

**MINUTES OF A BOARD OF SUPERVISORS MEETING
NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT 06/24/20**

Pursuant to the foregoing Notice, the Board of Supervisors of Northern Palm Beach County Improvement District met at approximately 8:01 a.m. on June 24, 2020 via Zoom teleconference.

1) ROLL CALL

There were present (via online teleconference) Board President Matthew J. Boykin and Supervisors L. Marc Cohn, John P. Cohen, and Gregory Block; 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 (via online teleconference) were Deputy Director Dan Beatty; Finance Director Katie Roundtree; Executive Assistant Susan Scheff; Director of Operations Ken Roundtree; Programs Administrator Jared Kneiss; Permit and Contract Specialist Mila Acosta; Fiscal Specialist/Engineering Aide-Operations Vicki Loeb; and Ellen Baker (Board Supervisor Candidate).

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

4) APPROVAL OF MINUTES

A **motion** was made by Mr. Cohn, seconded by Mr. Cohen and unanimously passed approving the Minutes of the May 27, 2020 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.

Ms. Roundtree advised that, with the exception of Ms. Baker, no other members of the public had joined the online virtual meeting.

Ms. Scheff advised that she had not received any comments from the public via email prior to the meeting nor were any public comments received by any of the other advertised methods.

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 Mr. Cohn, seconded by Mr. Cohen and unanimously passed approving the following Consent Agenda Items:

- a) Unit Nos. 9A/9B - Abacoa I and II
Consider Renewal of Annual Service Contract and Change Order No. 2 – Tree Huggers Landscaping & Nursery, LLC
- b) Unit No. 11 – PGA National
Consider Change Order to J.W. Cheatham, LLC. (CO No. 1)
- c) Unit No. 16 - Palm Beach Park of Commerce
Consider Renewal of Annual Service Contract and Change Order No. 1 – WGI
- d) Unit No. 18 – Ibis Golf & Country Club
 - i) Consider Renewal of Annual Service Contract and Change Order No. 10 - Aquatic Vegetation Control, Inc.
 - ii) Consider Authorization to Record Permit No. PER-18-197 – Askin
- e) Unit No. 53 – Arden
Consider Bill of Sale and No Lien Affidavit for Pod F-East
- f) Multi-Unit
 - i) Consider Renewal of Annual Service Contract and Change Order No. 8 – Aquatic Vegetation Control, Inc.

- ii) Consider Renewal of Annual Service Contract and Change Order No. 5 – The Grassroots Corporation (Mowing)

- g) Payment Requests

copies of which are contained in applicable Northern files.

7) REGULAR AGENDA

a) UNIT OF DEVELOPMENT NO. 2C – ALTON

i) Status Report

Mr. Beatty gave a verbal status report of this project, noting that there are two major projects that are ongoing. He reported that the public park project is near completion and the remaining work involves the completion of some punch list and administrative items. He remarked that it is a very nice looking facility that will be a benefit to both the neighborhood and the City of Palm Beach Gardens (City). Mr. Beatty stated that the other project involves the preserve buffer improvements being done in Artistry and noted that Northern has been working closely with the City's Forester to make sure any of his concerns are addressed.

Mr. Beatty also reported that Northern is still in the process of negotiating with the Florida Department of Transportation (FDOT) with respect to their request for a Temporary Construction Easement. He explained that Northern is currently working with the City to obtain the requirements that the City imposed upon the developer with regard to the wall and hoping to get the City's support in requiring that FDOT maintain and/or replace those landscaping improvements if and when the construction takes place.

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

ii) Consider Fifth Amendment to Maintenance Agreement

Prior to the presentation of this item, Ms. Roundtree reported that Supervisor Adrian M. Salee and Lara Donlon of Lara Donlon of Torcivia, Donlon, et al. had also joined the meeting (via online teleconference).

Mr. Beatty explained that the Plan of Improvements for this Unit identified aerators as a provision for enhanced water quality and Northern typically provides aerators for that purpose. He stated that, at the request of the Property Owners Association (POA), Northern has installed several fountain-style aerators, which do not provide the same level of water quality, so Northern is requiring that they be maintained by the POA. He further stated that this amendment to the High Level Maintenance Agreement specifically identifies the aerators to be maintained by the POA and the related maintenance requirements for such aerators.

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

A **motion** was made by Mr. Cohn, seconded by Mr. Cohen and unanimously passed approving the Fifth Amendment to the Maintenance Agreement.

**b) UNIT OF DEVELOPMENT NO. 21 – OLD MARSH
Consider Purchase Order to MWI Pumps**

Mr. Beatty stated that MWI Pumps (MWI) is Northern's sole source pump provider and this particular item was identified in Northern's Five Year Capital Improvement Plan. He reported that this Unit has two stormwater pump stations and each currently has a single pump. Staff would like to install an additional pump at each station in order to provide redundancy.

Mr. Beatty explained that Purchase Order No. 20-553 to MWI in the amount of \$243,537.00 is for the manufacture, testing and delivery of the additional pumps. He further explained that the installation of the pumps will be conducted by one of Northern's General Service Contractors and a purchase order for that work will be presented at a later date.

Mr. Cohn asked if the new pumps will be installed in the existing pump stations. Mr. Beatty advised that each of the pump stations have wet wells large enough to accommodate the additional pumps and he anticipates that only minimal modifications will be required.

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

A **motion** was made by Mr. Cohn, seconded by Mr. Cohen and unanimously passed approving Purchase Order No. 20-553 to MWI Pumps in the amount of \$243,537.00.

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

Mr. Beatty gave a verbal status report of this project, noting that most of the infrastructure projects have been completed or are nearing completion. He stated the only project which is currently active is Phase II of the Linear Park, noting that the pre-construction meeting recently took place and the project is anticipated to begin in the next couple of weeks. He concluded his report by stating that Mr. Bardin will have a related item to discuss later in the meeting under the Executive Director report.

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

**d) MULTI-UNIT
Consider Renewal of Annual Service Contract and Change Order No. 1 – The Grassroots Corporation (Landscape Maintenance)**

Mr. Beatty stated that this is an annual contract to The Grassroots Corporation. They have requested Change Order No. 1 in the amount of \$4,386.25 which represents a 5% increase. He stated that Staff has evaluated this contract and determined that the increase is justified. Therefore, Staff is recommending approval of a one year extension of this annual contract and Change Order No. 1.

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

A **motion** was made by Mr. Cohn, seconded by Mr. Cohen and unanimously passed approving Change Order No 1 to The Grassroots Corporation to renew its annual contract for the period October 1, 2020 through September 30, 2021, and to increase the contract by \$4,386.25.

e) GENERAL

i) Consider Renewal of Annual Service Contract and Change Order No. 2 – Image Janitorial Services, Inc.

Mr. Beatty stated that an annual contract request is very similar to the previous item, noting that Image Janitorial Services, Inc. is also requesting a 5% increase in the amount of \$927.00. He explained that this company provides cleaning services for Northern’s Administrative Complex/EOC and it has not had an increase in quite some time. Therefore, Staff is recommending approval of a one year extension of this annual contract and Change Order No. 2.

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

A **motion** was made by Mr. Cohn, seconded by Mr. Cohen and unanimously passed approving Change Order No. 2 to Image Janitorial Services, Inc. to renew its annual contract for the period October 1, 2020 through September 30, 2021, and to increase the contract by \$927.00.

ii) Consider TRIM Resolution for Proposed Fiscal Year 2020-2021 Annual Budget (2020-07)

Ms. Roundtree stated that the Proposed Budget for Fiscal Year 2020/2021 was presented at last month’s meeting and, since that time, Staff has received and reviewed the 2020 tax roll from the Property Appraiser’s Office. She noted that there were some minor changes, primarily as a result of subdividing or unifying title to platted lots. She reported that the modified rates in the Board’s materials reflect the changes in the tax roll, noting that the rates for several Units of Development changed by less than \$1.00, the rate for Unit of Development No. 16 decreased by \$1.71 and the rate for Unit of Development No. 21 increased by \$6.03.

Ms. Roundtree reported that the Assessment Rates for TRIM (“Truth in Millage”) that are in the Board’s materials will be mailed out to property owners in August. She also reported that Mr. Edwards

has prepared Resolution No. 2020-07 which approves the TRIM rates and allows for changes to the budget, if necessary.

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

A **motion** was made by Mr. Cohn, seconded by Mr. Cohen and unanimously passed approving the Proposed Budget for Fiscal Year 2020/2021 and Resolution 2020-07 for adoption of the Proposed Budget and Assessment Rates for TRIM.

Mr. Block commended Ms. Roundtree and Ms. Ham for their work on the budget.

8) MISCELLANEOUS REPORTS

a) ENGINEER

Mr. Lawson had nothing to report.

b) ATTORNEY

Mr. Edwards reminded the Board that they have until July 1, 2019 to file their Form 1, noting that fines begin to accrue after September 1, 2020.

Mr. Block stated that he was able to obtain email confirmation that his Form 1 had been received.

c) EXECUTIVE DIRECTOR

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

Mr. Bardin also stated that he wanted to present a request from Freehold Capital, the Developer of Unit No. 53, Arden. He explained that the current Plan of Improvements (POI) and Report of Engineer (ROE) is based upon a certain number of total units and a benefit allocation related to whether they are designated as single-family or multi-family. He further explained that the assessments are based upon this assumption and the Developer had previously told Northern that those numbers would not change. However, the Developer now has a potential purchaser interested in a large parcel within the development

who wishes to increase the density to more than is set forth in the ROE and current zoning for the property. He reported that the Developer is currently negotiating with Palm Beach County in order to increase the density of the project. Mr. Bardin stated that in order to satisfy the Developer's request, Northern would need to amend the POI and ROE for this Unit. He further stated that the Developer would like to obtain County approval of the increase in density before Northern finalizes these amendments, to which Staff has no objection and is therefore seeking Board approval to begin the process.

(Amy Eason of AECOM joined the teleconference at approximately 8:20 a.m.)

A discussion followed with regard to Northern's compensation for the costs related to the requested POI and ROE amendments as well as the timing of the work in order to confirm the Developer has received County approval in order to move forward.

Mr. Boykin suggested a motion be made to approve that Staff move forward with the work and authorizing Mr. Bardin to determine the appropriate compensation depending upon the amount of work required, and Mr. Bardin confirmed his understanding of same.

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

A **motion** was made by Mr. Cohn, seconded by Mr. Cohen and unanimously passed authorizing commencement of the preparation of the proposed amended Plan of Improvements and Report of Engineer subject to the Developer's payment of costs incurred and prepayment of the estimated costs to be incurred in order to carry out the request of the Developer.

9) COMMITTEE REPORTS

a) PERSONNEL COMMITTEE

i) Consider Approval of Supervisor Boykin Recommendation

Mr. Boykin stated that he has recommended Mr. Bardin be awarded a 3% salary increase and a performance bonus of 5% consistent with Northern's approved budget. He stated his opinion that

Northern has been run very well over the past fiscal year, so he sees no reason to deviate from prior Committee recommendations.

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

A **motion** was made by Mr. Salee, seconded by Mr. Cohen and unanimously passed approving Supervisor Boykin's recommendation that Mr. Bardin be awarded a 3% salary increase and a Performance Bonus of 5%.

Mr. Boykin thanked Mr. Bardin once again on his performance over the past year.

ii) Consider Sixteenth Amendment to Employment Agreement

Mr. Bardin stated that the Sixteenth Amendment to his Employment Agreement is in the Board materials and this amendment adds the previously approved Board recommendation to his contract.

Ms. Roundtree stated that Ms. Donlon was present, if the Board had any additional questions.

There were no further questions, so Mr. Boykin thanked Ms. Donlon for participating in the teleconference.

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

A **motion** was made by Mr. Cohn, seconded by Mr. Cohen and unanimously passed approving the Sixteenth Amendment to Employment Agreement.

10) RECEIVE AND FILE

The following items were presented to be received and filed:

- U53 - Partial Release of Easement - Pod F-East;
- Assessment Collection Status as of June 16, 2020;
- Northern Monthly Financial Reports; and
- Proof of Publication of Meeting Notices

copies of which are contained in Northern's records.

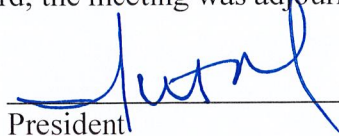
11) COMMENTS FROM THE BOARD

Mr. Cohn noted that Mr. Bardin continues to do a superb job in his stewardship of the Improvement District.

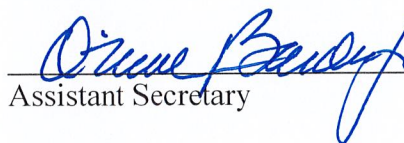
Mr. Edwards informed the Board that the Governor's Executive Order authorizing the waiving of the physical presence of a quorum for meetings is due to expire. He noted that unless the Governor extends the waiver, the July Board Meeting would require at least a physical quorum of three Board Members. He will keep the Board informed of the status.

12) ADJOURN

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



President



Assistant Secretary