

**MINUTES OF A BOARD OF SUPERVISORS MEETING
NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT 10/27/21**

Pursuant to the foregoing Notice, the Board of Supervisors of Northern Palm Beach County Improvement District met at approximately 8:00 a.m. on October 27, 2021, 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 O'Neal Bardin, Jr.; District Engineer Robert W. Lawson of Arcadis and General Counsel Kenneth W. Edwards of Caldwell Pacetti, et al.

Also present were Deputy Director Dan Beatty; Finance Director Katie Roundtree; District Clerk Susan Scheff; Staff Engineer Kim Leser; Nate Eckloff of Piper Sandler; and Northern's Administrative and Operations Staff.

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 stated that Staff is requesting the removal of Item c) from the Consent Agenda for Unit No. 16, Palm Beach Park of Commerce, and Item e) from the Regular Agenda for Unit No. 44, The Bear's Club, noting that these items are not quite ready for Board consideration at this time, and the Board consented to the request.

4) APPROVAL OF MINUTES

A **motion** was made by Mr. Cohn, seconded by Mr. Salee and unanimously passed approving the Minutes of the September 22, 2021 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. Cohn, seconded by Mr. Salee and unanimously passed approving the following Consent Agenda Items:

- a) Unit No. 3 – Horseshoe Acres/Square Lake
Consider Certificates of Correction
- b) Unit Nos. 9A/9B – Abacoa I & II
Consider Purchase Order to Superior Construction Services
- ~~e) Unit No. 16 – Palm Beach Park of Commerce
Consider Acceptance of Bill of Sale
(This item was removed from the agenda at the beginning of the meeting.)~~
- d) Payment Requests

copies of which are contained in applicable Northern files.

7) REGULAR AGENDA

a) MULTI-UNIT

i) Consider Purchase Order to Data Flow Systems

Mr. Beatty stated that Data Flow Systems is Northern's sole source SCADA Telemetry System provider and this project was initiated and budgeted for this fiscal year. He explained that this item involves the replacement of several of Northern's Programmable Logic Controllers (PLCs), which are essentially the brains of the telemetry units. He further explained that the PLCs are over 20 years old, noting that they have become obsolete and are no longer supported for maintenance.

Mr. Beatty reported that he looked into what will happen with the old units and was informed that Data Flow will be recycling them. He stated that the total amount of the Purchase Order is \$100,008.00 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. Cohn, seconded by Mr. Salee and unanimously passed approving Purchase Order No. 22-4 to Data Flow Systems in the amount of \$100,008.00.

ii) Consider Purchase Order to WGI

Mr. Beatty reported that WGI previously made a presentation to the Board with regard to the Light Detection and Ranging (LiDAR) technology which they are using to collect data for Northern. He explained that data collection was Phase I of the project. This Purchase Order is for Phase II, which involves the integration of the data into Northern's Geographic Information System (GIS). Mr. Beatty displayed an example of this technology from Northern's pilot program using data from Unit No. 38, Harbour Isles. He stated that the Purchase Order is in the amount of \$99,400.00 for Phase II 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. Cohn, seconded by Mr. Salee and unanimously passed approving Purchase Order No. 22-15 to WGI in the amount of \$99,400.00.

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

Mr. Beatty began his report by showing the Board the Unit map and then displayed a site plan and aerial photo which delineated Parcel D of the Alton development. He reported that the construction is going well and is almost completed, noting that temporary striping is in place where appropriate. Mr. Beatty explained that Northern will delay the final lift of asphalt in various areas until the developer has a certain amount of homes completed in those areas in order to avoid subsequent pavement appearance

issues. He then showed photos of the milling and final lift of asphalt on Alton Boulevard and in Neighborhood 1.

Mr. Block asked if Staff has received any complaints from residents with regard to the paving activities. Mr. Beatty praised the contractor's milling and paving operations and advised that Northern has not received any complaints regarding this work.

Ms. Baker asked if the roadway is four lanes, and Mr. Beatty responded affirmatively.

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

**c) UNIT OF DEVELOPMENT NO. 14 – EASTPOINTE
Consider Second Amendment to Agreement and Replacement Quit Claim Deed**

Mr. Bardin stated that Northern entered into an Agreement with Eastpointe to convey to them a piece of property that contains a drainage ditch and, in consideration of that conveyance, Eastpointe will construct a modern culvert system and convey it to Northern. He explained that this exchange allows for the piece of property being conveyed by Northern to be redeveloped into townhomes. He further explained that the project has not moved as quickly as originally anticipated, noting that Northern approved a First Amendment to the Agreement in November of last year extending deadlines set forth in the Agreement for one year. Staff is requesting the Board approve a Second Amendment to the Agreement extending the deadlines for an additional year and authorizing a replacement Quit Claim Deed to be held in escrow, as the original will be expiring in the next week or so. Mr. Bardin reported that this replacement Quit Claim Deed will be held in trust pursuant to the Agreement.

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. Salee and unanimously passed approving the Second Amendment to NPBCID Agreement and replacement Quit Claim Deed.

c) UNIT OF DEVELOPMENT NO. 31 – BALLENISLES COUNTRY CLUB

i) Consider Approval of Payment Schedule and Request for First Installment Payment

Mr. Beatty explained that this is a two-part request, reporting that Northern entered into a Sale and Purchase Agreement with BallenIsles Community Association, Inc. for the construction and eventual purchase of the Guardhouse at the PGA Boulevard entrance. He stated that Northern has received the associated Payment Schedule as well as a request for the first installment payment in the amount of \$240,817, which represents 11% of the total contract. He noted that Staff recommends approval.

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. Salee and unanimously passed approving the Payment Schedule and Request for First Installment Payment to BallenIsles Community Association, Inc. in the amount of \$240,817.

ii) Consider Purchase Order to BallenIsles Community Association, Inc.

Mr. Beatty stated that this Purchase Order is the accounting mechanism that Northern will use to pay for the Guardhouse. He explained that the total amount of this Purchase Order represents the total Sale and Purchase Order amount of \$2,189,248 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. Cohn, seconded by Mr. Salee and unanimously passed approving the Purchase Order No. 22-9 to BallenIsles Community Association, Inc. in the amount of \$2,189,248.

~~**d) UNIT OF DEVELOPMENT NO. 44 – THE BEAR’S CLUB
Consider First Amendment to Maintenance Agreement**~~

This item was removed from the agenda at the beginning of the meeting.

**e) UNIT OF DEVELOPMENT NO. 53 – ARDEN
Status Report**

Mr. Beatty gave a status report of this project, initially displaying the Unit map and site plan, followed by aerial photos of Pod G of the Arden development. He reported that Northern has received a request for a considerable time extension from a contractor, noting that Staff is in the process of reviewing this request for future Board consideration. He further reported that the contractor has been experiencing some delays, and Staff will be working with them to determine the propriety of those delays and the related time extension request for possible future presentation to the Board.

Mr. Boykin asked what the contractor's reasoning is for the delays, and Mr. Beatty advised that they are claiming there is a shortage of skilled labor, resulting in difficulty supplying sufficient crews for the underground work. Mr. Beatty further advised that there are some contractual issues associated with this request, and Staff will continue to work on this issue.

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

f) GENERAL

i) Needs Analysis Status Report

Mr. Beatty stated the Florida Association of Special Districts has submitted a template for the State-required "Needs Analysis", noting that Northern Staff will modify the template to fit Northern's specific needs. He also stated that he recently attended a webinar, hosted by South Florida Water Management District, with regard to resiliency and will be integrating that into the Needs Analysis report. He noted that he will provide the Board with status reports from time to time as Northern moves forward with its preparation of the report for submittal to the County prior to the June 2022 due date.

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

ii) Consider Appointment of Kimberly Leser as District Engineer

Mr. Bardin stated that Northern has been undergoing a significant reorganization of the Staff and, as part of that effort, Staff is asking the Board to approve the appointment of Kimberly Leser as the District Engineer on today's date in conjunction with the following Third Amendment to the prior District Engineer's Agreement.

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. Salee and unanimously passed accepting Staff's recommendation of the following motion, as drafted by General Counsel:

"I move that the Board appoint Ms. Kimberly A. Leser as Northern's District Engineer to carry out such duties as are required of a District Engineer in accordance with Chapter 298, Florida Statutes. The statutory duty requirements and term of such appointment shall be governed by and carried out in accordance with Chapter 298, Florida Statutes, but are to be supplemental to those professional engineering services for which Ms. Leser was previously engaged by the Executive Director to whom she shall otherwise report."

Mr. Boykin congratulated Ms. Leser on her appointment.

iii) Consider Third Amendment to Professional Engineering Services Contract with Arcadis, U.S., Inc.

Mr. Beatty stated that this Amendment removes the District Engineer duties from Arcadis as of today's date and modifies the Agreement with them to conform with those of Northern's other Project and Consulting Engineers.

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. Salee and unanimously passed approving the Third Amendment to Professional Engineering Services Contract with Arcadis U.S., Inc.

iv) Consider Revisions to Engineering Standards Manual

Mr. Beatty stated that these revisions to the Engineering Standards Manual, which are included in the Board's materials, are required as part of the reorganization of Staff. He explained that the revisions involve removal of references to the responsibilities of the Deputy Director which will now fall under the

responsibilities of the District Engineer. Mr. Beatty noted that, if the revisions are approved, they will take effect on November 13, 2021.

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. Salee and unanimously passed approving the revisions to the Engineering Standards Manual.

v) Consider Revisions to Accounting Manual

Ms. Roundtree stated that, related to Mr. Beatty's previous report, revisions to Northern's Accounting Manual were also necessary. She explained that these revisions were a bit more extensive, as they not only included revisions associated with the reorganization, but also included revisions with respect to Northern's internal controls to reflect title changes and electronic banking procedures. She noted that these changes would also take effect after November 13, 2021, if approved.

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. Salee and unanimously passed approving the revisions to the Accounting Manual.

8) MISCELLANEOUS REPORTS

a) ENGINEER

Mr. Lawson had nothing to report.

b) ATTORNEY

Mr. Edwards had nothing to report.

c) EXECUTIVE DIRECTOR

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

In honor of Mr. Bardin's last Board Meeting, Mr. Boykin presented Mr. Bardin with an award acknowledging his years of service at Northern.

Mr. Bardin thanked the Board for the opportunity to serve for these many years and stated that he is sure the organization will continue to thrive and prosper.

Mr. Boykin thanked Mr. Bardin on behalf of the Board for his years of service, expressed his hope that he enjoys his retirement, and asked if anyone else had something to add.

The rest of the Board also wished Mr. Bardin well.

Mr. Block, who is a runner, added that he runs through many of the communities that the District manages. He noted that his observations of how well run they are and what a good steward Northern is of those communities is what brought him here. He further explained that when he first met O'Neal, he began to understand how he and the team have done such a great job and he expressed his appreciation.

Mr. Bardin once again acknowledged that it is a result of teamwork, noting that everyone in the organization is represented at this meeting today and they are the reason that the organization has been successful.

Mr. Boykin thanked all of the Staff.

9) RECEIVE AND FILE

The following items were presented to be received and filed:

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

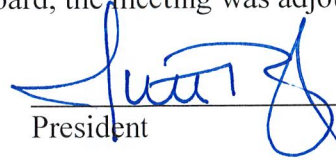
copies of which are contained in Northern's records.

10) COMMENTS FROM THE BOARD

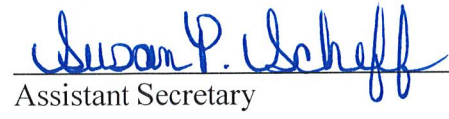
There were no further comments from the Board.

11) ADJOURN

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



President



Assistant Secretary