

**MINUTES OF A BOARD OF SUPERVISORS MEETING
NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT 04/28/21**

Pursuant to the foregoing Notice, the Board of Supervisors of Northern Palm Beach County Improvement District met at approximately 8:03 a.m. on April 28, 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; Director of Operations Ken Roundtree; Capital Construction/Permits Administrator Tim Helms; Staff Engineer Kim Leser; Alan Wertepny of Mock Roos & Associates; and Jim Sullivan of WGI.

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. Cohn, seconded by Mr. Salee and unanimously passed approving the Minutes of the March 24, 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. 2 – Frenchman’s Creek
Consider Acceptance of Bill of Sale
- b) Unit No. 9A – Abacoa I
Consider Purchase Order to Grand Slam Concrete & Curbing, LLC
- c) General
Consider Approval of General Services Contract – Straight Ahead Construction, Inc.
- d) Payment Requests

copies of which are contained in applicable Northern files.

7) REGULAR AGENDA

- a) **MULTI-UNIT**
Consider Change Order to Annual Mowing Contract with The Grassroots Corporation (CO No. 6)

Mr. Beatty explained that this is an annual contract for multiple units. He stated that an element of this contract included the mowing of a portion of the canal between Steeplechase and Woodbine. He noted that the Board has approved an Amendment to the Maintenance Agreement with Steeplechase Safe Neighborhood District, subject to their approval. They are still in the process of reviewing the Amendment, so Staff believes it is appropriate to remove the mowing from the contract that was previously signed. He noted that it is a \$9,000.00 deduct Change Order 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 Change Order No. 6 to The Grassroots Corporation to decrease the contract by \$9,000.00.

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

Mr. Beatty began by showing the Board the unit map and then displayed a site plan and aerial photo which delineated Parcel D. He explained that construction has now begun on this parcel and showed various aerial photos of the work being done.

Mr. Boykin asked if this is the last major phase to be completed, and Mr. Beatty advised that there are one or two phases left in Artistry, which is on the west side of I-95, but he advised that this is the final residential phase on this site.

Mr. Beatty pointed out Alton Boulevard and noted that the final lift of asphalt for Alton Boulevard is currently out for bid and the Board will be asked to consider awarding that project in the near future. He concluded the report with photos of the dewatering system, noting that J.W. Cheatham has done a lot of the public improvement work within this Unit and the project has run smoothly.

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

**c) UNIT OF DEVELOPMENT NO. 5 – HENRY ROLF
Consider Purchase Order to Mock Roos & Associates, Inc.**

Mr. Lawson stated that this item encompasses Units 5A through 5D. He explained that Northern has determined that the 96-inch diameter, corrugated metal drainage pipe underneath Jog Road should be upgraded. He further explained that Staff requested three design approach methodologies from Northern's Consulting Engineers and two were received. He reported that the firms were ranked at the March 9, 2021 Engineering Review Committee Meeting. The firm of Mock Roos & Associates was the highest ranked firm and Staff was authorized to negotiate a proposal with Mock Roos for this work.

Mr. Lawson stated that Northern received and reviewed a proposal from Mock Roos & Associates, Inc. for the design, bidding and construction phase services for the work in the amount of \$115,613.00. Staff found the proposal to be appropriate and approval of Purchase Order No. 21-467 to Mock Roos & Associates, Inc. in the amount of \$115,613.00 is recommended.

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. 21-467 to Mock Roos & Associates, Inc. in the amount of \$115,613.00.

**d) UNIT OF DEVELOPMENT NO. 11 – PGA NATIONAL
Consider Award of Contract to Ranger Construction Industries, Inc.**

Mr. Lawson stated that Northern opened bids on April 13, 2021, for a project involving the milling and resurfacing of Avenue of the Champions from PGA Boulevard to Tournament Drive. He explained that this project was publicly bid and two bids were received. The low bidder was Ranger Construction Industries, Inc. in the amount of \$325,164.42. He stated that Northern has worked with Ranger before and they are qualified to do the work. Mr. Lawson reported that Staff is recommending a conditional Award of Contract and approval of Purchase Order No. 21-455 in the amount of \$325,164.42. The recommendation is conditioned upon receipt of title to two small pieces of property within the roundabout which should be turned over to Northern by Quit Claim Deeds that will be brought to the Board for consideration at a future meeting.

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 an Award of Contract and approval of Purchase Order No. 21-455 in the amount of \$325,164.42 to Ranger Construction Industries, Inc., as conditioned and presented.

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

i) Consider Access Easement

Mr. Beatty began by showing the Board an aerial photo which delineated the subject area for the next two items. He explained that the first item is an Access Easement that Northern currently needs. He noted that during the development process of these two parcels, Northern identified the need for legal access to an outfall ditch that Northern maintains, so Staff recommends approval of this Access Easement.

A **motion** was made by Mr. Cohn, seconded by Mr. Salee and unanimously passed accepting the Access Easement.

ii) Consider Authorization for Amendment to Plan of Improvements

Mr. Bardin stated that the Developer in the Palm Beach Park of Commerce has requested a change in the Unit's Plan of Improvements (POI). A slide of the subject area was displayed and Mr. Bardin explained that the request is to delete the extension of Distribution Way, which bisects the development parcel shown, and to add an extension of Venture Way as a public access. He also stated that several intersection improvements are being required at the intersection of the Beeline Highway and Park of Commerce Boulevard and Staff is requesting Board authorization to include in the POI Amendment a clearer specification of which of those intersection improvements will be Northern's responsibility.

Mr. Boykin asked if the intersection is being altered due to traffic, and Mr. Bardin advised of all of the different factors resulting in the need for the intersection improvements, noting that the Developer is already commencing construction of mast arms for traffic control at that intersection.

Mr. Edwards then outlined what the POI Amendment procedure would be, if authorized.

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 authorizing the preparation of a Ninth Amendment to the Unit's Plan of Improvements.

f) UNIT OF DEVELOPMENT NO. 53 – ARDEN

i) Status Report

Mr. Beatty stated that there is nothing to report on at this time, but Mr. Lawson is presenting the next item which will result in future construction projects for this Unit.

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

ii) Consider Award of Contract to Centerline Utilities

Mr. Lawson stated that on April 13, 2021, Northern received bids for both public improvements and, at the Developer's request, private improvements for Parcels J, G-South and I-South. He explained that the last two of those parcels are for Phase 3 of the project. He further explained that Parcel J was the subject of a previous Board action to cancel the contract, also at the Developer's request, during the economic downturn caused by the pandemic. It was previously removed by Change Order and is now part of the bid for public improvements.

Mr. Lawson reported that four bids were received and the low bidder was Centerline Utilities, Inc. for the public improvements in the amount of \$2,711,183.38, noting that the second low bid was .001% higher than the low bid. He stated that the Developer has negotiated with Northern's low bidder for the private improvements as well, so only one contractor will be working on the public and private projects. He stated that Staff is recommending an Award of Contract for the Public Improvements to Centerline Utilities, Inc. conditioned upon receipt and acceptance of a Non-Interference Agreement which we anticipate will be on the May Board Agenda for consideration and execution.

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 an Award of Contract for Construction of the Public Improvements and Purchase Order No. 21-466 in the amount of \$2,711,183.38 to Centerline Utilities, Inc., as conditioned and presented.

g) GENERAL

i) LIDAR Presentation

Mr. Beatty stated that Jim Sullivan of WGI is in attendance to give a LiDAR presentation.

Mr. Sullivan addressed the Board and explained that he is a Land Surveyor with WGI, noting that he lives in Unit 11 and WGI headquarters is located within Unit 5. He began his presentation by briefly describing the company before showing slides of the conventional way of land surveying, followed by the newer GPS process. He then explained that LiDAR stands for Light Detection and Ranging which is a remote sensing method to collect 3D data. He explained that it creates a lot of data in a short period of time, but one of the few downsides is that it only collects what can be seen, so concealed areas are a problem. He then reviewed the history and evolution of its use. The technology is mobile and he explained the various methods of use, such as by vehicle, backpack or drone and showed examples of each.

Mr. Bardin asked if it could be operated indoors. Mr. Sullivan advised that it can, but he explained how the process differs.

A general discussion followed as to how this technology would work for Northern and its GIS, using data collected from some of Northern's rights-of-way as an example. The discussion continued with regard to cost savings opportunities, potential uses, inability to redact confidential data, benefits to the environment, and potential data and cost sharing with other municipalities.

The Board thanked Mr. Sullivan for his presentation.

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

ii) Consider Agreement with RMPK Funding, Inc.

Ms. Roundtree stated that this item is to consider an Agreement with RMPK Funding, which is a grant writing firm. She stated that Staff realized that there are potential grant opportunities available for many of Northern's upcoming projects and listed several of the projects that she thought may qualify. She explained that a grant writer is skilled in searching for potential grants and completing the applications. Ms. Roundtree stated that RMPK Funding has worked with Indian Trail Improvement District and municipalities in the area. She explained that, if approved, Northern would advise RMPK of potential projects and, if they find an applicable grant opportunity, Northern would pay them between \$1,500 to \$6,000 to prepare the application based upon how extensive it is. If the application is approved, Northern will either have RMPK Funding manage the required ongoing grant-related paperwork and reporting throughout the project or, depending upon the complexity, Staff may manage it internally.

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 Grant Application and Management Agreement with RMPK Funding, Inc.

iii) Consider Purchase Order to AV-WORX

Ms. Roundtree explained that the audio-visual equipment in the Board Room was installed 15 years ago and is in need of repair and/or replacement. She stated that Staff requested proposals from three vendors recommended by our IT consultant as to how they would rework the current system. She reported that Staff recommends the proposal submitted by AV-WORX and she briefly explained the proposed upgrades to the equipment. Ms. Roundtree noted that the quote from AV-WORX in the amount of \$55,808.83 was the lowest quote of the three and Staff recommends approval.

Mr. Block stated that he appreciated Staff's emphasis on salvaging or reusing older equipment when practicable.

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. 21-420 to AV-WORX in the amount of \$55,808.83.

8) MISCELLANEOUS REPORTS

a) ENGINEER

Mr. Lawson 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 2020 Form 1 Statements.

Mr. Edwards stated that the next item was regarding the Legislative Session, explaining that bills are slowly being whittled down so that a smaller amount are applicable to special districts. He noted that when and if the Governor signs any of them, he will issue a report to the Board explaining their ramifications and effects.

Mr. Edwards stated that the next item was related to the Unit 16, Palm Beach Park of Commerce. He explained that the Board previously accepted a Water Management Easement, which was subsequently recorded, and two Bills of Sale, one with a warranty and one without. He stated that these documents were coordinated through the Developer's local legal counsel. However, local counsel was not aware when the documentation was delivered to Northern that the property was being sold to another owner by use of an out-of-state attorney about the same time the property interests were being conveyed to Northern. Mr. Edwards explained that to avoid any title or ownership issues, he requested and received duplicate documents executed by the new owner and is asking the Board to accept those instruments to firm up Northern's title in the easement interests and assets included in the Bills of Sale.

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 the Water Management Easement and two Bills of Sale, as presented.

Mr. Edwards stated that the last item was related to Unit 18, Ibis Golf & Country Club. He stated that Northern previously went through a lengthy dispute process with the City of West Palm Beach (City) which resulted in an Amended and Restated Operations and Maintenance Agreement pertaining to the Ibis drainage system. One aspect of that document was that Northern now has an additional joint permit approval process with the City in regard to the addition of waters into the Ibis Surface Water Management System. He reported that Northern recently received a permit application involving the expansion of Northlake Boulevard that was submitted on behalf of the Avenir development. Mr. Edwards explained the purpose of the application. He further explained that Northern had no problem with the request, but the application cannot be approved by Northern without the City's approval and the City has said no. Mr. Edwards then briefly reviewed the consequences related to this issue which also involves the County and the South Florida Water Management District. He reported that Northern has no problem with the application, but is once again caught in the middle, and he wanted to inform the Board of the situation.

Mr. Bardin stated that Staff has been in communication with County officials.

c) EXECUTIVE DIRECTOR

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

9) COMMITTEE REPORTS

a) PERSONNEL COMMITTEE

i) Consider Committee Recommendations

Mr. Boykin reported that the Committee met on April 21, 2021, to discuss two items. The first item was to address Mr. Bardin's annual review and that was deferred to May. He stated that the second

item was to authorize Northern's Labor Counsel to proceed with the drafting of Mr. Beatty's contract to succeed Mr. Bardin in the Executive Director position, noting that work on the succession plan is continuing on schedule.

Mr. Boykin congratulated Mr. Beatty on being given the opportunity to lead Northern into its next phase, and Mr. Beatty thanked the Board.

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

10) RECEIVE AND FILE

The following items were presented to be received and filed:

- Assessment Collection Status as of April 7, 2021;
- Northern Quarterly Financial Report; and
- Proof of Publication of Meeting Notice

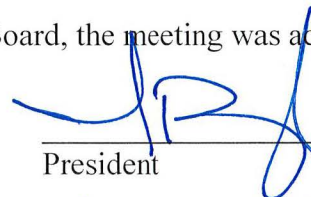
copies of which are contained in Northern's records.

11) COMMENTS FROM THE BOARD

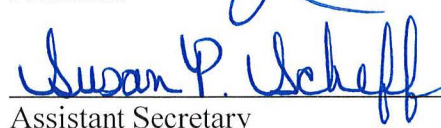
There were no comments from the Board.

12) ADJOURN

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



President



Assistant Secretary