

**MINUTES OF A BOARD OF SUPERVISORS MEETING  
NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT 05/25/22**

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Pursuant to the foregoing Notice, the Board of Supervisors of Northern Palm Beach County Improvement District met at approximately 8:01 a.m. on May 25, 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 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; Budget & Assessment Roll Manager Laura Ham; Programs & Facilities Maintenance Administrator Jared Kneiss; and Ray Spear of The Grassroots Corporation.

**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) APPROVAL OF MINUTES**

A **motion** was made by Mr. Salee, seconded by Mr. Block and unanimously passed approving the Minutes of the April 27, 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. Block 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) MULTI-UNIT

- i) **Consider Award of Contract to Palmera Complete Landscaping – Annual Landscape Maintenance Contract No. 1**

Ms. Leser explained that, in an effort to better manage the requirements of the existing multi-unit Annual Landscape Maintenance Contract, the existing contract was split into three separate projects to be publicly bid as Annual Landscape Maintenance Contract Nos. 1, 2 and 3. Contract 1 comprises landscape maintenance of pump stations, Northern’s Administrative Building and the Hidden Key entrance (Unit 34).

Ms. Leser stated that Contract 1 was advertised for bids in February and March and opened publicly at Northern's office on April 13, 2022. Three bids were received, ranging from \$92,234.00 from Palmera Complete Landscaping, LLC to \$276,374.00 from Property Works, noting that Palmera Complete Landscaping, LLC is currently under contract to provide similar work for Northern and has provided excellent service. She stated that this contract is scheduled for award for a one-year term commencing October 1, 2022, with annual extensions at Northern's discretion for up to four additional years.

Ms. Leser advised that the combined total of Annual Landscape Maintenance Contract Nos. 1, 2 and 3 is approximately ten percent less than the existing multi-unit Annual Landscape Maintenance Contracts and expenditures associated with this contract are included in the 2022/2023 FY budgeted revenue in the Units serviced under Contract 1. She reported that Staff recommends award of this contract to Palmera Complete Landscaping, LLC in the amount of \$92,234.00.

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. Block and unanimously passed approving award of this contract to Palmera Complete Landscaping, LLC in the amount of \$92,234.00.

**ii) Consider Award of Contract to Palmera Complete Landscaping – Annual Landscape Maintenance Contract No. 2**

Ms. Leser stated that, similar to Contract 1, Contract 2 comprises the landscape maintenance of operational gate structures, outfalls and RTU sites. Ms. Leser stated that Contract 2 was advertised for bids in February and March and opened publicly at Northern's office on April 13, 2022. Three bids were received, ranging from \$21,149.64 from Palmera Complete Landscaping, LLC to \$166,513.00 from Property Works, noting that Palmera Complete Landscaping, LLC is currently under contract to provide similar work for Northern and has provided excellent service. She stated that this contract is also scheduled for award for a one-year term commencing October 1, 2022, with annual extensions at Northern's discretion for up to four additional years.

Ms. Leser advised that expenditures associated with this contract are included in the 2022/2023 FY budgeted revenue in the Units serviced under Contract 2. She reported that Staff recommends award of this contract to Palmera Complete Landscaping, LLC in the amount of \$21,149.64.

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. Block and unanimously passed approving award of this contract to Palmera Complete Landscaping, LLC in the amount of \$21,149.64.

**iii) Consider Award of Contract to The Grassroots Corporation – Annual Landscape Maintenance Contract No. 3**

Ms. Leser stated that, as with Contracts 1 and 2, Contract 3 comprises the landscape maintenance of canal banks and associated operational gate structures and outfalls. Ms. Leser stated that Contract 3 was advertised for bids in February and March and opened publicly at Northern’s office on April 13, 2022. Two bids were received, ranging from \$248,570.00 from The Grassroots Corporation to \$303,416.40 from Palmera Complete Landscaping, LLC, noting that The Grassroots is currently under contract to provide similar work for Northern and has provided great service. She stated that this contract is also scheduled for award for a one-year term commencing October 1, 2022, with annual extensions at Northern’s discretion for up to four additional years.

Ms. Leser advised that expenditures associated with this contract are included in the 2022/2023 FY budgeted revenue in the Units serviced under Contract 3. She reported that Staff recommends award of this contract to The Grassroots Corporation in the amount of \$248,570.00.

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. Block and unanimously passed approving award of this contract to The Grassroots Corporation in the amount of \$248,570.00.

**b) 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, first emphasizing the construction of homes in Parcel D and following up with photos of the Parcel G roadway and asphalt work.

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

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

**i) Consider Acceptance of Special Warranty Deed**

Mr. Beatty explained that this item was brought to Northern's attention by a landowner and involves a 0.12 acre parcel of land situated between one of Northern's preserves and Northern's road right-of way. He reported that it probably should have been dedicated to Northern previously, so the current owner has asked that Northern accept the property, as they have no use for the parcel.

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. Block and unanimously passed approving and accepting the Special Warranty Deed for the subject parcel.

**ii) Consider Second Amendment to Option Agreements**

Mr. Beatty stated that he previously presented this item to the Board, noting that the majority landowner of the Park expressed interest in purchasing two parcels of land located outside of but adjacent to the Unit, that were previously known as the Franz property. He displayed an aerial delineating the subject parcels and reported that Northern had entered into an Option Agreement for each of the parcels with the previous owner which established the requirements for inclusion within the Unit along with an annual fee. He stated that the previous owner had allowed those Agreements to lapse, and the new owner of the parcels

has requested that Northern reinstate the Agreements allowing for the option to be included terms to continue. Mr. Beatty advised that payment for reinstatement of these Agreements in the amount of \$124,494.80 has been provided and Staff recommends approval.

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. Block and unanimously passed approving the subject Second Amendment for both Option Agreements.

### **iii) Consider Agreement to Join the Unit**

Mr. Beatty stated that this next item, as just discussed, is the Agreement to Join the Unit. He explained that the Agreement incorporates the two parcels into the Unit and they will be added to the tax roll for Unit 16.

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. Block and unanimously passed approving the Agreement to Join the Unit of Development No. 16, Palm Beach Park of Commerce.

### **d) UNIT OF DEVELOPMENT NO. 53 – ARDEN**

#### **i) Status Report**

Mr. Beatty began by showing the Board the unit map and site plan. He then showed various aerial photos of the construction, noting that they look similar to past photos, but some progress is taking place on the infrastructure for new parcels undergoing development.

Mr. Beatty also directed the Board's attention to the farmland shown in a photo to the east of this Unit. He stated that another developer has expressed an interest in acquiring this property which lies within Northern's jurisdiction, so it could potentially become a future Unit of Development.

Ms. Baker asked if Mr. Beatty knew what is grown on the property and he advised that he did not know, but it appears to be a sod farm.

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

**ii) Consider Bill of Sale and No Lien Affidavit for Pod H-South**

Ms. Leser explained that Northern executed a contract with Centerline Utilities on August 2, 2021, to construct water and sewer improvements within Pod H-South of the Arden project. She advised that the work has been completed and is being finalized with Palm Beach County Water Utilities at this time. She stated that this Bill of Sale and No Lien Affidavit conveys the water and sewer improvements for Pod H-South to Palm Beach County Water Utilities for ownership, operation and maintenance and that the cost of those improvements is \$1,290,644.75. She further stated that Staff recommends execution of the Bill of Sale and No Lien Affidavit to Palm Beach County Water Utilities for acceptance upon completion of remaining testing required by Palm Beach County Water Utilities for the subject Pod H-South water & sewer improvements.

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. Block and unanimously passed approving the Bill of Sale and No Lien Affidavit to Palm Beach County Water Utilities for the subject Pod H-South water & sewer improvements.

**iii) Consider Assignment, Release and Assumption of Landowner Agreement**

Mr. Beatty explained that Lennar Homes, LLC has closed on the purchase of the remaining parcels of this project's real estate and this Assignment, Release and Assumption Agreement transfers all the of Plan of Improvements responsibilities from the previous landowner to the new landowner.

Mr. Edwards stated that is basically the purpose of this Agreement. He then clarified that the new landowner is AG EHC II (LEN) Multi State 2, LLC, but Lennar Homes, LLC has some sort of takedown agreement with that entity, which essentially holds the property until needed by Lennar Homes, LLC. He

explained the various agreements that Northern had with Highland Dunes as the developer which are being turned over to and accepted by the new landowner. He further explained that this turnover process has been complicated by having the additional entity involved between Northern and Lennar Homes, LLC and there was some confusion as to which entity Northern would be working with during construction. He reported that this Agreement addresses the ownership and development duties of the two entities and Northern is comfortable with it, but the executed signature pages have not yet been received. Mr. Edwards also noted that there is one Request for Proposals that is going to be advertised for bid, but Northern is awaiting written confirmation as to which entity currently owns the subject property. As a result, the Request for Bids is temporarily on hold pending receipt of the requested confirmation. With that being said, he stated that 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. Block and unanimously passed approving the new Assignment, Release and Assumption Agreement for Unit of Development No. 53.

**iv) Consider Purchase Orders to Michael B. Schorah and Associates, Inc. (2)**

Ms. Leser explained that this is for consideration of Purchase Orders to Michael B. Schorah & Associates, Inc. to provide Construction Phase Services for Pods D-Southeast, D-Southwest and I-North. She stated that Michael B. Schorah & Associates, Inc. has submitted a proposal in the amount of \$184,025.00 to provide these services. She noted that for accounting purposes, two separate Purchase Orders will be issued, one for construction phase services and one for materials testing and reimbursable expenses.

Ms. Leser stated that Northern's cost for these services amounts to \$184,025.00 and is included in bond proceeds obtained for Unit 53. She further stated that Staff recommends approval of Purchase Order No. 22-553 for Materials Testing and reimbursable expenses in the amount of \$60,125.00 and Purchase



Order No. 22-556 for Construction Phase Services in the amount of \$123,900.00 to Michael B. Schorah & Associates, Inc.

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. Block and unanimously passed approving Purchase Order No. 22-553 for Materials Testing and reimbursable expenses in the amount of \$60,125.00 and Purchase Order No. 22-556 for Construction Phase Services in the amount of \$123,900.00 to Michael B. Schorah & Associates, Inc.

**e) GENERAL**

Mr. Boykin asked that item e)ii) Consider Revisions to the Debris Management Plan be considered prior to e)i) Presentation of the Proposed 2022/2023 Budget.

Ms. Roundtree said that would be fine, but she then advised the Board that there is also an addition to the agenda which was emailed to them on Monday regarding the Agreement for Emergency Debris Removal. She explained that this item is somewhat related to the Debris Management Plan and would require a motion to add it to the agenda following presentation of the Debris Management Plan item.

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. Block and unanimously passed approving the addition of “Consider the Agreement for Emergency Debris Removal” to the agenda.

**ii) Consider Revisions to Debris Management Plan**

Ms. Roundtree reported that the Debris Management Plan was last considered by the Board in 2014, and the Plan sets out how Northern’s Staff works with internal Staff as well as various external agencies with regard to emergency cleanup following a storm event. She explained that there were some changes with regard to the organizational structure, the addition of several streets within Unit 2C, Alton and Unit 53, Arden, and a few other housekeeping adjustments. She noted that it was a good exercise for Staff

to go through given the recent changes to the organizational structure and, unless there are any 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. Block and unanimously passed adopting the newly revised Debris Management Plan.

### **Consider the Agreement for Emergency Debris Removal**

Ms. Roundtree stated that the just approved Debris Management Plan specifies that Northern work with larger contractors for some of the debris cleanup following storm events. She explained that, in the past, Northern has piggybacked on the Solid Waste Authority of Palm Beach County's (SWA) contract with Phillips and Jordan. She further explained that the SWA entered into a substantially similar but new contract with Phillips and Jordan in April, so Northern Staff requested that Phillips and Jordan once again enter into a piggybacking cooperative agreement with Northern. She reported that Phillips and Jordan agreed and Staff requested adding the item to the agenda in order to be put in place by June 1, 2022.

Ms. Roundtree stated that this Agreement follows the pricing structure as set forth in the SWA contract. She advised that its term is for three years and ends on May 7, 2025, with an option to renew for an additional three years, and Staff recommends approval.

Mr. Salee asked if Northern has everything in place to handle storm debris. Ms. Roundtree explained that Northern contracts with large contractors to handle the debris removal since we do not have large trucks and dumpsters to accommodate such loads. She further explained that all of Northern's contractors will need to be authorized by SWA to dispose of debris at SWA sites and she briefly explained the process. Ms. Roundtree also stated that she and other members of Northern Staff attended the SWA 2022 Hurricane Debris Management Meeting to review the plan.

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. Block and unanimously passed approving the Agreement for Emergency Debris Removal with Phillips and Jordan.

**i) Presentation of the Proposed 2022/2023 Budget**

Ms. Roundtree began by acknowledging that Lucas Schaffer, Northern's Environmental Technician, took the Budget's cover photo in Unit 49. She also thanked Laura Ham, Northern's Budget & Assessment Roll Manager, and Northern's high school intern, Sahra, for putting this presentation together.

Ms. Roundtree then gave a PowerPoint presentation and highlighted some information from Northern's proposed Fiscal Year (FY) 2022/2023 Budget. She explained that the proposed FY 2022/2023 Budget is \$39.5 million which is a 9.1% or approximately \$3.3 million increase from the FY 2021/2022 Budget. She further explained that these numbers include an estimated 20% increase for the mowing and landscaping contracts, because they had not yet been awarded when this presentation was prepared. Those numbers will be adjusted and it will decrease the total budget by approximately \$150,000.

Mr. Boykin asked if the increase was due to inflation or related to projects. Ms. Roundtree advised that the increase was due to multiple factors including inflation, some large projects, as well as some maintenance projects that were delayed due to the pandemic. She noted that, where available, fund balances were used to reduce assessments or projects were planned over several years to reduce the increase.

She presented charts showing the budgets for the past 10 years and the expected debt service for the next 20 years. She also presented a chart comparing the proposed FY 2022/2023 Budget to the FY 2021/2022 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 2022/2023 Budget.

Over the course of the presentation, the Board had questions to which Staff provided answers regarding the aerator program, effects caused by the pandemic, and Northern's personnel and personnel policies.

Mr. Boykin left the meeting at 8:50 a.m.

Ms. Roundtree noted that although 75% of Northern's Units have proposed increases, most of those increases result in less than 10% or \$100.00 per parcel. She reviewed some of the larger assessment increases and explained the reason for each. She then reviewed the process for finalizing the FY 2022/2023 Budget.

Mr. Beatty commended the Finance Department for doing an excellent job.

Ms. Roundtree thanked the Board for their support.

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

## **8) MISCELLANEOUS REPORTS**

### **a) ENGINEER**

Ms. Leser had nothing to report.

### **b) ATTORNEY**

Mr. Edwards reminded the Board to submit their 2021 Form 1 Statements.

### **c) EXECUTIVE DIRECTOR**

Mr. Beatty displayed aerial photos showing the progress on the Unit 31 Guardhouse Project which is being done by the BallenIsles Community Association.

He then reported on the status of the Unit 18 Notice of Non-Compliance, noting that he has spoken to Damon Meiers of South Florida Water Management District (SFWMD) acknowledging Northern's response and Northern is awaiting SFWMD's written response. He also stated that Mr. Edwards has been in contact with counsel for the City of West Palm Beach (City) with regard to the Alum application process and they have authorized that Northern proceed for advertisement of the Alum application program. The proposed Project Manual documents for this process have been forwarded to the City for approval.

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:

- 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**

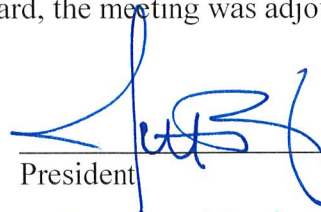
Ms. Baker reported that she read the budget last night and complemented Staff. She mentioned that after attending the North County Neighborhood Coalition Annual Breakfast Meeting she wanted to know the correlation between Northern’s Emergency Operations Center (EOC) and the County or City EOC.

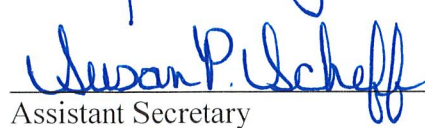
Mr. Beatty advised that this administrative building serves as Northern’s EOC, noting that it is Category 5 rated and staffed as needed during storm events. He reported that the County has regular conference calls with all special districts for coordination during storm events.

**11) ADJOURN**

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

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