

**MINUTES OF A BOARD OF SUPERVISORS MEETING
NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT 09/27/23**

Pursuant to the foregoing Notice, the Board of Supervisors of Northern Palm Beach County Improvement District met at approximately 8:01 a.m. on September 27, 2023, in the Administrative Building and Emergency Operations Center, 359 Hiatt Drive, Palm Beach Gardens, Florida.

1) ROLL CALL

There were present Board Vice President L. Marc Cohn 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; Budget & Tax Roll Manager Laura Ham; Programs & Facilities Maintenance Administrator Jared Kneiss; Project Coordinator Polly Scherman; Permit Coordinator Kimberly Morgan; Technical Assistant/Records Management Specialist Kathleen Maloney-Pollack; Mario Benicky of Piper Sandler & Co.; and Ray Spear of The Grassroots Corporation.

2) ESTABLISHMENT OF A QUORUM

Mr. Cohn 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 Staff is removing item 6) a) from the Agenda to be considered at a later date and the Board consented to the change.

4) APPROVAL OF MINUTES

A **motion** was made by Mr. LaMotte, seconded by Mr. Block and unanimously passed approving the Minutes of the August 23, 2023 Public Hearing and Regular Meeting.

5) COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA

Mr. Cohn called for any comments from the public for items not on the Agenda to which there was no response.

6) CONSENT AGENDA

Mr. Cohn 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. Block and unanimously passed approving the following Consent Agenda Items:

- a) ~~Unit No 14 – Eastpointe~~
~~Consider Acceptance of Ingress and Egress Easement~~
- b) Unit No. 18 – Ibis Golf & Country Club
Consider Purchase Order to LimnoTech
- c) General
Consider Ratification of Revisions to Debris Management Plan
- d) 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 began by showing the Board the unit map, site plan and aerial photos of the site, stating that Ms. Leser will give this report.

Ms. Leser stated that the contractor will begin paving on Pasteur Boulevard this week and will move on to the paving of Alton Road and Beckman Terrace in the next couple of weeks, following some curb repairs. She expects Pasteur Boulevard to be done by the end of next week.

Mr. Cohn asked if the start of work at the hospital site will impact the paving, and Ms. Leser advised that Northern's Project Engineer worked with the City of Palm Beach Gardens in order to complete

Northern's work first and then the hospital will make the necessary modifications for their project.

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

**b) UNIT OF DEVELOPMENT NO. 5 – HENRY ROLF
Status Report – Pipe Rehabilitation Project**

Mr. Beatty began by showing the Board the unit map and aerial photos of the site, stating that Ms. Leser will give this report.

Ms. Leser stated that this project has not yet started. She noted that all of the piping and structures have been manufactured, so it will be ready to go once the County approves Northern's Maintenance of Traffic (MOT).

Mr. LaMotte asked how long it has been taking to get the MOT, and Ms. Leser advised that Staff has been waiting on MOT approval about a month thus far.

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

**c) UNIT OF DEVELOPMENT NO. 11 – PGA NATIONAL
Status Report – Avenue of the Masters Milling and Resurfacing Project**

Mr. Beatty showed the Board the unit map and aerial photos of the site.

Ms. Leser reported that this project should be completed by the end of next week. She stated that the paving is complete, the final striping should be completed by the middle of next week and the flashers should be installed, following an initial manufacturing delay. She added that this project is expected to be completed about two months early and Staff has received a lot of compliments from the Property Owners Association.

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

d) UNIT OF DEVELOPMENT NO. 16 – PALM BEACH PARK OF COMMERCE

i) Status Report – Venture Way Extension Project

Mr. Beatty showed the Board the unit map, site location, and aerial photos of the site.

Ms. Leser stated that this project involves the portion of Venture Way that is extending from Park of Commerce Boulevard to the Plat 25 parcel to the west. She reported that the project is nearing

completion and expects it to be completed within 45-60 days, noting that all of the utilities are in, plus grading and curbing is taking place. She explained that there was an initial extension given due to manufacturing delays, but the work is currently within the contract time.

Mr. LaMotte asked what is being constructed on a particular site in one of the photos, and Ms. Leser advised that it is expected to be another large warehouse.

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

ii) Consider Acceptance of Water Management Maintenance Easement and Water Management Easement

Ms. Leser explained that these Easements are associated with a permitted project and will provide additional maintenance access along the sides of Canal Tract 2, which the site borders, as well as some additional maintenance area adjacent to an existing drainage easement. She stated that Staff recommends acceptance of these Easements.

There were no comments from the public with regard to this item.

A **motion** was made by Ms. Baker, seconded by Mr. Block and unanimously passed accepting the Water Management Easement and Water Management Maintenance Easement.

**e) UNIT OF DEVELOPMENT NO. 20 – JUNO ISLES
Status Report – Salinity Weir Rehabilitation Project**

Mr. Beatty began by showing the Board the unit map and site plan. He explained that the salinity control gate portion of this project is not yet complete, but the fabricator has informed Staff that it now has the necessary materials and is in the process of fabricating the salinity control gate. He reported that the contractor has advised it should be completed within the next couple of weeks.

Mr. Cohn asked if there has been any pushback from the property owners, and Mr. Beatty advised that the property owners are fine since there was only minimal interruption involving the boat ramp and they currently have sand bags in place to deal with salinity.

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

f) UNIT OF DEVELOPMENT NO. 43 – MIRASOL

i) Consider Re-advertisement of Public Bid Project

Ms. Leser explained that Northern advertised for the replacement, restoration and renovation of the wooden boardwalk in Mirasol last month and received one bid on August 30, 2023, which was 34% higher than the engineer's estimate of approximately \$400,000. She stated that due to the fact that only one bid was received and it differed so greatly from the engineer's estimate, Staff believes it would be better to reject the current bid and re-advertise the project. She explained there were circumstances occurring during the timing of the original bid, such as a hurricane on the west coast which impaired at least one entity's ability to submit a bid.

Ms. Leser noted that she did speak with the contractor that submitted the original bid about this recommendation, and Staff hopes the contractor chooses to re-bid. She stated that Staff's recommendation is for rejection of the received bid and re-advertisement of the project.

There were no comments from the public with regard to this item.

A **motion** was made by Ms. Baker, seconded by Mr. Block and unanimously passed approving rejection of the received bid and re-advertisement of the project, as presented.

ii) Consider Payment Request to WGI

Prior to consideration of the Payment Request to WGI, Inc., Mr. LaMotte recused himself from the vote, having previously filled out a Form 8B on matters involving this company.

Mr. Beatty explained that this item is a payment request in the amount of \$3,132.85 to WGI, Inc. for the Unit No. 43 Boardwalk Repair project.

There were no comments from the public with regard to this item.

A **motion** was made by Ms. Baker seconded by Mr. Block and passed by the voting members approving a payment request in the amount of \$3,132.85 to WGI, Inc.

g) UNIT OF DEVELOPMENT NO. 53 – ARDEN

i) Status Report

iii) Consider Change Order to Centerline Utilities, Inc. Pods D-Southeast, D-Southwest and I-North (CO No. 5)

The two items listed above were combined for presentation purposes.

Mr. Beatty began his report by initially displaying the unit map and site plan, stating that Ms. Leser will give this report.

Ms. Leser reported that the project currently consists of Pod D-Southeast and Pod I-North, since Pod D-Southwest was previously removed by Change Order. She indicated that the two remaining Pods are complete and their final payments were included in the Payment Requests approved in this month's Consent Agenda.

Ms. Leser explained that Lennar Homes (Lennar) has requested Staff approve a Change Order that adds the D-Southwest Public Improvements back into the contract with Centerline Utilities, Inc. (Centerline), and provides additional time so that the contract does not expire prior to concluding the previously omitted work. She explained that this Change Order is contingent upon receipt of a contract between Lennar and Centerline for the Pod D-Southwest Private Improvements. She noted that Centerline has agreed to hold the approved prices for the Pod D-Southwest Public Improvements from the original 2022 bid, with only a slight increase to cover the Palm Beach County Utilities permitting cost increase since the time of the original contract.

Mr. Edwards reiterated that the recommendation is conditioned upon receipt of the contract between Lennar and Centerline for the concurrently required Pod D-Southwest Private Improvements that are to be paid by Lennar.

Ms. Leser stated that the recommendation is for approval of Change Order No. 5 which is an increase of \$982,755.87 to the contract amount, represents the addition of the Pod D-Southwest Public Improvements back into the contract and includes 240 days of additional contract time to allow for the

construction of these added Public Improvements, conditioned as stated previously.

There were no comments from the public with regard to this item.

A **motion** was made by Ms. Baker, seconded by Mr. Block and unanimously passed approving Change Order No. 5 to Purchase Order No. 22-788, increasing the contract time by 240 days and the contract amount by \$982,755.87 to Centerline Utilities, Inc., with a condition precedent that will be satisfied upon Northern's receipt of a copy of a fully executed Lennar Homes' contract with Centerline Utilities, Inc. for the Pod D-Southwest Private Improvements.

The status report was presented for information only and no Board action was required.

ii) Consider Acceptance of Access Easement (Tract O-7)

Ms. Leser stated that the next item is for acceptance of an Access Easement over an open space tract (Tract O-7) shown in the Plat for H-North. This Easement will allow Northern access to the Linear Park (Tract B) for maintenance purposes.

There were no comments from the public with regard to this item.

A **motion** was made by Ms. Baker, seconded by Mr. Block and unanimously passed accepting the Access Easement over Tract O-7.

h) GENERAL

Consider Appointment of Non-Board Member to Engineering Review Committee

Mr. Beatty explained that at last month's meeting, the Board authorized Staff to proceed with a recommendation for appointment of a third individual to sit on the Engineering Review Committee (ERC). He stated that this will be a temporary appointment for the purpose of assisting with the upcoming Request for Qualifications (RFQ) process for Northern's Project and Consulting Engineers. He reported that Mr. Todd Engle has been the City Engineer for the City of Palm Beach Gardens for over 18 years and he is willing to assist the ERC in that capacity. Staff is recommending that Mr. Engle be appointed to the ERC to assist the Committee, on a temporary basis, during the RFQ process.

Mr. LaMotte added that Mr. Engle is familiar with Northern's process and has worked with Northern's Staff in the past, to which Mr. Beatty agreed.

There were no comments from the public with regard to this item.

A **motion** was made by Ms. Baker, seconded by Mr. Block and unanimously passed appointing Mr. Todd Engle to the Engineering Review Committee on a temporary basis to assist in the Engineering RFQ process.

8) MISCELLANEOUS REPORTS

a) ENGINEER

Ms. Leser had nothing to report.

b) ATTORNEY

Mr. Edwards had nothing to report.

c) EXECUTIVE DIRECTOR

Mr. Beatty stated that at last month's Board Meeting, there were a large number of residents in attendance. He noted that this does not occur often, but when it does, there are residents who are not familiar with Northern's procedure and they begin to speak from the audience as opposed to coming to the podium and addressing the Board. Mr. Beatty would like to request that the Board appoint Mr. Edwards as Sergeant at Arms, so someone is in place with the authority to request that anyone wishing to speak follow the appropriate procedure.

Mr. Edwards suggested the appointment reflect that the position of General Counsel be the Sergeant at Arms.

There were no comments from the public with regard to this item.

A **motion** was made by Ms. Baker, seconded by Mr. Block and unanimously passed approving the appointment of General Counsel as Sergeant at Arms.

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:

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

copies of which are contained in Northern's records.

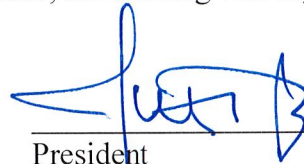
10) COMMENTS FROM THE BOARD

There were no further comments from the Board.

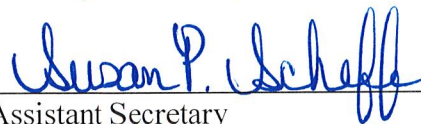
11) ADJOURN

A **motion** was made by Ms. Baker, seconded by Mr. Block and unanimously passed to adjourn the meeting.

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



President



Assistant Secretary