

**MINUTES OF A BOARD OF SUPERVISORS MEETING
NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT 04/27/22**

Pursuant to the foregoing Notice, the Board of Supervisors of Northern Palm Beach County Improvement District met at approximately 8:01 a.m. on April 27, 2022, 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, Adrian M. Salee, Gregory Block, and Ellen T. Baker; 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; Permits & Contracts Specialist Mila Acosta; and Mark E. Raymond, Esquire.

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

There were no additions or deletions to the agenda.

4) APPROVAL OF MINUTES

A **motion** was made by Mr. Salee, seconded by Mr. Cohn and unanimously passed approving the Minutes of the March 10, 2022 Budget, Banking & Audit Committee Meeting.

A **motion** was made by Mr. Salee, seconded by Mr. Cohn and unanimously passed approving the Minutes of the March 23, 2022 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 Mr. Salee, seconded by Mr. Cohn and unanimously passed approving the following Consent Agenda Items:

- a) Multi-Unit
 - i) Consider Authorization to Close Trust Accounts
 - ii) Consider Renewal of Annual Service Contract and Change Order No. 8 – Clarke Aquatic Services (Aquatic Weed Control – Rural Areas)
 - iii) Consider Renewal of Annual Service Contract and Change Order No. 11 – Future Horizons (Aquatic Weed Control – Urban Areas)
 - iv) Consider Purchase Order to Everglades Laboratories, Inc.

- b) Unit No. 53 – Arden
 - i) Consider Partial Release of Blanket Water Management Easement – Pod D-Southeast
 - ii) Consider Change Order to Centerline Utilities, Inc. – Pods G-North and H-South (CO No. 4)

- c) General
 - i) Consider Purchase Order to The Grassroots Corporation
 - ii) Consider Travel Request – Florida Association of Special Districts Annual Conference
 - iii) Consider Renewal of Annual Service Contracts

- d) Payment Requests

copies of which are contained in applicable Northern files.

7) REGULAR AGENDA

a) UNIT OF DEVELOPMENT NO. 2C – ALTON

i) Status Report

Mr. Beatty began by showing the Board the unit map and then displayed a site plan which delineated the final phase of Parcel G. He then showed various aerial photos of the construction, noting that

the utilities are complete and the roadways are installed with the exception of the asphalt. He stated that Kolter is waiting on site plan approval from the City of Palm Beach Gardens on the work that was removed from Northern's contract last month via Change Order. He reported that home sales in Artistry are going well.

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

ii) Consider Bill of Sale to Seacoast Utility Authority

Ms. Leser began by explaining that this Bill of Sale is to Seacoast Utility authority for the water and sewer improvements constructed in the Alton Parcel D Improvement Project. She stated that the total cost of construction for these improvements is \$440,487.15. She further stated that the project is now substantially complete and approval is recommended.

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. Cohn and unanimously passed approving the Bill of Sale to Seacoast Utility Authority.

b) UNIT OF DEVELOPMENT NO. 53 – ARDEN

i) Status Report

Mr. Beatty began by showing the Board the unit map and site plan. He stated that there were no new photos to show as the project has been delayed due to shortages of materials, noting that a 60-day contract extension was granted on this month's Consent Agenda. He then displayed the site plan with the portion of the site that has been developed highlighted in red, noting that 80% of the project is complete or currently under construction. Mr. Beatty reported that, as he had previously indicated, a sale was pending on the three remaining parcels and Freehold Communities has completed that sale to Lennar. He noted that Staff will be meeting with representatives from Lennar following this meeting to discuss what is needed in order for them to fulfill the requirements of the Plan of Improvements for Arden. He reported that it should not affect

Northern's work, but there will be documents related to the transition that will come before the Board for future consideration. Mr. Beatty also reported that some of Freehold's consultants will be staying onboard to work with Lennar to facilitate the construction. He noted that a Funding Agreement may be presented in the future due to a potential shortfall in bond funds needed to complete the project.

Ms. Baker asked if the remaining parcels were the ones at the top of the site plan and Mr. Beatty confirmed same. She asked what was beyond those parcels and he advised that he believes it is vacant property.

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

ii) Consider Bill of Sale and No Lien Affidavit for Pod G-North

Ms. Leser explained that this item is for a Bill of Sale and No Lien Affidavit to convey the water and sewer improvements for Pod G-North to Palm Beach County Water Utilities for ownership, operation and maintenance. She stated that the cost of those improvements is \$549,090.90. She further stated that the project is now substantially complete and approval is recommended.

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. Cohn and unanimously passed approving the Bill of Sale and No Lien Affidavit to Palm Beach County Water Utilities for the Pod G-North Water & Sewer Improvements.

b) GENERAL

i) Consider Rate Adjustment Request from Caldwell Pacetti Edwards, et al.

Mr. Edwards reported that he has requested an increase in his firm's hourly rates for just under 5.5 %, amounting to about 1.8% for each of the three years since his last request. He explained that the increase is due to inflation and recent salary increases that were necessary to retain staff.

Mr. Boykin explained that he has been experiencing some of the same problems.

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. Cohn and unanimously passed approving the requested rate increases submitted by Caldwell Pacetti Edwards, et al.

ii) Consider Records Management Policy

Ms. Roundtree reported that Staff has developed a policy which is essentially a codification of Northern's records management procedures. She recommended that all Board Members read the policy, if they have not already, as it applies to all of Northern's Employees, Board Members, Committee Members and Contractors. She explained that it sets forth the procedures that must be done in order to comply with Florida's records management requirements. Ms. Roundtree stated that the policy has been reviewed by Mr. Edwards and, if there are no further questions, a motion is in order.

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. Cohn and unanimously passed adopting the Records Management Policy.

Mr. Edwards commented about the necessity of the policy, noting that his firm requested that the districts it represents prepare a similar document and it was a substantial undertaking to complete.

8) MISCELLANEOUS REPORTS

a) ENGINEER

Ms. Leser had nothing to report.

b) ATTORNEY

Mr. Edwards stated that he had a few items to report.

He began his report by reminding the Board to submit their 2021 Form 1 Statements.

Mr. Edwards then stated that he had been asked to provide a brief report on the recent activity of the Florida Legislature during its Special Session relating to Special Districts. He stated that, although it has

been reported that the bill dissolving the Reedy Creek Improvement District, encompassing Disney, affects five other districts, it affects some additional 298 districts established for purely agricultural reasons that have had no reason to codify or amend their legislation. He further stated that these districts will also need to be dissolved and he briefly reviewed the unforeseen ramifications. Mr. Edwards explained that the law does not go into effect until June of 2023.

A general discussion followed with regard to this issue and the Board was advised that there is no impact to Northern.

c) EXECUTIVE DIRECTOR

Mr. Beatty reported that he has completed the 20-year needs analysis, noting that Northern was the first agency to submit it to Palm Beach County. He stated that the County will be compiling all of the needs analyses for submittal to the State.

Mr. Beatty stated that he sent the Board Members an email with regard to a Notice of Non-Compliance that Northern received from South Florida Water Management District (SFWMD) with regard to Unit 18, Ibis. He reported that in 2016, Northern was issued Notices of Corrective Action by SFWMD to develop four particular plans. He stated that those plans were developed, approved by SFWMD and Northern has been in the process of implementing those plans. The Notice of Non-Compliance was received with respect to the Amended Sediment Control Plan. Mr. Beatty gave an overview of the Plan process, noting that the City of West Palm Beach has had Northern's project manual for implementing the next stage of the Plan for over two years and has not yet approved it. He reported that the data collected over time does not support the need for additional alum treatment under the Plan and his response to SFWMD, primarily authored by Mr. Edwards, addresses this issue. He stated that the next step is to set up a meeting with SFWMD to further discuss the findings as stated in the letter.

Mr. Boykin discussed the possibility of informing the Ibis residents of this issue. Mr. Beatty advised that he and Sam Payson were recently invited to attend an Ibis Presidents' Council Meeting to discuss the lakes, and the Presidents' Council was informed of Northern's position at that meeting.

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

9) RECEIVE AND FILE

The following items were presented to be received and filed:

- Palm Beach Post Article on UHS Hospital in Unit 2C;
- Palm Beach Post Article on Palm Beach International Raceway Closing in Unit 25;
- Palm Beach Post Article on Lennar Land Purchase in Unit 53;
- U16 – Release of Easement;
- U53 – Partial Release of Easement – Pod H-North;
- U53 – Partial Release of Easement – Pod I-North;
- 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

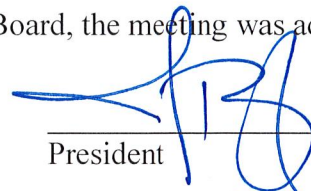
Ms. Baker reported that she attended the North County Neighborhood Coalition Annual Breakfast Meeting held at Ibis and acknowledged that the lakes look amazing. She stated that she was able to speak to some of the residents from PGA National, BallenIsles and Ibis about Northern, its Staff and how proud she is to serve on the Board. Ms. Baker also complimented Ms. Roundtree on her work on the Public Records Management Policy and the articles included in the Board packet.

Mr. Boykin asked if the sale of the racetrack impacts Northern and Ms. Roundtree advised of the status of some unused prior developer advanced funds, stating that the refund of these excess funds is being held until next month's meeting at the previous landowner's request. She further advised that it will be up to the new landowner to determine whether or not they are interested in working with Northern on any future development.

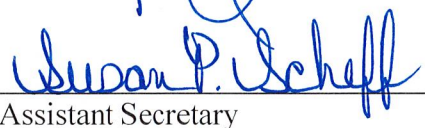
11) ADJOURN

A **motion** was made by Mr. Salee, seconded by Mr. Cohn and unanimously passed to adjourn the meeting.

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



President



Assistant Secretary