

**MINUTES OF A BOARD OF SUPERVISORS MEETING
NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT 06/28/23**

Pursuant to the foregoing Notice, the Board of Supervisors of Northern Palm Beach County Improvement District met at approximately 8:00 a.m. on June 28, 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 L. Marc Cohn, 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; Programs & Facilities Maintenance Administrator Jared Kneiss; Budget & Tax Roll Manager Laura Ham; Project Coordinator Polly Scherman; Permit Coordinator Kimberly Morgan; and Lara Donlon of Torcivia, Donlon, et al.

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 reported that no additions or deletions to the Agenda were necessary.

4) APPROVAL OF MINUTES

A **motion** was made by Ms. Baker, seconded by Mr. Cohn and unanimously passed removing from the table and approving the Minutes of the April 26, 2023 Regular Meeting.

A **motion** was made by Ms. Baker, seconded by Mr. LaMotte and unanimously passed approving the Minutes of the May 24, 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. Cohn and unanimously passed approving the following Consent Agenda Items:

- a) Unit No. 9B – Abacoa II
 - i) Consider Amendment No. 1 to Agreement No. A3073 (FRDAP Grant)
 - ii) Consider Notice of Recordation of Limitation of Use (FRDAP Grant)

- b) Unit No. 11 – PGA National
 - i) Consider Authorization to Record Permit No. PER-11-490 – Cignarella
 - ii) Consider Temporary License Agreement

- c) Unit No. 18 – Ibis Golf & Country Club
 - Consider Authorization to Record Permit No. PER-18-226 - Loveys

- d) Unit No. 44 – The Bear’s Club
 - Consider Ratification of Purchase Order to Straight Ahead Construction

- e) Unit No. 53 – Arden
 - i) Consider Authorization to Record Permit No. PER-53-037 - Hamilton
 - ii) Consider Authorization to Record Permit No. PER-53-038 – Munoz
 - iii) Consider Change Order to Centerline Utilities, Inc. - Pods D-Southeast and I-North (CO No. 3)

- f) Payment Requests

copies of which are contained in applicable Northern files.

7) REGULAR AGENDA

a) MULTI-UNIT

i) Consider Assignment & Assumption Agreement and First Amendment

Ms. Roundtree stated that earlier this year, Clarke Aquatic Services sold the aquatic service portion of their company to SOLitude Lake Management, LLC, which also has a contract with Northern. She explained that this Assumption Agreement has been prepared for SOLitude to assume Clarke's aquatic weed control responsibilities in several of Northern's Units of Development. She noted that the Agreement has been signed by representatives of Clarke and SOLitude. Ms. Roundtree then added that Staff is asking for approval of a First Amendment to this Agreement, noting that SOLitude's Certificate of Insurance has a deductible of \$100,000 and Northern's standard deductible is \$10,000, so they have asked that the Agreement be amended to reflect the increase in deductible.

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. Cohn and unanimously passed approving the Assumption Agreement and First Amendment to the Aquatic Weed Control Agreement for Unit Nos. 1, 2, 2C, 5, 7, 9, 9A, 12, 24, 32, 33 & 49, as presented.

ii) Consider Renewal of Annual Service Contract and Change Order No. 10 - SOLitude Lake Management, LLC (formerly Clarke) - Annual Aquatic Weed Control

Ms. Roundtree stated that this item is related to the item the Board just approved and explained that a 4% increase to this contract was requested, as detailed on Change Order No. 10, along with the annual renewal of this contract. She further stated that this annual renewal will carry through to September 30, 2024, and this contract allows for one additional renewal through September 30, 2025.

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. Cohn and unanimously passed approving renewal of the annual contract for the period October 1, 2023 through September 30, 2024, and approval of Change Order No. 10 to SOLitude Lake Management, LLC, as presented.

iii) Consider First Amendment to Interlocal Agreement with City of Palm Beach Gardens for Storm-Related Debris Removal

Mr. Beatty stated that Northern currently has an Agreement with the City of Palm Beach Gardens for debris removal involving the roadways within Units 11 and 31. Staff identified that Northern is responsible for several roadways within Unit 2C, Alton and has requested that the City incorporate those roadways into the Agreement as well. He stated that this Amendment incorporates debris removal of Northern-owned Unit 2C roadways thereby addressing the request of Northern.

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. Cohn and unanimously passed approving Amendment No. 1 to the Interlocal Agreement with the City of Palm Beach Gardens.

b) UNIT OF DEVELOPMENT NO. 2C – ALTON

i) Status Report

Mr. Beatty began by showing the Board the unit map and site plan. He explained that the final lift of asphalt project is in the contract execution phase and has not yet begun. He also showed the Board some drone photos of the hospital site.

Mr. Boykin and Mr. LaMotte had some questions with regard to the photos, and Ms. Leser explained the proposed project site in more detail.

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

ii) Consider Acceptance of Water Management Easement

Ms. Leser explained that this Water Management Easement is associated with an existing platted Water Management Easement that will be extinguished as a result of the replatting process. She explained

that because Northern has facilities within the previously dedicated easement, Staff has requested a separate sketch and description for the new Water Management Easement which will be recorded in advance of recordation of the replat. She stated that the legal description and sketch has been reviewed and approved by Keshavarz & Associates, Inc., also noting that there are no fiscal impacts and Staff recommends acceptance of the new Water Management Easement.

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. Cohn and unanimously passed approving acceptance of the attached Water Management Easement.

**c) UNIT OF DEVELOPMENT NO. 5 – HENRY ROLF
Status Report – Pipe Rehabilitation Project**

Mr. Beatty stated that Ms. Leser will be providing this status report on the pipe rehabilitation project that was awarded to Johnson & Davis.

Ms. Leser stated that the project is underway, explaining they while they are not yet on-site, the pre-construction meeting has taken place and necessary shop drawings are being reviewed. Signage will go up the end of July and construction is expected to begin in the middle of August, assuming the materials are available.

Mr. Boykin asked how long the project is anticipated to last, and Ms. Leser advised that final completion of the project is expected in January, but the majority of the construction is estimated to be completed by the end of November, 2023.

Mr. Boykin asked about project monitoring, and Ms. Leser advised that Mock Roos is responsible for certifying the project and Northern Staff will be on-site once or twice a week as well.

Mr. LaMotte had a question about preparation for storm events during construction, and Ms. Leser advised that bypass pumping was required as part of the project.

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

**d) UNIT OF DEVELOPMENT NO. 5A – VISTA CENTER OF PALM BEACH
Consider Ratification of Purchase Order to Ferreira Construction Company**

Mr. Beatty stated that the Board is being asked to ratify a Purchase Order that was issued as a result of Staff being notified by the Vista Center Property Manager of a depression near a roadway. He explained that upon further inspection, it was determined that a pipe had collapsed. He then showed aerial photos of the location as well as photos of the repair process. Mr. Beatty stated that Staff determined an emergency repair was required and Ferreira Construction Company was on-site within hours, barricading the area and making the repair. He explained that the project is essentially completed with the exception of some minor restoration and Staff recommends approval of Purchase Order No. 23-749 in the amount of \$115,046.77.

Mr. Boykin asked if the repair payment will come out of reserves and Ms. Roundtree responded affirmatively.

Ms. Baker asked how long the resin used for the repair is expected to last, and Mr. Beatty advised that it will be a 50-year pipe repair.

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. Cohn and unanimously passed approving ratification of the referenced Purchase Order No. 23-749 Ferreira Construction Company for the amount of \$115,046.77.

**e) UNIT OF DEVELOPMENT NO. 11 – PGA NATIONAL
Status Report – Avenue of the Masters Milling and Resurfacing Project**

Ms. Leser stated that signage has been posted for approximately two weeks and construction is scheduled to begin July 5, 2023. She noted that this is also expected to be a six-month project, but could be completed sooner.

Mr. Boykin asked how many years does Northern go between resurfacing projects, and Mr. Beatty advised that it can vary due to many factors, but new pavement can generally last about 20 years.

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

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

i) Status Report – Venture Way Extension Project

Mr. Beatty began by showing the unit map and site location and stated that Ms. Leser will be providing the status report.

Ms. Leser explained that the project area has been cleared and the silt fence is up, but the project has been delayed due to an issue with a potable water connection. She noted that the issue will be addressed by a Change Order, which is the subject of the next item for Board consideration.

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

ii) Consider Change Order to J.W. Cheatham, LLC – Venture Way Extension (CO No. 1)

Ms. Leser explained that this Change Order is associated with a potable water connection which is part of the private improvements. She briefly explained the process, noting that the contractor encountered a problem with a frozen water valve. She stated that the Change Order involves putting in a new valve and making the necessary modifications. Ms. Leser further stated that this fix will be completed quickly and then the rest of the project will get underway.

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. Cohn and unanimously passed approving Change Order No. 1 to J.W. Cheatham, LLC.

iii) Consider Acceptance of Water Management Maintenance Easement

Ms. Leser stated that this item is associated with a permit project that is bordered by several Wetland Preserve Tracts which were dedicated to and maintained by Northern. She noted that the original Plat from 1987 does not include easements for maintenance access along the sides of these preserve tracts, and as a condition of the permit approval, the property owner has been requested to provide a Water Management Maintenance Easement to allow legal access for Northern to maintain the adjacent Wetland Preserve Tracts. Ms. Leser reported that the sketches and descriptions for the Water Management

Maintenance Easement have been reviewed by Keshavarz & Associates, Inc., and there are no fiscal impacts associated with the acceptance of this Easement.

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. Cohn and unanimously passed approving acceptance of the Water Management Maintenance Easement.

iv) Consider Renewal of Annual Service Contract – WGI, Inc. – Environmental Liaison

Mr. Beatty explained that WGI has been providing Environmental Liaison services since acquiring Land Design South, the previous provider of this service, in 2016 or 2017. He noted that Northern decided to continue having the same personnel perform the work since they were familiar with it, so the contract was assumed by WGI. He explained that, as part of the Park’s zoning approval, the Environmental Liaison is required to provide an annual environmental report based on evaluations made throughout the year. Mr. Beatty stated that the total amount of the contract is \$25,031 and Staff recommends renewal of the contract.

Mr. Boykin asked if this contract only relates to this unit, and Mr. Beatty responded affirmatively.

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

Mr. Boykin asked if it was budgeted and Ms. Roundtree responded affirmatively.

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. Cohn and unanimously passed approving the first extension of the contract for Environmental Liaison services with WGI, Inc.

g) UNIT OF DEVELOPMENT NO. 20 – JUNO ISLES

i) Status Report – Salinity Weir Rehabilitation Project

Mr. Beatty began by showing the Board the unit map and site plan. He explained that Murray-

Logan is conducting the work on the weir rehabilitation and showed the Board several photos of the progress at the project site.

Mr. Boykin asked about what the fix involves, and Mr. Beatty advised him of the steps involved for the project.

Mr. Boykin asked if they are going to meet their timeline, and Mr. Beatty advised that they are currently ahead of schedule and Staff has been pleased with Murray Logan's performance thus far.

Ms. Baker asked if WGI has received the permit exemption from South Florida Water Management District (SFWMD), and Mr. Beatty advised that WGI has been in conversations with SFWMD and they have been advised that it is considered maintenance work, so it is essentially exempt, or what SFWMD considers "no notice".

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

ii) Consider Payment Request to WGI

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.

This item is a payment request in the amount of \$1,404.71 to WGI, Inc. for the Unit 20 Salinity Weir project.

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 \$1,404.71 to WGI, Inc.

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

Before addressing the payment request, Mr. Beatty began by showing the Board the unit map and site plan. He explained that this payment request is related to replacement of portions of the boardwalk in Mirasol, and Northern received a FRDAP grant for this project. He showed the Board several photos of the

existing boardwalk, noting that Staff anticipates going out for bid on this project in July with award of the contract anticipated for Board consideration hopefully in September.

Mr. LaMotte asked if they are replacing the structure completely, and Ms. Leser advised that it was not being replaced completely and explained the proposed project in more detail.

There was a general discussion with regard to a similar project in Unit 27B, Botanica.

Mr. Beatty explained that this item is a payment request in the amount of \$4,739.00 to WGI, Inc. for the Unit 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 \$4,739.00 to WGI, Inc.

**i) 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 there are no construction photos, as not much construction is taking place. He reported that Staff did have a meeting with representatives from Lennar to discuss potential funding options for the Northern phases of the remaining undeveloped parcels. He stated that there are two options that Lennar is considering for the approximate \$4.5 million needed, the first of which is to issue additional debt which would impact the entire community. Mr. Beatty stated that Staff informed Lennar that option is not advisable, because Northern would require the full support of the community before issuing additional debt.

Mr. Boykin asked if the Homeowners Association is active, and Mr. Beatty responded affirmatively and stated that the assessments would increase about \$100.00 a year. He noted that the debt assessment increase would benefit the developer since it would provide a means of obtaining public

funding for construction of the remaining public improvements in the future phases.

Mr. Beatty stated that the second option would be to form a sub-unit wherein the future phases would continue to be assessed for both the original assessment amount for Unit 53 and any additional bond funds obtained for completion of the public improvements. He stated that those future homeowners would be paying higher assessments than the current residents, so that would require discussion as well. He explained that neither option is very viable for \$4.5 million, but Lennar is expected to respond to Northern in a month to determine how they wish to proceed.

Mr. Boykin asked what the public improvements include, and Mr. Beatty advised that they include water and sewer, which gets turned over to Palm Beach County Water Utilities, as well as any lake interconnect drainage and portions of the Linear Park.

A general discussion followed with regard to the future of the project and the benefits to current and future homeowners.

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

j) GENERAL

Consider TRIM Resolution for Proposed Fiscal Year 2023-2024 Annual Budget (2023-03)

Ms. Roundtree stated that this is the next step in the budget approval process for fiscal year 2023/2024, and one of the most important. She further stated that Staff has received and reviewed the 2023 tax roll from the Property Appraiser's Office and there were not many changes to the assessment rates since last month's presentation of the proposed Budget. She reported that one change of note involves a building that had 316 condos in Unit 15, Villages of Palm Beach Lakes, which have been converted into apartments. She explained that this results in 316 computed acres being converted to a footprint of 18 acres of land which increases the assessment of each of the remaining landowners within Unit 15 by \$16.00.

A general discussion followed with regard to changes in the economy and how Northern's assessments are affected.

Ms. Roundtree reported that Mr. Edwards has prepared Resolution No. 2023-03 which approves the TRIM (“Truth in Millage”) rates and allows for changes to the Proposed Budget for Fiscal Year 2023/2024, if necessary. She noted that those rates are due for submittal to the Property Appraiser’s office in mid-July and the TRIM rates go to the residents in August. She also explained that the Board will have one last review of the Budget in August before the rates go to the Tax Collector for mailing to landowners in November. Ms. Roundtree stated that, unless the Board has any questions, a motion is in order to approve Resolution No. 2023-03.

Ms. Baker had questions on the proposed budget for Unit 3 and Unit 3A regarding aerators and culvert cleaning, and Ms. Roundtree answered those questions.

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. Cohn and unanimously passed approving the Proposed Budget for Fiscal Year 2023/2024 and Resolution 2023-03 for adoption of the Proposed Budget and Assessment Rates for TRIM.

8) MISCELLANEOUS REPORTS

a) ENGINEER

Ms. Leser had nothing to report.

b) ATTORNEY

Mr. Edwards reminded the Board to submit their 2022 Form 1 Statements.

c) EXECUTIVE DIRECTOR

Mr. Beatty stated that Ms. Baker and Jared Kneiss attended the Florida Association of Special Districts (FASD) Annual Conference in Orlando. He reported that Ms. Baker completed her Certified District Official certification training and Mr. Kneiss was appointed to the seat Mr. Beatty recently vacated on the FASD Board.

Mr. Beatty then asked Northern's two newest employees to stand. He introduced them to the Board, stating that Polly Scherman has been as been hired as Northern's Project Coordinator and Kimberly Morgan has been hired as Northern's Permit Coordinator.

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

9) COMMITTEE REPORTS

a) PERSONNEL COMMITTEE

i) Consider Committee Recommendations

Mr. Boykin reported that the Committee met on June 1, 2023, explaining he will review the recommendations and then suggested that one motion be made to consider all of the Committee recommendations.

Mr. Boykin briefly reviewed the Committee recommendations for consideration, stating that the first recommendation was related to changes to the Personnel Manual with regard to compliance with federal guidelines as well as expanded information on military leave, noting that Ms. Donlon was in attendance if the Board had questions with regard to the changes. He stated the second recommendation was in reference to Mr. Beatty's review, noting that the Committee determined that Northern is being run quite well and the related recommendation was in the package.

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. Cohn and unanimously passed approving the Committee recommendations.

ii) Consider Approval of June 1, 2023 Minutes

Mr. Boykin asked the Board for a motion to approve the Personnel Committee minutes of June 1, 2023.

A **motion** was made by Ms. Baker, seconded by Mr. Cohn and unanimously passed approving the Personnel Committee minutes of June 1, 2023.

b) BUDGET, BANKING & AUDIT COMMITTEE

i) Consider Committee Recommendations

Ms. Roundtree reported that the Committee met on June 21, 2023, to discuss the format of a Request for Proposals (RFP) for Auditing Services. She stated that during last month's Board meeting, the Board authorized Staff to begin drafting the RFP based upon the Committee's recommendation. She explained that the Committee met to make decisions on whether to include certain provisions in the RFP, how to rate the proposals, the timing of publication and receipt of proposals. Ms. Roundtree stated that, if approved by the Board, the RFP will be published in the Palm Beach Post and DemandStar (an online bid publication forum) on July 2, 2023, and July 9, 2023. Proposals will be due on August 9, 2023, at 2:00 PM, and the Committee will meet on or about August 16, 2023, to rank the proposals and bring their recommendation to the Board for an award of the bid at the August 23, 2023 Board meeting.

Mr. Boykin asked how long Northern has had its current Auditor, and Ms. Roundtree advised that Marcum contract began in 2008, but noted it has been longer than that by briefly explaining the sequence of various mergers. She also noted that although the firm has been similar for a long time, there has been a change in Partners and Staff over the years.

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. Cohn and unanimously passed approving the Budget, Banking & Audit Committee recommendations.

ii) Consider Approval of May 18, 2023 Minutes

Mr. Boykin asked the Board for a motion to approve the Budget, Banking & Audit Committee minutes of May 18, 2023.

A **motion** was made by Ms. Baker, seconded by Mr. Cohn and unanimously passed approving Budget, Banking & Audit Committee minutes of May 18, 2023.

iii) Consider Approval of June 21, 2023 Minutes

Mr. Boykin asked the Board for a motion to approve the Budget, Banking & Audit Committee minutes of June 21, 2023.

A **motion** was made by Ms. Baker, seconded by Mr. Cohn and unanimously passed approving Budget, Banking & Audit Committee minutes of June 21, 2023.

10) RECEIVE AND FILE

The following items were presented to be received and filed:

- Assessment Collection Status;
- 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. LaMotte asked Mr. Beatty if anything is being done differently to prepare for the upcoming hurricane season, and Mr. Beatty briefly reviewed Northern's hurricane preparation process.

Ms. Baker asked if the temporary barriers along Northlake Boulevard are Northern's, and Mr. Beatty advised that they are not Northern's barriers.

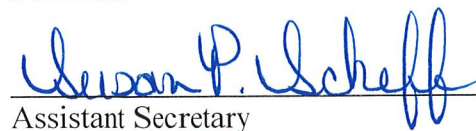
12) ADJOURN

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

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



President



Assistant Secretary