

**MINUTES OF A BOARD OF SUPERVISORS MEETING
NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT 05/27/20**

Pursuant to the foregoing Notice, the Board of Supervisors of Northern Palm Beach County Improvement District met at approximately 8:02 a.m. on May 27, 2020 via Zoom teleconference.

1) ROLL CALL

There were present (via online teleconference) Board President Matthew J. Boykin and Supervisors L. Marc Cohn, Adrian M. Salee, 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; Permit and Contract Specialist Mila Acosta; and Fiscal Specialist/Engineering Aide-Operations Vicki Loeb.

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 Staff is requesting that an item be added for Unit 16 between the two current Regular Agenda items, entitled "Consider Acceptance of Special Warranty Deed". The Board, having been advised of the urgency of the matter, approved addition of the item to the agenda.

4) APPROVAL OF MINUTES

A **motion** was made by Mr. Cohn, seconded by Mr. Block and unanimously passed approving the Minutes of the April 22, 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 no members of the public had joined the online virtual meeting. She also confirmed that Ms. Scheff 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. Block and unanimously passed approving the following Consent Agenda Items:

- a) Unit No. 20 – Juno Isles
Consider Authorization to Record Permit No. PER-20-052 – Wang
- b) General
Consider Renewal of Annual Service Contracts
- c) Payment Requests

copies of which are contained in applicable Northern files.

7) REGULAR AGENDA

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

Mr. Beatty gave a status report of this project, initially displaying the unit map and site plan, followed by aerial photos of the park site, the preserve work in Artistry and photos of the Northern owned real property upon which the Florida Department of Transportation (FDOT) is requesting a Temporary Construction Easement. He briefly explained the FDOT request in some detail and reviewed some of the issues being considered regarding the project's potential impact upon Northern's maintenance responsibilities. He then

asked Mr. Edwards if he wanted to comment further.

Mr. Edwards stated that Northern is in conversation with FDOT's representatives and confirmed Mr. Beatty's comments that Northern is beginning to get a better understanding of possible impacts on Northern's improvements. He further stated that currently there is not a particular timeframe within which Northern has to respond to FDOT, noting that FDOT has indicated that it would prefer to resolve this without having to file an eminent domain action. He reported that Bill Doney, an attorney with his office, has been dealing with FDOT regarding this topic on a regular basis and anticipates having another report for the Board at the June meeting.

Mr. Salee expressed his concerns that Northern have the necessary space to provide maintenance activities, and Mr. Bardin advised that that particular issue is the primary issue that Northern has been negotiating with the FDOT. Mr. Edwards stated that FDOT has provided certain assurances as to any future impacted Northern improvements, but his office is also communicating with the City of Palm Beach Gardens to determine its expectations as well.

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

The following item was added to the agenda at the beginning of the meeting:

**UNIT OF DEVELOPMENT NO. 16 – PALM BEACH PARK OF COMMERCE
Consider Acceptance of Special Warranty Deed**

Mr. Bardin stated that the developer has requested that Northern accept a Special Warranty Deed for a 10 foot wide parcel of property running contiguous to the south side of Corporate Road North. He further stated that Corporate Road North is located on a 60 foot wide portion of right-of-way that Northern owns. He explained that an additional 10 feet on the north side of the road was previously conveyed to Northern, but Palm Beach County is indicating that Northern must own an 80 foot right-of-way in order to process a grant application from a candidate working with the Business Development Board. The current owner of the additional 10 feet, the Palm Beach Park of Commerce Association, Inc., has indicated

that it is willing to convey the additional 10 feet of property to Northern, so Staff is requesting that the Board approve acceptance of the additional 10 feet of property conditioned upon receipt of the signed Special Warranty Deed. Mr. Bardin noted that the request came to Staff's attention late and the matter is moving very quickly.

Mr. Edwards asked to supplement some of the conditions for Board acceptance explaining that he is still waiting for a title search to be completed and not expected to be received until Friday. He explained that the item was added late because the developer anticipates a short County timeline for submittal of proof of Northern's acceptance, so they have asked Northern for an urgent and quick turnaround on this item.

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. Block and unanimously passed approving the acceptance of the Special Warranty Deed, upon satisfaction of the previously stated conditions.

Mr. Cohn asked about the purpose for this transaction, and Mr. Bardin advised that it will bring Northern's right-of-way for Corporate Road North and Walgreens Drive to a full 80 feet, which is a County requirement for approval of the grant.

b) UNIT OF DEVELOPMENT NO. 53 – ARDEN

i) Status Report

Mr. Beatty gave a status report of this project noting that the project is progressing well and that Northern's contracted improvement work on the Pods within this project thus far is nearly complete. He initially displayed the unit map and site map of the Pods, followed by aerial photos of Phase II of the Linear Park project area. He noted that a contract for Phase II of that project has been executed and pre-construction meetings will begin shortly.

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

ii) Consider Change Order to CK Contractors and Development, LLC (CO No. 2)

Mr. Beatty stated that last month Staff advised the Board of a request from the Landowner to remove Parcel J from the subject contract through a deduct Change Order. He reported that the Landowner has already removed the construction of its private improvements as to this parcel via change order with CK Contractors and Development, LLC. He further reported that Staff is recommending Board approval of Change Order No. 2 to CK Contractors and Development, LLC, representing a deduction in the amount of \$760,957.34, and removing all of Northern's public improvements in Parcel J.

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 in the deduct amount of \$760,957.34 to the subject contract with CK Contractors and Development, LLC.

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. Cohen stated that he had already mailed his Form 1 and asked if there was a way to check to see if it has been received. Mr. Edwards advised him of a couple of options.

c) EXECUTIVE DIRECTOR

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

9) COMMITTEE REPORTS

a) BUDGET, BANKING AND AUDIT COMMITTEE

i) Presentation of the Proposed 2020/2021 Budget

Ms. Roundtree gave a PowerPoint presentation and highlighted some information from Northern's proposed Fiscal Year (FY) 2020/2021 Budget. She began the presentation by addressing the impact that the COVID-19 crisis has had on the budget process which began in January. She reported that Northern is in a strong financial position to weather the crisis and reviewed some of the budget considerations made in order to keep assessment rates down in the FY 2020/2021 Budget throughout her presentation.

Ms. Roundtree explained that the proposed FY 2020/2021 Budget is \$34.8 million which is a 5.3% or approximately \$1.9 million decrease from the FY 2019/2020 Budget. She presented charts showing the budgets for the past 10 years and the debt service over the next 20 years. She also presented a chart comparing the proposed FY 2020/2021 Budget to the FY 2019/2020 Budget and gave a general review of the increases and decreases. Ms. Roundtree showed the Board more detailed charts involving major components of the FY 2020/2021 Budget.

Ms. Roundtree reviewed proposed residential assessment increases for Unit No. 21 and Unit 53 and explained the reason for each. She then reviewed the process for finalizing the FY 2020/2021 Budget.

Mr. Bardin stated that Northern's goal this year was to keep the assessment rates the same or reduced and to put as much of the money that Northern has on hand into the economy next year. He also advised the Board that the residents of Unit No. 21, Old Marsh, were relieved that they could get what they wanted and are well aware of its cost, noting that the service is more important to them than the cost. His last point was to review how Northern's debt service payments are applied.

Mr. Cohn asked for some clarification, noting that it is his understanding that Northern's cash flow is dependent upon assessment collections and it is his belief that the County collections are going well. Ms. Roundtree reviewed that Northern's collections are close to 100% and explained that approximately 80% of Northern's assessments are paid from mortgage escrow accounts.

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

ii) Consider Approval of May 13, 2020 Minutes

A **motion** was made by Mr. Cohn, seconded by Mr. Block and unanimously passed approving the Budget, Banking and Audit Committee minutes of May 13, 2020.

10) RECEIVE AND FILE

The following items were presented to be received and filed:

- Assessment Collection Status as of May 13, 2020;
- Northern Monthly Financial Reports; and
- Proof of Publication of Meeting Notices

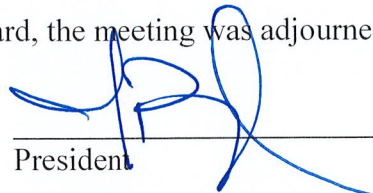
copies of which are contained in Northern's records.

11) COMMENTS FROM THE BOARD

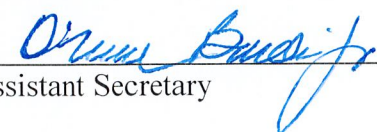
The Board welcomed Mr. Salee back.

12) ADJOURN

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



President



Assistant Secretary