

GREATER BOCA RATON BEACH & PARK DISTRICT
MINUTES OF A **SPECIAL** MEETING OF THE BOARD OF COMMISSIONERS
SWIM & RACQUET CENTER 21618 ST. ANDREWS BOULEVARD, BOCA RATON
July 25, 2019

The MEETING was called to order by CHAIRMAN Susan Vogelgesang at 5:16 p.m.

COMMISSIONERS PRESENT:

Craig F. Ehrnst
Steven M. Engel
Robert K. Rollins, Jr.
Susan Vogelgesang
Erin A. Wright

CHANGES TO AGENDA: Item #5 Friends of Gumbo Limbo MOU was moved to #1

PUBLIC REQUESTS:

Ms. Michele Peel, representing the Friends of Gumbo Limbo, thank the District for its support and cooperation regarding the tower at Gumbo Limbo.

Ms. Michele Peel, Mr. Tom Thayer, Mr. Harold Chaffee, Mr. Barry Tetrault, Mr. Joe Pivinski, Mr. Tony Dadino, Mr. Rick Heard and Mr. Al Zucaro support raising the millage rate.

Mr. Rick Heard encouraged the District to stay the course with the current design for Boca National.

Mr. Robert DuKate does not support raising the millage rate and suggested that the District modify or create a new interlocal agreement with the City.

Ms. Joyce Martin supports golf in Boca.

APPROVAL OF MINUTES OF PREVIOUS BOARD MEETINGS:

MOTION was made by Commissioner Rollins and seconded by Commissioner Ehrnst to approve the minutes of the regular meeting held on July 15, 2019.

MOTION UNANIMOUSLY APPROVED

PURPOSE:

1. Friends of Gumbo Limbo-MOU

Mr. Jacob Horowitz, District counsel, presented a Memorandum of Understanding between the Friends of Gumbo Limbo and the District for the Boards consideration.

MOTION was made by Commissioner Ehrnst and seconded by Commissioner Engel to approve the Friends of Gumbo Limbo Memorandum of Understanding, as presented.

MOTION UNANIMOUSLY APPROVED

2. First Public Hearing Date/Proposed Millage Rate

First Public Hearing Date:

MOTION was made by Commissioner Engel and seconded by Commissioner Rollins to set the date of the First Public Hearing on the 2019/2020 Budget on September 11, 2019 at 6:00 p.m. at the Swim & Racquet Center, Board Room, 21618 St. Andrews Boulevard, Boca Raton.

MOTION UNANIMOUSLY APPROVED

Proposed Millage Rate:

Mr. Merv Timberlake, District Financial Advisor, gave a presentation on the Fiscal Year 2019/2020 budget. He provided the Board with various millage rate scenarios for consideration.

To avoid raising taxes, Commissioner Ehrnst suggested deferring capital projects and reallocating funds towards the golf course. He would like to formally ask the City to assume the responsibility of the Gumbo Limbo pumps and pipping project for this year. Commissioner Ehrnst is fully supportive of the operational budget.

Commissioner Rollins would like to defer the following items from the City CIP:

- | | |
|--|---------|
| 1. Countess de Hoernle- Site Lighting | 225,000 |
| 2. Maintenance Facility/ Countess de Hoernle | 170,000 |
| 3. Spanish River Park Maintenance Facility | 231,000 |
| 4. Restroom Renovations | 185,000 |

He does supports keeping the Gumbo Limbo pumps and piping project, the vehicles and other equipment and the SVCS fund in this year's budget. Commissioner Rollins recommended withdrawing the term sheet that the District previously sent to the City regarding Boca National.

Commissioner Engel would like to re-examine/renegotiate all commitments that the District has made with the City including the CRA contributions; Beach Renourishment contributions and all Interlocal Agreements.

Commissioner Wright believes that the City wants to be a partner with the District.

MOTION was made by Commissioner Rollins and seconded by Commissioner Engel to set a proposed millage rate of 1.1956 mills for the Fiscal Year 2019/2020.

Discussion ensued:

Commissioner Ehrnst presented the following options regarding Boca National for the Board to consider before setting a proposed millage rate:

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Option 1: A City takeover of the entire project. The City completes the golf course to a Boca Muni standard; sets the rates, design, infrastructure, maintenance building and clubhouse.

Option 2: The City completes the west side (18 holes) plus infrastructure; the District completes the east side.

Option 3: The District proceeds alone.

To lower the overall cost of the project Commissioner Ehrnst recommended marketing the hotel site as a hotel that would be managed by a private entity.

Commissioner Wright would like to build the golf course in the most fiscally responsible way. She will support the proposed millage rate increase until she has heard back from the constituents at the two public meetings in September. She will then reevaluate her decision regarding the millage rate based on a collective voice of the community.

Roll Call Vote:

Commissioner Ehrnst	No
Commissioner Engel	Yes
Commissioner Rollins	Yes
Commissioner Vogelgesang	Yes
Commissioner Wright	Yes

MOTION PASSES 4-1

3. Ford & Associates Engagement Letter

Mr. Will Reed, of Ford & Associates, was available by telephone to review the proposed engagement letter and agreement.

Ford & Associates would serve the District as an Independent Registered Municipal (IRMA); assist in a review of the District's financial position and revenue sources relating to potential financing from various sources; assist with identifying financing options for the implementation of proposed projects; coordinate and participate in discussions with the District, its counsel, and its bond counsel to develop strategy for implementing a plan of finance; in the event that the District finances through the City of Boca Raton, assist in evaluating the City's terms and conditions and in formulating requests to the City relating to such financings; evaluate proposals and pricing information of City financings on behalf of the District.

Mr. Reed explained that the agreement would allow Ford & Associates to work directly with District staff and advise the Board without obligation to move forward.

Ford & Associates would have a legal fiduciary obligation to the District; they would not have affiliations with banks or investment banks and would solely work for the District.

The Board agreed to amend the scope of services in the letter of engagement to include:

- all financing options, with or without City financing including Non-Ad Valorem

- revenue;
- the fee for services will not exceed \$12,500 and will be contingent upon successful financing, any additional funds would require an amendment
 - an hourly fee of \$250 will be charged for all work completed if financing does not take place

MOTION was made by Commissioner Ehrnst and seconded by Commissioner Rollins to accept the Ford & Associates engagement letter and proposal as amended.

MOTION UNANIMOUSLY APPROVED

4. Banking RFP

To broaden and modernize the banking services that the District currently has, Ms. Harms, Commissioner Ehrnst and District counsel prepared a Banking RFP for the Board's consideration. The RFP will be advertised in August with a due date of October 11, 2019.

MOTION was made by Commissioner Rollins and seconded by Commissioner Engel to advertise the Banking RFP with a due date of October 11, 2019.

MOTION UNANIMOUSLY APPROVED

5. Artificial Turf-Proposed Change Order

Artificial Turf Electrical Change Order #5

Ms. Melissa Dawson, Facilities Manager, asked the Board's consideration for an electrical change order in the amount of \$38,672 for the Artificial Turf Project. During demolition, electrical wiring was discovered buried only 6" - 8" below the ground surface which does not meet code requirements. Ms. Dawson requested permission to transfer the \$10,000 electrical contingency line item to the owner's contingency line item on the bid document for the artificial turf project to fully fund the electrical change order. If approved, the new contracted owner's contingency item will be \$170,000 with a line item of \$0 contracted for the electrical contingency line item.

MOTION was made by Commissioner Ehrnst and seconded by Commissioner Rollins to approve the Artificial Turf Electrical Change Order #5 in the amount of \$38,672 and approve the \$10,000 transfer from the electrical contingency line to the owner's contingency line on the bid document.

MOTION UNANIMOUSLY APPROVED

Artificial Turf Protective Railing & Grading Change Order #6

Ms. Dawson requested the Board's consideration to approve a change order for the Artificial turf project in the amount of \$34,836. This change order would address a safety concern in front of the concrete bleacher pads on both sides of each bleacher and create an acceptable slope for lawn chairs on the sidelines of each field.

MOTION was made by Commissioner Ehrnst and seconded by Commissioner Rollins to approve the Railing and Grading Change Order # 6 in the amount of \$34,836 for the Artificial Turf Project.

MOTION UNANIMOUSLY APPROVED

APPROVAL OF PAYROLL AND INVOICES:

A revised payroll and invoice sheet was presented for approval in the amount of \$80,025.87.

MOTION was made by Commissioner Ehrnst and seconded by Commissioner Rollins to approve the revised payroll and invoices as presented totaling \$80,025.87

MOTION UNANIMOUSLY APPROVED

Commissioner Ehrnst left the meeting at 7:20 p.m.

REPORTS AND DISCUSSION ITEMS:

Interim Executive Director

Ms. Harms expressed her thanks to everyone for the success of the ribbon cutting at the Swim & Racquet Center. The project is scheduled to be completed on August 9, 2019.

Patch Reef Park Ribbon Cutting

MOTION was made by Commissioner Rollins and seconded by Commissioner Engel to set a tentative date for the ribbon cutting ceremony for the Artificial Turf Fields on August 24, 2019.

MOTION PASSES 4-0

District Counsel

Sunshine Law Presentation

The Sunshine Public Records and Ethics presentation will take place on August 19th, 2019. The Commissioners were invited to submit questions on the subject prior to the meeting.

Petrykowski Matter

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A call has been placed to the defendant's counsel for an update on the removal of all items by the August 1st deadline. If the defendant has failed to comply with the order as previously committed, District counsel will review all the Districts options.

Houston v. Greater Boca Raton Beach & Park District and the City of Boca Raton

On July 18, 2019 the District was served with a lawsuit pertaining to an occurrence that happened at Sugar Sand Park in January 2017. A baseball ricocheted off a metal pole injuring a gentleman. District counsel will coordinate with its insurance defense counsel to respond appropriately to the complaint.

Golf Course Update

Mr. Wayne Branthwaite gave a detailed summary of all work that has been completed on the Boca National Project to Date:

Three special public input meetings were held; a site review; cart paths; infrastructure was unusable so the project began from scratch; permitting; research; an engineering study; an environmental site assessment; a species survey; hotel feasibility study; interviewed previously Ocean Breeze Staff; boundary and topographical studies; 4 master plan options were created with public input; the master plan was chosen; began detailed golf course design, golf course drainage and irrigation plans were reviewed and approved by engineer; a tree removal and a location plan; created a landscape plan; completed concept plans for maintenance facility, teaching facility, halfway house, clubhouse, restroom and pumphouse and a detailed budget study for costs of all buildings (except for halfway house and clubhouse).

Mr. Branthwaite provided drawings of the teaching facility (which will be discussed on August 19th) and confirmed the infrastructure costs (the tunnel has been put on hold until further notice).

An article from Golf Inc. magazine was referred to that showed that the BNG construction costs were substantiated and the latest NGF report was reviewed.

Commissioners

Commissioner Wright reiterated that she did vote to raise the proposed millage rate giving her the opportunity to hear from the constituents prior to setting the final millage rate in September.

Commissioner Engel thank everyone for their expressions of sympathy and support; he believes that a successful golf course needs something for everyone. and invited the public to voice their opinions on the millage rate so a decision can be made in September based on what the public wants.

Commissioner Rollins suggested that Mr. Koski, Commissioner Ehrnst and Mr. Reed from Ford and Associates research private funding options for the District and have Mr. Koski develop a business plan for the golf course.

MOTION was made by Commissioner Rollins and seconded by Commissioner Engel to have Mr. Koski and Commissioner Ehrnst work with Ford & Associates on funding.

MOTION PASSES 4-0

Commissioner Vogelgesang suggested that the Commissioners keep track of the constituent's responses to the millage rate; directed counsel to investigate where the District's CRA contribution will go now that the bond has been satisfied; inquired about the status of the Needs Assessment (currently on schedule) and if additional budget meetings would be needed in addition to the two regularly scheduled meetings in August to finalize budget decisions.

MOTION was made by Commissioner Engel and seconded by Commissioner Rollins to tentatively set a budget workshop on August 26, 2019 at 5:15 p.m. the Swim and Racquet Center.

MOTION was amended by Commissioner Engel and seconded by Commissioner Rollins to tentatively set a budget workshop on August 26, 2019 at 5:30 p.m. at the Swim and Racquet Center.

MOTION PASSES 4-0

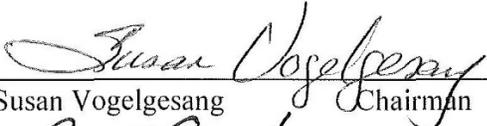
FUTURE AGENDA ITEM -

FAU/Varsity Fields Discussion -August 5th
Sunshine Law Presentation -August 19th
Boca National -Teaching Facility Drawings August 19th
Tentative Budget Workshop -August 26th
Banking RFP October 16th
ILA Review

ADJOURNMENT:

MOTION was made by Commissioner Rollins and seconded by Commissioner Engel to adjourn the meeting at approximately 8:27 p.m.

MOTION PASSES 4-0


Susan Vogelgesang Chairman

Craig F. Ehrnst Secretary-Treasurer