

**MINUTES OF A BOARD OF SUPERVISORS MEETING  
NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT 02/26/20**

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Pursuant to the foregoing Notice, the Board of Supervisors of Northern Palm Beach County Improvement District met at approximately 8:00 a.m. on February 26, 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, John P. Cohen, Adrian M. Salee and Gregory Block; 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; Executive Assistant Susan Scheff; Director of Operations Ken Roundtree; Budget & Tax Roll Manager Laura Ham; Project Manager/Construction Coordinator Tim Helms; Permit and Contract Specialist Mila Acosta; Michael Futterman of Marcum; Jim Sullivan of WGI; Collene Walter of Urban Design Kilday Studios; and Steven Eaddy of Estrada Hinojosa.

**2) ESTABLISHMENT OF A QUORUM**

Mr. Boykin announced that a quorum was present 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 that no additions or deletions to the Agenda were necessary.

**4) APPROVAL OF MINUTES**

A **motion** was made by Mr. Salee, seconded by Mr. Cohen and unanimously passed reaffirming the Minutes of the December 18, 2019 Legal Committee Meeting.

A **motion** was made by Mr. Salee, seconded by Mr. Cohen and unanimously passed approving the Minutes of the January 29, 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.

**6) CONSENT AGENDA**

A **motion** was made by Mr. Salee, seconded by Mr. Cohen and unanimously passed approving the following Consent Agenda Items:

- a) Unit No. 3 – Horseshoe Acres/Square Lake
  - i) Consider Purchase Order to Southeastern Excavating Inc.
  - ii) Consider Purchase Order to Palmera Complete Landscaping, LLC
- b) Unit No. 43 – Mirasol
  - Consider Change Order to PI Electric, Inc. (CO No. 1)
- c) General
  - i) Consider Fiscal Year 2020/2021 Budget Calendar
  - ii) Consider Declaration of Surplus Equipment
- d) Payment Requests

copies of which are contained in applicable Northern files.

**7) REGULAR AGENDA**

**a) MULTI-UNIT**

**i) Consider Reimbursement Resolution (2020-02)**

Ms. Roundtree stated that this Reimbursement Resolution is related to a maintenance loan that is budgeted for three of Northern’s Units of Development: Unit 5, Unit 14 and Unit 15. She explained that the maintenance work involves culvert rehabilitation and weir replacements. She further explained that there will be some engineering and other costs related to the proper sizing of the loan and this Resolution allows Northern to pay those associated costs from the proceeds of the loan.

Ms. Roundtree stated that Mr. Raymond prepared the Resolution and it complies with all applicable legal requirements. She also stated that Mr. Edwards has reviewed and approved the Resolution and if the Board has no questions, a motion was in order to adopt the Resolution as presented.

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 Resolution No. 2020-02.

**ii) Consider Second Amendment to Annual Service Contract – Clarke Aquatic Services**

Mr. Beatty stated that Clarke was originally awarded this contract in 2010. He reported that the First Amendment to the contract was approved in 2015, and Staff is asking that the Board approve the Second Amendment which extends this service contract for aquatic weed control and marsh maintenance. Mr. Beatty explained that Staff has been very pleased with their performance and recommends approval of this contract extension.

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 the Second Amendment to the Clarke Aquatic Services, Inc. contract.

**iii) Consider Second Amendment to Annual Service Contract and Change Order No. 10 – Future Horizons**

Mr. Beatty stated that this item is very similar to the one just presented, noting that the Future Horizons contract was originally awarded in 2010. As discussed previously, the First Amendment to the contract was approved in 2015, and Staff is asking that the Board approve the Second Amendment which extends this service contract for aquatic weed control and marsh maintenance. Mr. Beatty explained that Staff has been very pleased with their performance and recommends approval of this contract extension along with Change Order No. 10 in the amount of \$7,758.28.

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 the Second Amendment to the Future Horizons contract and Change Order No. 10 in the amount of \$7,758.28.

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

Mr. Beatty gave a status report of this project, initially displaying the site plan, followed by aerial photos of the park site, beginning with photos of the dog park. He expects the park to be 100% complete within the next month or so.

Mr. Boykin asked who is responsible for the dog park, and Mr. Beatty advised that Northern is in the process of amending the High Level Maintenance Agreement to reflect that the Property Owners Association will be responsible for the maintenance and operation of the entire new park facility.

Mr. Beatty showed additional photos of the fitness trail, tot lot, rest rooms and parking area. He also showed photos of the preserve improvements and the general development within Artistry.

Mr. Salee asked about the status of the wall, and Mr. Beatty advised that Staff will be presenting a Purchase Order to J.W. Cheatham at next month's meeting to reinstall the fence on the I-95 side at the request of the Florida Department of Transportation (FDOT).

Mr. Lawson reminded the Board that the fence was part of the original contract, but was removed by Change Order in order to close out the original contract while negotiating with FDOT. He explained that J.W. Cheatham, the contractor, agreed to honor the original price per foot with one small change involving wet conditions.

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

**c) UNIT OF DEVELOPMENT NO. 32 – PALM COVE**  
**Consider Release of Assessment Authority and Disclosure Requirements**

Mr. Beatty explained that this item is associated with The Central Baptist Church of Jupiter which is located within unincorporated Palm Beach County near Loxahatchee River Road and Roebuck Road and was included as part of Unit 32, Palm Cove, by agreement with Northern. He further explained that the Church is modifying their site and is required by Palm Beach County to dedicate additional right-of-way to the County as a result of the improvements. He stated the Release of Assessment Authority guarantees that Northern will not assess the County for the additional right-of-way acreage, noting that the right-of-way acreage being released from assessment is 0.127 acres, and Ms. Roundtree has determined that the removal will not affect Northern's assessments.

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 the Release of Assessment Authority and Disclosure Requirements.

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

Mr. Beatty gave a status report of this project, initially displaying the site plan, followed by aerial photos. The photos included views of the cleared lots prepared for construction and an additional photo of the completed development. He reported that the project is moving along well and Staff is pleased with the progress.

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

**e) GENERAL**

**i) Consider Acceptance of Annual Financial Report for the Fiscal Year Ended September 30 2019 – Marcum, LLP**

Ms. Roundtree informed the Board that a copy of the Annual Financial Report for the fiscal year ended September 30, 2019 is before them and another copy was also previously provided to them for

their review. She reported that Northern received an unmodified opinion as well as no adverse Management Letter comments. She noted that there was one journal entry that Staff passed on due to the amount of changes that would have to be made in the financial report, and the auditors approved of that decision. She then introduced Michael Futterman of Marcum, LLP to present his findings.

Mr. Futterman addressed the Board and explained that Marcum prepares the Auditor's Opinion on the financial statement, noting that the remainder of the document is prepared by Management, which for audit purposes is Northern's Finance Department. He then briefly reviewed the document with emphasis on Management's responsibility, the Auditor's responsibility, the Auditor's Opinion, some of the financial highlights and the Communication Letter. He reported that it was a clean, unmodified opinion and there were no adverse Management Letter comments.

Mr. Futterman stated that the Communication Letter summarizes the Auditor's processes. He explained that there were no difficulties during the audit, noting the one non-material, proposed adjustment. He confirmed with Ms. Roundtree's previous statement that it was not worth redoing the financial statements. He also confirmed that there were no disagreements with Management.

Mr. Futterman gave kudos to Mr. Bardin, Ms. Roundtree, Ms. Ham and the entire Staff, noting that they do an excellent job in maintaining the books and records. He also noted that Northern is their only governmental client out of 30 that hands his auditors the financial statement on the first day of the auditing period, which is unheard of, thereby allowing this to be his first governmental audit report presentation of the year.

Mr. Block thanked Mr. Futterman for his presentation and Northern Staff for their work. He directed Mr. Futterman to the Financial Condition Assessment on page 93 of the document and asked if he could provide some of the benchmarks used by Marcum to comply with the Auditor General's office

required procedures. It was determined that Mr. Futterman would send that information to Ms. Roundtree to distribute to the Board.

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 accepting the Annual Financial Report for Fiscal Year Ending September 30, 2019, as presented.

**ii) Consider Resolution Approving Subgrant Agreement for Hurricane Dorian**

Ms. Roundtree explained that in August of 2019, Hurricane Dorian threatened the entire southeast coast of Florida, and many local governments, including Northern, prepared for the storm. She reported that Northern used some stormwater pump time to lower the canals within the District to prepare for a potential significant rain event. Ms. Roundtree further reported that the Federal Emergency Management Agency (FEMA) and the Florida Department of Emergency Management declared a disaster for the southeast coast of Florida for reimbursement of costs.

Ms. Roundtree stated that Northern submitted approximately \$46,000 worth of costs for its stormwater pump time, the shuttering of the building and other preparation costs. FEMA has approved a reimbursement of 75%, and the State will fund another 12.5%, so Northern will be reimbursed approximately \$40,000. She noted that she has gone through the entire application and approval process with FEMA, so once this Subgrant Agreement is completed and approved by the State, Northern should receive its reimbursement fairly quickly.

Ms. Roundtree reported that Mr. Edwards has prepared Resolution No. 2020-03 that accompanies the Subgrant Agreement, and if the Board has no questions, then a motion is in order to approve Resolution No. 2020-03.

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 Resolution No. 2020-03 and the Subgrant Agreement, as well as future similar Subgrant Agreements as approved by the State of Florida Department of Emergency Management.

**8) MISCELLANEOUS REPORTS**

**a) ENGINEER**

Mr. Lawson had nothing to report.

**b) ATTORNEY**

Mr. Edwards had nothing to report.

**c) EXECUTIVE DIRECTOR**

The Community Information Report was included in the Board materials for review.

Mr. Beatty stated that Mr. Bardin sends his regards. He also stated that he attended the Florida Association of Special Districts Legislative Update in January. He reported that there is nothing significant to report but noted that a proposed bill removing the newspaper advertising requirement for public meetings continues to gain support.

Ms. Roundtree stated that the Florida Government Finance Officers Association has designated March 16-20, 2020 as Government Finance Professionals Week. She stated that it is the inaugural week recognizing governmental finance professionals that serve the local governments. She reported that the Palm Beach Board of County Commissioners will be adopting a related Proclamation on March 10, and she and the other Board members of the Palm Beach Chapter of the FGFOA will be in attendance to accept the Proclamation.

**9) RECEIVE AND FILE**

The following items were presented to be received and filed:

- Assessment Collection Status as of February 12, 2020;



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

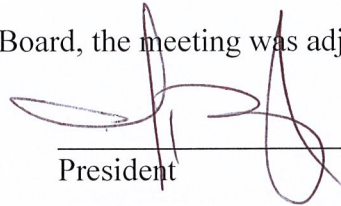
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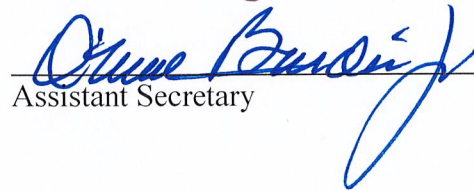
**10) COMMENTS FROM THE BOARD**

There were no comments from the Board.

**11) ADJOURN**

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