

**MINUTES OF A BOARD OF SUPERVISORS MEETING
NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT 07/24/24**

Pursuant to the foregoing Notice, the Board of Supervisors of Northern Palm Beach County Improvement District was called to order at approximately 8:05 a.m. on July 24, 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 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; Lara Donlon of Torcivia, Donlon, et al.; James Barton of FTC; Jim Kraus, Keith Ahronheim and Leonard Hanser of PGA National (Unit 11); and Rita Feinman of BallenIsles Country Club (Unit 31).

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) 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.

5) 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, Inc. (CO No. 3)
- b) Unit No. 11 – PGA National
Consider Purchase Order to Flotech Environmental, LLC
- c) Unit No. 16 – Palm Beach Park of Commerce
 - i) Consider Twentieth Addendum to Law Enforcement Service Agreement – Sheriff of Palm Beach County
 - ii) Consider Acceptance of Water Management Easement
- d) Unit No. 44 – The Bear’s Club
Consider Purchase Order to Flotech Environmental, LLC
- e) General
 - i) Consider Payment and Signature Authority
 - ii) Consider Declaration of Surplus Equipment and Acceptance of Insurance Settlement
- f) Payment Requests

copies of which are contained in applicable Northern files.

6) REGULAR AGENDA

- a) **UNIT OF DEVELOPMENT NO. 2C – ALTON**
Update on Refunding Bond Sale

Ms. Roundtree stated that Staff has been working with Natalie Sidor of PRAG, Northern’s Financial Advisor, and the underwriters to refund the 2014 bonds amounting to approximately \$50 million. She

explained that the bonds only received a BBB- rating from Standard & Poor's due to the concentration of property owned by other entities, such as the University of Florida and Carrier sites, noting that they do see the strength in the residential sales. She reported that the underwriters recently had success selling another BBB- bond and they anticipate a 5% savings, which exceeds Northern's 3% threshold. She completed her report by reviewing the relevant dates leading to the conclusion of the refunding.

There was a general discussion with regard to the anticipated development of the other commercially-owned parcels.

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

**b) UNIT OF DEVELOPMENT NO. 5A – VISTA CENTER OF PALM BEACH
Consider Award of Contract to Nu-Pipe, LLC**

Ms. Leser stated that this item is for an Award of Contract to Nu-Pipe, LLC and Purchase Order No. 24-819 for the rehabilitation of the culverts via the cured-in-place pipe method. She reported that the project was advertised for public bid on June 9, 2024 and June 16, 2024, and three bids were received on July 10, 2024. She stated that the bids were verified using a spreadsheet and ranged from \$893,835.48 from Nu-Pipe, LLC to \$1,197,500.00 from National Watermain Cleaning Company, and the apparent low bidder is Nu-Pipe, LLC. Ms. Leser explained that although the engineer's estimate was higher, the difference between the lowest and second lowest bids was less than \$31,000.00, explaining that the engineer's estimate included contingency funds. She explained that funding is available via a previously obtained multi-unit loan and she recommends Board approval.

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 Award of Contract for Construction and Purchase Order No. 24-819 to Nu-Pipe, LLC in the amount of \$893,835.48.

**c) UNIT OF DEVELOPMENT NO. 9B – ABACOA II
Consider Payment Request to WGI**

Mr. Beatty explained that this item is on the Regular Agenda in order for Mr. LaMotte to recuse himself, as it is a payment request to WGI, Inc. for services associated with the design for a preserve structure in Unit 9B, Abacoa.

Mr. LaMotte stated that he is no longer an employee of WGI and is now able to vote on any future items involving WGI, including this one.

Mr. Boykin asked and it was confirmed by Mr. Beatty that future WGI pay requests will now be included with the others on the Consent Agenda.

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 a payment request in the amount of \$7,907.50 to WGI, Inc.

**d) UNIT OF DEVELOPMENT NO. 31 – BALLENISLES COUNTRY CLUB
Ratification of Purchase Orders to Ferreira Construction Company (2)**

Mr. Beatty explained that this item is for ratification of two Purchase Orders involving emergency work when a Seacoast Utilities water main ruptured and caused damage to one of Northern's corrugated metal pipes (CMP), creating a sinkhole. He stated that Staff contacted Ferreira Construction who has performed similar work for Northern and is well qualified to provide these types of emergency repair services. He further stated that Northern issued a Purchase Order in the amount of \$203,085.00 for replacement of the damaged pipe and an additional Purchase Order to Ferreira Construction in the amount of \$34,571.59 for time and materials expended for the initial work. These actions were taken pursuant to Northern's Purchasing Policy, which states that the Executive Director or the District Engineer in his absence, may authorize work in an emergency situation prior to Board approval. Mr. Beatty reported that Seacoast Utilities has the same insurance company as Northern and Staff is working on reimbursement for some of these expenses.

Mr. Boykin asked if Seacoast would be reimbursing Northern for any expenses not covered under insurance, and Ms. Roundtree advised that Staff will be working with representatives from the insurance company and Seacoast for such uninsured reimbursements.

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 ratifying the two referenced Purchase Orders to Ferreira Construction.

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

Mr. Beatty explained that this is a payment request to WGI, Inc. for boardwalk construction phase services in the amount of \$6,713.25.

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 a payment request in the amount of \$6,713.25 to WGI, Inc.

**f) PROPOSED UNIT OF DEVELOPMENT NO. 54 – ARTISTRY LAKES
Consider Formation of Unit Related Resolution (2024-03)**

Mr. Beatty explained that Kolter Homes has reached an agreement with the current Landowners and is ready to proceed with the unit formation process. He stated that the first item is to establish a Unit and a Resolution designating the Unit and its jurisdictional boundaries is in the Board materials. He showed the Board a unit map location as well as an aerial of the subject property and a site plan. Mr. Beatty reported that Kolter intends to include workforce housing as part of the development, as well as multi-family and single-family homes.

Mr. Boykin asked if the new Unit would share any of the water mitigation with the unit of development next to it, and Mr. Beatty advised that it would be independent.

Ms. Baker asked how a Developer determines to use Northern opposed to forming a Community Development District, etc. Mr. Beatty advised that it is typically a business decision and gave an example of the benefits that using Northern provides.

A general discussion followed with regard to the initiation process.

Mr. Edwards explained that adoption of the Resolution is the first step in the unit formation process with a Public Hearing to be held immediately preceding the next Board Meeting. He noted that Kolter has already been provided with a copy of the proposed Developer/Landowner Agreement for review and execution.

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 Petition to form a new Unit of Development No. 54, Artistry Lakes, under and in accordance with the accompanying Resolution.

g) GENERAL

i) Consider Agreement for Legal Services – Torcivia, Donlon, et al.

Mr. Beatty stated that this item is to amend the Agreement for Legal Services with Torcivia, Donlon, et al., noting that they have not had an adjustment in their fees since 2009. He believes it is appropriate to consider approval of an increase in their rates as outlined in the Board materials.

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 Agreement for Legal Services with Torcivia, Donlon, et al.

ii) Consider Revisions to Northern’s Vehicles Section of Employee Manual

Mr. Beatty stated that this matter was before the Board last month and there were specific revisions requested. He reported that those revisions have been made and he recommends approval of this section of the Employee Manual.

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 revisions to the Northern's Vehicles Section of the Employee Manual.

7) 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 the contract manuals for the Parcel D neighborhood roadways are ready for execution today and she expects to issue a Notice to Proceed in August.

Unit No. 5 – Henry Rolf: Prior to Ms. Leser's report, Mr. LaMotte asked if Northern has been taking advantage of the golf course reconstruction in order to complete the pipe project. Ms. Leser advised that the portion of the culvert within the golf course is already complete, but Staff did take advantage of the golf course work to rehab two other pipes not requiring a public bid. She also explained that payment for much of this work is to come from a previously issued multi-unit loan, noting that the Award of Contract for the pipe project was approved previously during this meeting. She provided some before and after photos of the Unit 5 96" CMP culvert rehabilitation project.

Ms. Baker asked if the Unit 5A projects will affect the golfers, and Ms. Leser advised that there might be some golf course work required, but she believes it will be completed prior to the golf course reopening at the end of September.

Unit No. 43 – Mirasol: Ms. Leser reported that the Boardwalk project is moving along well. She stated that there may be a Change Order for some extra time to avoid expiration of the contract, but they are close to finishing on time.

Unit No. 53 – Arden: Ms. Leser stated that the public bid project was closed for Pod-D Southeast, Pod H-North, Pod D-Southwest, but there is some additional work going on in Pod H-North. She has not had any meetings recently with regard to the completion of Pod H-North or development of the remaining

Pods D-Northeast and D-Northwest. Ms. Leser also provided some photos of the West Acreage Elementary project site, noting that this project is projected to be completed in July 2025.

b) ATTORNEY

Mr. Edwards stated that there are a couple of legislative matters that he wants to address. The first involves a new law that went into effect with regard to human trafficking, explaining that anyone that enters into a contract with Northern is now required to execute and submit a Human Trafficking Affidavit. He noted that it will be incorporated into all of Northern's contract requirements going forward.

The next is contained in the same legislation that dealt with the new term limit legislation that goes into effect this year and requires the setting of Goals and Objectives, plus Standards for measuring the degree of achievement of those Goals and Objectives. He went on to report that in December of next year, each special district will have to publish on their websites, a status report with regard to the achievement of those Goals and Objectives. Mr. Edwards stated that the Board will have to approve these Goals and Objectives by October 1, 2024.

Mr. Beatty explained that Northern went through a Strategic Planning Session approximately 15 years ago and specific Goals and Objectives and performance measures were established at that time. He stated that Northern's work since that time has remained generally the same, so Staff will review those Goals and Objective and revise them as necessary for consideration.

Mr. LaMotte had a question with regard to when the term limit tolling begins, and Mr. Edwards advised that if you were elected prior to November 5, 2024, that term does not count towards the 12 years. Mr. LaMotte asked the length of the Board seat terms, and Mr. Edwards advised that each term is four years, the maximum allowed by Florida Statute.

c) EXECUTIVE DIRECTOR

Mr. Beatty stated that he overlooked giving recognition last month in his presentation on the Safety Award that Northern received at the Florida Association of Special Districts (FASD) Annual Conference.

He explained that Ms. Baker was at the meeting when the award was presented, and he also wanted to take this opportunity to recognize and thank Ken Roundtree and the Operations Staff for their efforts.

Mr. LaMotte asked if the Juno Isles group on the north side of Unit 20 ever came back to Northern Staff, and Mr. Beatty advised that Northern has completed all of the cleaning and inspection work, so that Northern's termination of involvement in the Exfiltration Service Agreement may proceed.

9) RECEIVE AND FILE

The following items were presented to be received and filed:

- Assessment Collection Status;
- Northern Quarterly Financial Report; and
- Proof of Publication of Meeting Notice

copies of which are contained in Northern's records.

10) COMMENTS FROM THE BOARD

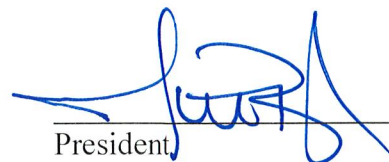
Ms. Baker stated that she ran into one of Northern's former contractors, Bart Colucci, and he fondly mentioned many of Northern's staff members. She thanked Staff, noting how pleasurable it is to be associated with Northern and she is proud of the work we do when hearing from members of the public.

There were no further comments from the Board.

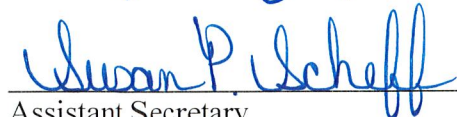
11) ADJOURN

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.



President



Assistant Secretary