

**GREATER BOCA RATON BEACH & PARK DISTRICT**  
MINUTES OF A REGULAR MEETING OF THE BOARD OF COMMISSIONERS  
SUGAR SAND PARK - 300 SOUTH MILITARY TRAIL, BOCA RATON  
March 18, 2019

The MEETING was called to order by CHAIRMAN Susan Vogelgesang at 5:20 p.m.

**COMMISSIONERS PRESENT:**

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

**CHANGES TO AGENDA:** None

**PUBLIC REQUESTS:**

*Ms. Kathy Cottrell*, representing Friends of Gumbo Limbo, thanked everyone for their support at the recent Sea Turtle Day at which 3,000 guests attended. She was appreciative of the extra parking at Ocean Strand that the District provided for this event.

*Mr. Joe Pedalino* expressed his concern regarding the recent discussion of commercial development on the Ocean Strand property. The land was purchased by the District to prevent commercial development and that responsibility rests with the Commission. Mr. Pedalino would like the land to be preserved or developed as a park and recreational area for the entire community to enjoy.

*Mrs. Andrea Stekloff* pleaded with the Commission not to sell the Ocean Strand property to a developer. She felt that it would be difficult to exit the parking lot; an additional traffic light would be needed; the fauna and flora need to be protected and that it would create major havoc in the area. She asked the Commission to please protect the property and make it into a park.

*Mr. Jack McWalter* thanked the Board of Commissioners for all the work they are doing for the City. He requested a copy of the proposal from the developer interested in purchasing the Ocean Strand property (no written proposal has been submitted to the District) and a copy of the letter that the District sent to the City regarding Boca National Golf Club.

*Mr. Pedalino* inquired if the Commission would ever entertain selling the property to a private developer.

*Commissioner Engel* stated that he is against the sale or any commercial development of Ocean Strand. He would like Ocean Strand to remain in the public domain for the use of the residents of the Greater Boca Raton Beach and Park District.

*Commissioner Ehrnst* suggested reviewing all options as they become available and having an open discussion with the public. He is interested in the financial condition of the District and the community and how the City and the District collectively will absorb the golf course without

raising taxes. Commissioner Ehrnst has no desire to sell Ocean Strand, he will listen to the residents and do what the people want.

*Commissioner Vogelgesang* would like to hear from the public. She encouraged the community to attend the meetings and send emails to ensure that the public voice is heard.

*Commissioner Rollins* affirmed that the District is here to represent the community and that will always be its intention.

*Mr. Barry Tetrault* inquired if the District has spoken to the City or GL Homes regarding the gap between the closing of Boca Municipal Golf Course and the opening of Boca National Golf Club. He would like to know if the City will help with the financing of Boca National and if the City is pushing the District to sell the Ocean Strand property to pay for the golf course and Gumbo Limbo.

**APPROVAL OF MINUTES OF PREVIOUS BOARD MEETINGS:**

**MOTION** was made by Commissioner Rollins and seconded by Commissioner Ehrnst to approve the revised minutes of the regular meeting held on March 4, 2019.

Commissioner Engel recused himself from voting due to his absence at the March 4, 2019 meeting.

**MOTION APPROVED 3-0**

**REGULAR BUSINESS:**

**1. Boca National -Landscape Design Presentation**

Mr. Tom Fazio, golf course architect, explained that a conceptual routing plan was created to preserve as many of the existing trees at Boca National as possible. After meeting with an arborist and a tree mover, it was decided that the majority of the big trees on the property will be saved and approximately 60 trees will be relocated. The surrounding areas will be filled in after consideration of a base pallet; the pros and cons of each tree; maintenance and shade that will be provided.

Mrs. Carol Perez, of AGT Land Design provided a conceptual landscape design for the following three areas:

**NW Corner of the Golf Course:**

A sound and visual buffer will be created on the west side along I-95; in addition to the large existing trees, tall green button woods will be installed that will provide protection; as well as bamboo and understory shrubbery under the taller trees.

The area between the tees and greens will have tropical and colorful material, there will be a sustainability zone; tall palm trees between the tees and the fairways; the lakes on the course will have littoral zones with underwater shelves and plants to attract wildlife, clean the lake and prevent erosion.

Intersection of Clint Moore Road and N.W. 2<sup>nd</sup> Avenue:

There will be open, grassy areas; a nice entryway; palm trees, oak trees and date palms in medians along the street; a cart path that will separate the green spaces from the golf course; tropical and colorful planting near the tunnels; a butterfly garden near the restroom at the first hole with detailed planting and shrubbery to separate where the golf course meets the street.

Commissioner Ehrnst suggested moving 8 trees that were planned to be located along the City's easement on N.W. 2<sup>nd</sup> Avenue to the other side of the sidewalk. This will prevent having to reposition them in the future if N.W. 2<sup>nd</sup> Avenue is ever expanded.

Driving Range

Invasive vegetation will be removed along the drainage easement near the railroad tracks on the east side of the property and green buttonwoods and bald cypress trees will be planted to provide a visual and noise buffer. Sable palms and large oak trees will be planted on the berm separating the short game practice area from the driving range as well as provide protection.

Commissioner Ehrnst expressed concern regarding the noise level created from the nearby trains and encouraged the architects to obtain resident input as well as create a comprehensive screening design for safety at Dixie Highway.

The Commissioners will take an in-depth look at the three concepts and provide feedback to the landscape architects at the next meeting on April 1, 2019.

The conceptual landscape designs will be available on the District website at [mybocaparks.org](http://mybocaparks.org) and at the District office for the community to review.

**2. Boca National -Assignment of Rights**

Mr. Jacob Horowitz, District Counsel, asked for a motion to support the Assignment of Rights, as presented, from the City of Boca to the District, to remove the occupant on the golf course parcel. Once approved and executed by the District and City Council, a complaint will be drafted and a lawsuit will be filed to have the occupant removed.

**MOTION** was made by Commissioner Engel and seconded by Commissioner Ehrnst to approve the Assignment of Rights, as presented, that will enable District Counsel to pursue a lawsuit to remove the occupant on the golf course parcel at Boca National Golf Club.

**MOTION APPROVED 4-0**

**3. Swim & Racquet Center -M.D.S. PCCO #11**

Mr. Michael Fichera, District project manager at the Swim and Racquet Club, presented M.D.S. Builders change order #11 for consideration of the Board. The \$29,900 change order consisted of itemized operating expenses that were incurred due to the two-month extension of the project.

Work added by the District that was originally omitted; going out to bid; change orders and permitting delays all led to the additional time needed to complete the project.

Commissioner Ehrnst expressed his displeasure with the additional funds requested and believes it is unfair to the residents of Boca Raton. An explanation was demanded from M.D.S. Builders.

Mr. James Baumann, Owner of M.D.S. Builders, stated that they have been accountable and transparent throughout the course of the project and have had no control over the permitting process.

Kevin Gallagher, project manager for M.D.S., clarified that they are trying to: be proactive and mitigate any delays caused by RFI's, design changes and permitting issues; be compliant with the City, the Building Department and the contract while watching out for Districts budget. The projected 110 days of delay was reduced to 40 days to complete the project.

Discussion ensued regarding the request to pay for the change order from the Boca Teeca contingency; removal and cost of the maintenance demolition at Boca Teeca; the timing of the change order and how to avoid these problems in the future.

Commissioner Rollins felt that the work and expenses that M.D.S. Builders presented in the change order were legitimate and recommended approval.

This item will be added to the April 1<sup>st</sup> agenda to give counsel the opportunity to review the contract.

#### **4. Interim Executive Director -Ratification of Exhibit "A"**

Mr. Horowitz, District Counsel, presented the revisions that were requested by the Board to Interim Executive Directors job description. The following changes were made:

- Suspension or termination of an employee shall be the responsibility of the Board of Commissioners
- Compensation and Benefits were segregated out of the exhibit

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| <p><b><u>MOTION</u></b> was made by Commissioner Rollins and seconded by Commissioner Ehrnst to approve the Ratification of Exhibit "A", as amended, to the Interim Executive Director's Agreement.</p> |
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#### **MOTION APPROVED 4-0**

#### **5. Approval of Photocopy Machine**

Three (3) quotes were obtained from Milner, Toshiba and Dex Imaging, Inc. for a new photocopy machine at the District office. Ms. Harms recommended purchasing the unit from Dex Imaging, Inc. as they provided the lowest cost and maintenance agreement.

**MOTION** was made by Commissioner Rollins and seconded by Commissioner Engel to approve the purchase of a new photocopy machine in the amount of \$5,540.07 and monthly maintenance agreement in the amount of \$25.00 from Dex Imaging, Inc.

**MOTION APPROVED 4-0**

**APPROVAL OF PAYROLL AND INVOICES:**

**MOTION** was made by Commissioner Ehrnst and seconded by Commissioner Rollins to approve the payroll and revised invoices as presented totaling \$293,502.62

**MOTION APPROVED 4-0**

**REPORTS AND DISCUSSION ITEMS:**

**Interim Executive Director:**

*Joint Meeting with City Council*

Tentative dates for the Joint meeting are scheduled for April 22<sup>nd</sup> and May 13<sup>th</sup>.

*New District Office*

The District office is scheduled to move to their new office at the Swim and Racquet Center on April 17, 2019. There will be a “grand opening” at the Swim and Racquet Center for the community sometime in May.

**Golf Course Update by Mr. Koski:**

Mr. Koski announced that the schematic drawings of Boca National are approximately 100% complete and the construction and technical specifications drawings have begun. To compress the gap of time between the closing of Boca Raton Municipal Golf Course and the opening of Boca National Golf Club the qualifications may be added to the bid documents which would save approximately 1-2 months. Mr. Branthwaite and his team are working diligently to expedite the project and to keep the price in line with the original estimates.

A meeting scheduled with the City Manager, Leif Ahnell, and Mr. Koski on Tuesday, March 19<sup>th</sup> to discuss the anticipated closing date of Boca Raton Municipal Golf Course.

**Facilities Manager Update:**

Ms. Melissa Dawson provided the following updates:

Gumbo Limbo Boardwalk/Tower:

All tower work has been suspended; work continues on piling, substructure and railing for new boardwalk and south boardwalk; next progress meeting will be Friday, March 22, 2019.

Gumbo Limbo Pump:

Permitting has been completed through Army Corp of Engineers; final review from Fish and Wildlife is pending.

Red Reef Restrooms:

Work is progressing on schedule with hopes to have it completed prior to Easter Sunrise Service; accessible sidewalk is complete; RFI's are being submitted to address a drainage issue that has developed on accessible sidewalk.

Patch Reef Park -Artificial Turf:

Bi-weekly construction meetings continue; permit has been obtained; construction fence is up; a Public Works Pre-Construction meeting is being scheduled with the City; work has proceeded to kill the grass on the two southern fields and grass removal has begun; tree relocations will begin.

Patch Reef Park Tennis Courts:

Work will begin April 8<sup>th</sup> and take approximately 10 weeks; colors were chosen by recreation services staff and will remain the same.

Sugar Sand Park Science Playground:

Rollcoat and installation of the inserts will be installed March 26 through March 29<sup>th</sup>.

Sugar Sand Park Coil Replacement:

Work is tentatively scheduled for April 18-19<sup>th</sup>.

RFP's:

Patch Reef Park Playground - due April 12<sup>th</sup>.

Multi Shade Canopies - due April 18<sup>th</sup>

Batting Cages- due April 26<sup>th</sup>

**District Counsel** -none

**Commissioners:**

Shade Option

Commissioner Ehrnst suggested researching the solar shade trees that were recently installed at the Miami-Dade parks system as an additional shade option for the District parks.

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Ocean Strand

Commissioner Engel inquired if there was any way to prevent development of public land, such as Ocean Strand, if a buyer were to resell the property or use the beach or land for other purposes.

Mr. Jacob Horowitz, District Counsel, advised that title work would have to be done to see if there are any restrictions on the subject property. He reiterated that any proposal would have to have the authority of the Board. Mr. Horowitz has not seen a written proposal and is not aware of any sale or future development.

Boca National

Commissioner Rollins affirmed that Boca National is still on course to becoming a “world class” golf course.

Spanish River Athletic Fields

Commissioner Rollins received an email from parent who was using the Spanish River field with his son prior to 2:30 p.m. and was asked to leave because they did not have a permit. Ms. Harms is working with City staff to have the current signs changed at Spanish River to reflect those of the other parks. The new signs should state that a permit will be needed if there is “x” amount of people in the group. This will allow smaller groups to use the fields unless there was a specific safety reason not to do so. Staff will also be instructed to allow small groups of residents to use the fields if they are available.

FAU Fields

Commissioner Rollins and Ms. Harms met with Mr. Ryan Alpert, Deputy Athletic Director at FAU, to discuss the continuation of the Interlocal Agreement for the Glades Road fields which expires in September, 2020. FAU was amenable to a ten-year extension and will draw up a contract for the District to review.

Storage Unit

The District is currently paying rent for a storage unit at Boca Storage that is used for maintenance work by the City. Commissioner Vogelgesang suggested relocating the individual to one of the District’s maintenance facilities. Ms. Dawson is working with City staff to reconcile the situation.

Intersection of Yamato Road and N.W. 2nd Avenue

Under the Boca National purchase agreement, the District has an obligation to maintain the N.W. corner of Yamato Road and 2<sup>nd</sup> Avenue, however, there is no dollar amount that they are obligated to spend on this maintenance. In addition, the District will maintain the N.E. corner and utilize it for potential signage for Boca National and beautification to the entranceway.

**FUTURE AGENDA ITEM –**


BNG-Landscape Feedback


M.D.S PCCO #11 - 4/1/2019

**ADJOURNMENT:**

**MOTION** was made by Commissioner Rollins and seconded by Commissioner Engel to adjourn the meeting at 7:23 p.m.

**MOTION APPROVED 4-0**

  
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Susan Vogelgesang      Chairman

  
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Craig F. Ehrnst      Secretary-Treasurer