMMITTEE REPORTS

a) TECHNOLOGY COMMITTEE

i) Consider Committee Recommendation

Ms. Roundtree reported that the Technology Committee met on October 28, 2020. She explained that when the Committee first met in December, the concept of a Data Breach Policy was discussed. Following that meeting, Mr. Edwards drafted a more formal policy which addresses notification requirements per Florida Statutes.

Ms. Roundtree stated that, in addition to the Data Breach Policy, a Cybersecurity Incident Response Plan was also drafted as an internal document that sets forth actions that Northern's staff and consultants should take in the event of a data breach or suspected data breach. She noted that it provides guidelines and steps to follow in order to isolate, assess, respond to and report about suspected or actual data breaches.

Ms. Roundtree stated that the Committee recommended that the Board approve the Data Breach Policy and Cybersecurity Incident Response Plan and asked Mr. Block, as Committee Chair, if he had any further comment.

Mr. Block commended Ms. Roundtree and the rest of the team involved for being proactive and putting these policies in place prior to experiencing a potential incident.

There was no public comment with regard to this item.

A **motion** was made by Mr. Block, seconded by Ms. Baker and unanimously passed approving the Data Breach Policy and Cybersecurity Incident Response Plan.

10) RECEIVE AND FILE

The following items were presented to be received and filed:

- Assessment Collection Status as of November 6, 2020;
- Northern Monthly Financial Reports; and
- Proof of Publication of Meeting Notice

copies of which are contained in Northern's records.

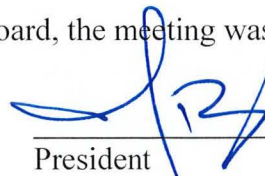
11) COMMENTS FROM THE BOARD

Mr. Boykin and the other Board Members welcomed Ms. Baker to the Board.

Ms. Baker thanked her family for attending and thanked the Staff for helping make her transition a smooth one.

12) ADJOURN

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



President



Assistant Secretary