

**MINUTES OF A BOARD OF SUPERVISORS MEETING  
NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT 08/28/24**

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Pursuant to the foregoing Notice, the Board of Supervisors of Northern Palm Beach County Improvement District was called to order at approximately 8:04 a.m. on August 28, 2024, 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; Budget & Tax Roll Manager Laura Ham; Programs & Facilities Maintenance Administrator Jared Kneiss; Project Coordinator Polly Scherman; Permit Coordinator Kimberly Marcello; Technical Assistant/Records Management Specialist Kathleen Maloney-Pollack; Nate Eckloff of Piper Sandler, Jonathan Ricketts of J.T.R., Inc.; Ray Spear of The Grassroots Corporation; Chad Kennedy and Dustin Fazio of South Indian River Water Control District; Leonard Hanser of PGA National (Unit 11); and Scott Morton of Kolter (Unit 53).

**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) f) ii) from the Agenda to be considered at the next Board Meeting and the Board consented to the request.

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

A **motion** was made by Ms. Baker, seconded by Mr. LaMotte and unanimously passed approving the Minutes of the June 26, 2024 Regular Meeting.

A **motion** was made by Ms. Baker, seconded by Mr. LaMotte and unanimously passed approving the Minutes of the July 24, 2024 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. LaMotte and unanimously passed approving the following Consent Agenda Items:

- a) Unit No. 5 – Henry Rolf  
Consider Change Order to Johnson-Davis (CO No. 4)
- b) Unit No. 9B – Abacoa II  
Consider Encumbrance Modification to WGI, Inc.
- c) Unit No. 16 – Palm Beach Park of Commerce
  - i) Consider Acceptance of Water Management Easement
  - ii) Consider Acceptance of Bill of Sale
- d) Unit No. 43 – Mirasol  
Consider Change Order to CJ Contracting, LLC (CO No. 3)
- e) General
  - i) Consider Vehicle Purchase Authorization
  - ii) Consider Board Meeting Schedule – Fiscal Year 2024/2025
- f) Payment Requests

copies of which are contained in applicable Northern files.

## 7) REGULAR AGENDA

### a) UNIT OF DEVELOPMENT NO. 2C – ALTON

#### i) Update on Refunding Bond Sale

Ms. Roundtree stated that Staff has been working on this bond sale for quite some time. She explained that the Unit 2C, Series 2014 bonds were available for refunding this year and Staff is pleased to report that the bonds were refunded with significant savings.

Ms. Roundtree reported that Staff did change the TRIM rates to reflect the savings which averaged to 9% per unit and reviewed the savings for each category of home. She then introduced Nate Eckloff to explain the refunding in more detail.

Mr. Eckloff addressed the Board and stated that he is a Managing Director at Piper Sandler, noting that he has worked with Northern on many occasions and thanked them for the opportunity to work on this refunding. He gave a brief summary of the refunding by reviewing the history, the new and existing participants in the refunding process and the various factors involved in reaching the final refunding numbers. He explained that the gross savings of the refunding was \$13.15 million, saving almost 7%, which is more than double the required threshold for refunding. Mr. Eckloff once again thanked the Board for the opportunity to serve the District and expressed his interest in researching some other opportunities in the future.

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

#### ii) Consider Sole Source Designation Resolution for Poinciana Development Group, Inc. and ShadeFLA, Inc. (2024-04)

Ms. Leser explained that the Alton Park is in Unit 2C and was added to the Unit's Plan of Improvements in 2018. She reviewed the elements of the Park and explained the general design of its shade structure. She stated that there was some initial damage to the shade structure columns after a wind event in 2020, which was covered by warranty. She reported that the structure then suffered damage to the

columns once again in October of 2023, and the structure was then pulled down and stored while Staff worked with Northern's insurance carrier to find a solution.

Ms. Leser explained that ShadeFLA, in coordination with Poinciana Development, has constructed other shade structures within the Unit which have not experienced any problems. She stated that they have been great to work with while assisting with review, pricing and preliminary design for coordination with the insurance carrier. She stated that Staff is presenting Resolution No. 2024-04 to waive the Engineering Standards Manual (ESM) requirements and establish Poinciana Development Group, Inc. and ShadeFLA, Inc. as a Sole Source Provider for Northern's Alton Park Replacement Shade Structure.

Mr. Boykin asked if the structure will look the same, and Ms. Leser responded affirmatively.

Mr. Edwards explained that the waiver of provisions in the ESM is regarding the requirement to bid a project among Northern's previously-approved contractors. He further explained that Northern is also waiving the requirement to put the project out for public bid. This allows Staff to work directly with this contractor.

Ms. Baker asked if this will speed up the process of replacing the shade structure, and Ms. Leser 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. LaMotte and unanimously passed approving Resolution No. 2024-04, as presented.

**b) UNIT OF DEVELOPMENT NO. 18 – IBIS GOLF & COUNTRY CLUB  
Consider Bill of Sale and Request for Reimbursement**

Ms. Leser explained that Northern issued a permit to reconstruct the guardhouse on Sandhill Way East, noting that Sandhill Way East is a Northern road right-of-way, but the guardhouse located within the right-of-way belongs to the Ibis Property Owners Association (POA). She reported that at the time of the POA's design and permitting of the guardhouse, Northern had some roadwork projects planned for the area,

including some milling and surfacing of the road right-of-way. She explained that after some discussions, it was determined that it would make sense for Ibis POA to do their work, complete the roadway work and convey the roadway improvements to Northern. Ms. Leser further explained that the work authorized in the permit included installation of roadway drainage infrastructure, widened pavement and new curb within the right-of-way of Sandhill Way East. She stated that the recommendation is for acceptance of the attached Bill of Sale and reimbursement to the Ibis POA of \$61,784.00, less permit inspection fees of \$3,629.07, for installation of the 3/4-inch asphalt overlay and final striping on Sandhill Way East.

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 Bill of Sale and reimbursement to the Ibis POA of \$61,784.00, less permit inspection fees of \$3,629.07, for installation of the asphalt overlay and final striping.

**c) UNIT OF DEVELOPMENT NO. 38 – HARBOUR ISLES  
Consider Purchase Order to Shenandoah Construction**

Mr. Beatty explained that this project is part of the five-year maintenance program for the stormwater management system in Harbour Isles. He stated that this project was planned and budgeted for the maintenance during this fiscal year, noting that requests for proposals were sent to three of Northern's contractors and Shenandoah Construction submitted the lowest quote in the amount of \$48,500.00.

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 the referenced Purchase Order No. 24-903 to Shenandoah Construction in the amount of \$48,500.00.

**d) UNIT OF DEVELOPMENT NO. 53 – ARDEN  
Consider Acceptance of Letter of Commitment and Indemnification and Hold Harmless Agreement**

Mr. Beatty explained that this item is similar to what the Board has approved in the past by allowing the Developer to proceed with the public improvement development of the site in advance by funding and

constructing it themselves. He stated that this request differs in that Lennar will also be constructing drainage improvements, as well as water and sewer improvements.

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 acceptance of the Letter of Commitment and execution of the Indemnification and Hold Harmless Agreement from Lennar Homes, LLC for Pod H-North (Phase 2) and Pod D-Northeast (Phase 1).

**e) PROPOSED UNIT OF DEVELOPMENT NO. 54 – ARTISTRY LAKES  
Consider Resolution Approving and Confirming Creation of Unit of Development No. 54  
(2024-05)**

Mr. Beatty reported now that the Public Hearing has been held and no comments received, it is appropriate to consider Resolution No. 2024-05 approving and confirming the creation of Unit of Development No. 54, Artistry Lakes.

Mr. Edwards stated that this Resolution includes authorization to commence preparation of a Plan of Improvements for the Unit.

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 Resolution No. 2024-05 approving and confirming the creation of Unit of Development No. 54, Artistry Lakes, including preparation of the Plan of Improvements.

Mr. Boykin asked if the parcel next to the new unit could also become a Unit of Development, and Mr. Beatty explained that the area is within Northern’s jurisdictional boundaries, but Mr. Morton of Kolter confirmed that the current owner has no desire to sell the property at this time.

Mr. LaMotte asked Ms. Leser if she will be preparing the Plan of Improvements and she responded affirmatively.

**f) GENERAL**

**i) Consider Resolution Approving & Adopting the 2024/2025 Annual Budget & Assessment Roll (2024-06)**

Ms. Roundtree stated that just as was done with Unit No. 54, a Public Hearing has now been held and no comments received, so it is appropriate to consider Resolution No. 2024-06 to adopt the budget for 2024/2025, the non-ad valorem assessment roll and grant Mr. Beatty and Ms. Roundtree the authority to transmit the non-ad valorem assessment roll to the Tax Collector for inclusion in the November 2024 tax bills. She stated that since the TRIM notices were recently mailed, only a few calls have been received thus far. Ms. Roundtree stated that Mr. Edwards prepared the Resolution and acknowledged the Finance Staff and all of Northern's Staff for their help in the preparation of this year's budget.

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 Resolution No. 2024-06, as presented.

**ii) Consider Amended and Restated Goals, Objectives & Standards**

This item was previously removed from the agenda.

**8) MISCELLANEOUS REPORTS**

**a) ENGINEER**

Ms. Leser gave the following status updates with accompanying photos under her report:

Unit No. 2C - Alton: Ms. Leser stated that a Notice to Proceed was issued for the final lift of pavement in the Parcel D neighborhood roadways, which is on-going with all work scheduled to be complete in December of this year.

Unit No. 5/5A – Henry Rolf/Vista Center of the Palm Beaches: Ms. Leser advised that she had a final walkthrough with the County for the 96" CMP project, and it went quite well. She reported that the Board previously approved a Change Order on the Consent Agenda to remove the allowance for the Emerald

Dunes Golf Course restoration, so she expects to close the contract with Johnson-Davis and make final payment next month.

Ms. Leser reported that the 5A culvert project contract manuals are ready for Board execution after the meeting and, upon execution, the Notice to Proceed will be issued this week.

Unit No. 43 – Mirasol: Ms. Leser reported that on the Consent Agenda, a Change Order for time was approved for the Boardwalk project and final completion is expected in October. She expects final payment to be made next month and she showed before and after photos of the nearly-completed project.

Unit No. 53 – Arden: Ms. Leser stated that there is no public work going on at the moment, noting that the Pod D-Northeast, Phase 1 and Pod H-North, Phase 2 were approved and permit modifications will be issued in association with this project. She noted that the school construction is ongoing and anticipated for completion in July 2025.

**b) ATTORNEY**

Mr. Edwards stated that Staff had sent the Board a memo regarding unit formation as a refresher since it has been a while since the Board has gone through this process. He explained that for Unit No. 54, Northern is now at the point of entering into negotiations with the Developer which are intended to culminate in a Developer’s Agreement. He explained that the Developer’s Agreement outlines everything that each party is agreeing to with regard to the Plan of Improvements. He noted that typically the Developer designates a project engineer at this time, but Simmons & White has already been designated at the request of the Developer. Mr. Edwards then briefly reviewed the remainder of the process, explaining the purpose of each of the steps.

Ms. Baker asked if Kolter will be responsible for the construction of the entire Unit, and Mr. Morton of Kolter responded affirmatively.



**c) EXECUTIVE DIRECTOR**

Mr. Beatty stated that his report is in the file, but took a moment to remind the Board that as we are in the middle of hurricane season, Northern’s Staff and facilities are prepared in the event there is a need.

Mr. Beatty also acknowledged that Chad Kennedy and Dustin Fazio of South Indian River Water Control District were in attendance, noting that Mr. Kennedy was recently appointed as its new Executive Director and wanted to observe how Northern operates.

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

**9) RECEIVE AND FILE**

The following items were presented to be received and filed:

- Northern Monthly Financial Reports; and
- Proof of Publication of Meeting Notice

copies of which are contained in Northern’s records.

**10) COMMENTS FROM THE BOARD**

Ms. Baker congratulated Staff on the budget.

Mr. LaMotte congratulated Staff on the Unit 2C refunding and asked how often a refunding can be done if rates should drop again. Ms. Roundtree advised that it is usually every ten years or so, noting that the next series will be the 2018 bonds, so Staff will look into refunding those in 2028.

Mr. Boykin asked about an advanced refunding, but Ms. Roundtree explained that advanced refundings on bonds are no longer allowed by the IRS.

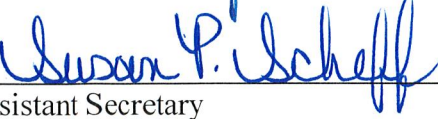
There were no further comments from the Board.

**11) ADJOURN**

A **motion** was made by Ms. Baker, seconded by Mr. LaMotte 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