

**MINUTES OF A BOARD OF SUPERVISORS MEETING  
NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT 12/13/23**

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Pursuant to the foregoing Notice, the Board of Supervisors of Northern Palm Beach County Improvement District met at approximately 8:00 a.m. on December 13, 2023, 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, 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; Director of Operations Ken Roundtree; 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; 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**

Mr. Beatty reported that no additions or deletions to the Agenda were necessary.

**4) APPROVAL OF MINUTES**

A **motion** was made by Ms. Baker, seconded by Mr. Cohn and unanimously passed approving the Minutes of the November 15, 2023 Annual Landowners Meeting and the November 15, 2023 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 Ms. Baker, seconded by Mr. Cohn and unanimously passed approving the following Consent Agenda Items:

- a) Unit No. 2C – Alton  
Consider Bill of Sale to City of Palm Beach Gardens - Grandiflora Road
- b) Unit No. 5 – Henry Rolf  
Consider Change Order to Johnson-Davis, Inc. (CO No. 1)
- c) Unit No. 5A – Vista Center of Palm Beach  
Consider Purchase Order to Shenandoah Construction
- d) Unit No. 20 – Juno Isles
  - i) Consider Authorization to Record Permit No. PER-20-067 - Kirby
  - ii) Consider Authorization to Record Permit No. PER-20-068 – Ellefson
- e) Unit No. 23 – The Shores  
Consider Authorization to Record Permit No. PER-23-055 - Green
- f) General  
Consider Vehicle Purchase Authorization and Declaration of Surplus Vehicles
- g) Payment Requests

copies of which are contained in applicable Northern files.

## 7) REGULAR AGENDA

### a) MULTI-UNIT

#### **Consider Award of a Multi-Unit Maintenance Loan to Truist Commercial Equity, Inc. and Approval of Related Loan Resolution (2023-06)**

Ms. Roundtree stated that Staff recently sent out a Request for Proposals (RFP) to various banks in order to obtain proposals for a potential maintenance loan for Unit Nos. 5A (Vista Center), 18 (Ibis Golf and Country Club), 21 (Old Marsh Golf Club) and 29 (North Fork) for some culvert repair work and control panel renovations. She reported that three responses were received, including one decline to bid and two good proposals. Staff and Bond Counsel reviewed the two proposals and determined that Truist Commercial Equity, Inc. (Truist) submitted the better proposal. She explained that Truist's proposal included a 5.65% interest rate with standard prepayment terms and a 6.64% interest rate if choosing an early prepayment option. She stated that Staff and Bond Counsel are recommending approval of the lower interest rate option with standard prepayment terms and Mark Raymond is here to present the Loan Resolution.

Mr. Raymond reviewed the Award Resolution's general provisions and authorizations, noting that it is for a \$4,000,000 loan. He stated that that he prepared the Resolution and it complies with all applicable legal requirements. He further stated that Mr. Edwards has reviewed and approved the Resolution. Mr. Raymond noted that if the Board has any questions, he would be happy to answer them and otherwise a motion was in order to adopt the Resolution as presented.

Mr. Boykin called for any comments from the public to which there was no response.

A **motion** was made by Ms. Baker, seconded by Mr. Cohn and unanimously passed approving the issuance of a Multi-Unit Maintenance Loan with standard prepayment terms for Unit of Development Nos. 5A, 18, 21 and 29 to Truist Commercial Equity, Inc. and approval of Resolution No. 2023-06.

After acknowledging that this would be his last transaction for Northern before his retirement, Mr. Raymond thanked the Board. He started his career at Northern in 1985, and it has been an amazing journey. He expressed his pride and pleasure in representing Northern, noting all that has been accomplished.

The Board thanked Mr. Raymond for his service and wished him good luck.

**b) UNIT OF DEVELOPMENT NO. 20 – JUNO ISLES  
Consider Payment Request to WGI**

Mr. Beatty explained that this item is a payment request in the amount of 25,623.50 to WGI, Inc. for the Unit No. 20 Salinity Weir project which has been moved from the Consent Agenda to the Regular Agenda in order for Mr. LaMotte to recuse himself.

Mr. Beatty also showed the Board photos of the completed salinity weir project briefly explaining the gate operation process.

Mr. Boykin asked who would be raising the gate and Mr. Beatty advised that Northern Staff and/or possibly members of the Boat Owners Association (BOA), noting that Northern will likely enter into a Joint Operation Agreement with the BOA.

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. Boykin called for any comments from the public to which there was no response.

A **motion** was made by Ms. Baker seconded by Mr. Cohn and passed by the voting members approving a payment request in the amount of \$25,623.50 to WGI, Inc.

**c) UNIT OF DEVELOPMENT NO. 43 – MIRASOL  
Consider Payment Request to WGI**

Mr. Beatty stated that Ms. Leser would present this item which has been moved from the Consent Agenda to the Regular Agenda in order for Mr. LaMotte to recuse himself.

Ms. Leser explained that this item is a payment request in the amount of \$1,409.78 to WGI, Inc. for Unit No. 43 Boardwalk Repair bid administration and coordination efforts of WGI. She stated they are also working on preparing the contracts for this project now.

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. Boykin called for any comments from the public to which there was no response.

A **motion** was made by Ms. Baker seconded by Mr. Cohn and passed by the voting members approving a payment request in the amount of \$1,409.78 to WGI, Inc.

## **8) MISCELLANEOUS REPORTS**

### **a) ENGINEER**

Mr. Beatty stated that instead of having separate items listed on the agenda for project status reports, Ms. Leser will be giving status updates with accompanying photos under her report.

Unit No. 2C - Alton: Ms. Leser gave the status of the various roadway projects with accompanying drone photos of the road striping as well as the hospital site, UTC site and Pasteur Boulevard.

Ms. Baker asked if the I-95 buffer is landscape only and Ms. Leser responded affirmatively.

Unit No. 5A – Henry Rolf: Ms. Leser briefly reviewed the pipe project with accompanying drone photos of the site and sliplining project under Vista Parkway South.

Mr. LaMotte had a couple of questions about the project which Ms. Leser answered.

Ms. Baker asked about the timeline, and Ms. Leser advised that the project is scheduled for completion in May, but she expects the majority the project will be completed in late February or March, followed by landscape cleanup.

Unit No. 16 – Palm Beach Park of Commerce: Ms. Leser explained that this project is the Venture Way Extension, noting that it is nearly complete and should be done in the next 30 days. She showed the site locations and various aerial photos of the project.

Unit No. 53 – Arden: Ms. Leser showed the site plan and briefly reviewed the pods yet to be developed, explaining that homes are currently being built in Pod D-SE. She then showed aerial photos of the work being done in D-SW as well as photos of completed home construction.

Lastly, Ms. Leser informed the Board that Staff is currently working on the project manual for Unit No. 15 weir replacement project and expect to advertise in the near future.

**b) ATTORNEY**

Mr. Edwards stated that legislative bills have begun to be filed in Tallahassee which could potentially affect special districts, noting that one specifically has some provisions that might impact Northern. He explained that many bills get filed each year without passing, but this particular bill would include a 12-year term cap on Board Members going forward, beginning October of next year. He mentioned that the Legislative Session begins on January 9<sup>th</sup> and ends on March 8, 2024.

Mr. Edwards also thanked Mr. Raymond for all of the help he has given over the years, noting that they began working for Northern around the same time and acknowledging all of the work that he has done above and beyond his bond work. He further acknowledged that Northern will have a difficult time replacing Mr. Raymond.

**c) EXECUTIVE DIRECTOR**

Mr. Beatty began his report by expressing his appreciation for Mr. Raymond as well.

He then reported that, along with Mr. Roundtree and Ms. Baker, he took a group of students from the vocational program at Seminole Ridge High School on a field trip to D&J Manufacturing, the company that recently manufactured the salinity control structure gate in Juno Isles. Mr. Beatty stated that the students received a tour of the facility and it was a great day for all. He also thanked Ms. Baker for setting up the field trip.

Ms. Baker thanked Mr. Beatty and apologized that the students' thank you notes and pictures were not ready prior to the Board Meeting. She stated that they all had a wonderful time.

Mr. Beatty stated that he and Ms. Roundtree recently met with Leonard Hanser, a resident of PGA National, who expressed potential interest in running for a Board seat in the upcoming election.

Mr. Beatty reported that he received a text from Mr. Boykin regarding an incident in Botanica which was reported to the police regarding a resident hunting Egyptian Geese on Northern property. He explained

that Egyptian Geese are not protected, are considered a nuisance and can be hunted legally year round when on private property. He then turned the discussion over to Mr. Edwards.

Mr. Edwards explained Northern's interest in this matter in more detail. He stated that the Board could consider adopting a policy prohibiting this type of activity in the future, if desired. He recommended that Northern at least notify the authorities within Northern's jurisdiction that individuals are not permitted to engage in hunting or trapping on Northern's property.

Mr. Boykin stated his belief that an actual policy is not necessary, since Northern has had instances that required the hiring of trappers, but he agreed that notice could be given to the relevant authorities.

After a general discussion with regard to sending a possible letter and/or signage, it was the consensus of the Board to send a letter regarding this matter to the relevant authorities and HOA/POA representatives within Northern's jurisdiction.

Lastly, Mr. Beatty stated that there a settlement issue with the truck that ran into the BallenIsles Guardhouse and noted that Ms. Roundtree would present this item.

Ms. Roundtree stated that this item is in reference to the last and final time that the previous PGA Boulevard BallenIsles Guardhouse was hit several years ago before the new one was constructed. She stated that Northern's insurance company reimbursed Northern for the damage as well as the need to take down the entire Guardhouse. She stated that the insurance subrogation was somewhat successful, but rather than suing the trucking company, Northern's insurance company determined that a settlement was best.

Ms. Roundtree reported that Staff is asking for Board approval to accept the settlement and not proceed with litigation against the trucking company.

Mr. Edwards noted that Northern's insurance carrier requires Board acceptance of the settlement.

Mr. Boykin called for any comments from the public to which there was no response.

A **motion** was made by Ms. Baker, seconded by Mr. Cohn and unanimously passed releasing the other parties from litigation regarding the BallenIsles Guardhouse incident, as discussed.

**9) RECEIVE AND FILE**

The following items were presented to be received and filed:

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

copies of which are contained in Northern's records.

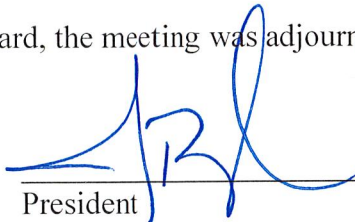
**10) COMMENTS FROM THE BOARD**

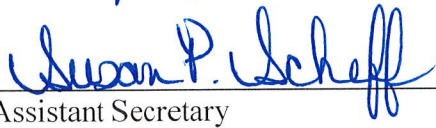
Ms. Baker once again thanked Staff for their all their efforts with regard to the recent field trip.

**11) ADJOURN**

A **motion** was made by Ms. Baker, 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.

  
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President

  
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Assistant Secretary