

GREATER BOCA RATON BEACH & PARK DISTRICT
MINUTES OF A REGULAR MEETING OF
THE BOARD OF COMMISSIONERS
May 16, 2022

The MEETING took place at the Swim & Racquet Center and was also conducted virtually through the Zoom platform. The meeting was called to order by CHAIRMAN Erin Wright at 5:15 p.m.

COMMISSIONERS PRESENT:

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

CHANGES TO AGENDA:

PUBLIC REQUESTS:

Mr. David Bracknell gave a presentation on disc golf and advocated for putting a course at Sugar Sand Park.

Mr. Harold Chaffee, President of Keep Golf in Boca, inquired if anyone had made a presentation regarding grants or P3s to Miller Legg.

APPROVAL OF MINUTES OF PREVIOUS BOARD MEETINGS:

MOTION was made by Commissioner Vogelgesang and seconded by Commissioner Engel to approve the minutes of the regular meeting held on May 2, 2022, at 5:15 p.m.

Discussion:

Roll Call Vote:

Commissioner Ehrnst	Yes
Commissioner Engel	Yes
Commissioner Rollins	Yes
Commissioner Vogelgesang	Yes
Commissioner Wright	Yes

MOTION UNANIMOUSLY APPROVED

REGULAR BUSINESS:

1. Grant Writer Recommendation

One proposal was received in response to the Grant Writer RFP from In Rem Solutions. They provided a responsive proposal and have a well-documented history of providing grant writing services to local municipalities with a track record of results. Executive Director Harms recommended that the Board award the opportunity to In Rem Solutions pending a contract negotiation for an hourly rate, not to exceed \$25,000 annually. Ms. Lisa Mulhall, from In Rem Solutions was available to answer questions from the Board.

Ms. Mulhall was asked to describe the grant process and if there were any programs available for trails or pickleball. She provided examples of her grant writing accomplishments and examples of possible restrictions that might apply to grants. Private foundation grants were discussed.

A MOTION was made by Commissioner Ehrnst and seconded by Commissioner Rollins to award the bid for the Grant Writer RFP to In Rem Solutions and direct District staff to negotiate a contract.

An Amended MOTION was made by Commissioner Ehrnst and seconded by Commissioner Rollins to award the bid for the Grant Writer RFP to In Rem Solutions and direct District staff to negotiate a contract not to exceed \$25,000 annually. The Main Motion, as amended, was adopted and approved.

Discussion:

Roll Call Vote:

Commissioner Ehrnst	Yes
Commissioner Engel	Yes
Commissioner Rollins	Yes
Commissioner Vogelgesang	Yes
Commissioner Wright	Yes

MOTION UNANIMOUSLY APPROVED

2. Ocean Strand Discussion

In March 2022, the District entered the Perk Your Park Contest through the National Recreation and Parks Association (NRPA) in collaboration with the Niagara Water Bottle Company. The project with the most votes will win \$75,000 for the development of their park. The campaign allows agencies to utilize social media to earn votes for their projects. The District will receive \$2,000 for the marketing of the contest. A Memorandum of Understanding (MOU) establishing the requirements for participating in the contest and collecting the \$2,000 towards marketing was provided by the NRPA and is due back May 31, 2022.

District counsel amended some of the language in the MOU and sent it back to the NRPA for approval. Executive Director Harms requested the Board's authorization to have counsel negotiate the MOU further, if needed, and approve the agreement before the next District meeting.

MOTION was made by Commissioner Engel and seconded by Commissioner Vogelgesang to authorize the Executive Director and District Counsel to negotiate any further changes in the MOU provided by the NRPA, if needed, and approve the agreement before the next meeting, subject to operational and legal sufficiency.

Discussion:

Chair Wright will be available to make any further decisions regarding the MOU if needed.

Roll Call Vote:

Commissioner Ehrnst	Yes
Commissioner Engel	Yes
Commissioner Rollins	Yes
Commissioner Vogelgesang	Yes

Commissioner Wright Yes
MOTION UNANIMOUSLY APPROVED

3. Carousel RFP Recommendation

The District advertised a Request for Proposals (RFP) for Sugar Sand Park Carousel Repair and Annual Maintenance beginning on April 7, 2022, and notified various companies of the RFP. Additionally, staff contacted local facilities and entities nationwide to identify any additional potential ride mechanics or contractors with amusement park ride maintenance. The District received zero bids for RFP.

All RFP requirements per F.S. 287.057 were followed. Due to the lack of bids for this project, both legal counsel and the District auditor have advised that the Board can direct hire for this project as needed.

Director Harms requested the Board's consideration to hire Mr. Joe Cadmus of MCE Services, who previously worked on the carousel, and is available to complete the repair. Mr. Cadmus is certified by the National Association of Amusement Ride Safety Officials and has over 20 years of experience working on carousels. He submitted a proposal for \$125,000 to complete the renovations with his team in approximately 21 days.

Discussion ensued regarding the need for an ongoing maintenance contract for the carousel;

documenting the repair for future use; having benchmarks for regular maintenance, and that the total cost of the project including parts should be approximately \$205,000.

A MOTION was made by Commissioner Ehrnst and seconded by Commissioner Rollins to engage Mr. Cadmus with MCE Services to complete the renovations on the carousel.

Discussion:

Roll Call Vote:

Commissioner Ehrnst	Yes
Commissioner Engel	Yes
Commissioner Rollins	Yes
Commissioner Vogelgesang	Yes
Commissioner Wright	Yes

MOTION UNANIMOUSLY APPROVED

The record reflects that an amendment for an amount not to exceed \$125,000 for the carousel renovations was added to the above motion and agreed upon by the maker of the motion and the Board. The amended motion reads as follows:

An Amended MOTION was made by Commissioner Ehrnst and seconded by Commissioner Rollins to engage Mr. Cadmus with MCE Services to complete the renovations on the carousel for an amount not to exceed \$125,000. The Main Motion, as amended, with the limitation as to the expenditure cap of \$125,000.00, was authorized and approved.

MOTION was made by Commissioner Vogelgesang and seconded by Commissioner Ehrnst to direct staff to prepare a formal solicitation/procurement in order to obtain a future maintenance agreement for the carousel at Sugar Sand Park.

Discussion:

Roll Call Vote:

Commissioner Ehrnst	Yes
Commissioner Engel	Yes
Commissioner Rollins	Yes
Commissioner Vogelgesang	Yes
Commissioner Wright	Yes

MOTION UNANIMOUSLY APPROVED

4. Executive Director Contract Amendment

Mr. Goren, legal counsel, presented an amendment to the Executive Director's agreement reflecting a base salary increase to \$135,000 annually per the Board's direction from the last meeting. The annual 3% cost of living increase on January 1st and vacation and sick day accruals have remained in place. Discussion ensued regarding the cost of living increases, annual evaluations, and fiscal responsibility.

A MOTION was made by Commissioner Rollins and seconded by Commissioner Vogelgesang to approve the contract amendment to the Executive Director's contract, as presented.

Discussion ensued.

An Amended MOTION was made by Commissioner Rollins and seconded by Commissioner Vogelgesang to approve the contract amendment to the Executive Director's contract with a modification to section 5.4 that will reflect that any modifications to the Executive Director's salary would be conditional upon the annual performance review by the Board of Commissioners.

Discussion:

Roll Call Vote:

Commissioner Ehrnst	Yes
Commissioner Engel	Yes
Commissioner Rollins	Yes
Commissioner Vogelgesang	Yes
Commissioner Wright	Yes

MOTION UNANIMOUSLY APPROVED

5. District Counsel Contract Amendment

An amendment to the current contract for District Counsel was presented to the Board for consideration. The amendment, in paragraph 8, states that the contract shall continue until terminated by either party and shall be subject to the annual budget and appropriation of funds for legal services by the District's Board of Commissioners.

MOTION was made by Commissioner Ehrnst and seconded by Commissioner Engel to approve the contract amendment for District Counsel, as presented.

Discussion:

Roll Call Vote:

Commissioner Ehrnst	Yes
Commissioner Engel	Yes
Commissioner Rollins	Yes
Commissioner Vogelgesang	Yes
Commissioner Wright	Yes

MOTION UNANIMOUSLY APPROVED

6. Strategic Planning & Communication

Executive Director Harms clarified some miscommunications that took place at a recent city council workshop regarding the Miller Legg process for Ocean Breeze, the Recreation Master Plan, and the pickleball expansion at Patch Reef Park. Executive Director Harms and Chair Wright will attend the City's Strategic Planning session starting on May 31st to answer any questions and try to enhance communication between the District and the City.

Discussion ensued regarding the lack of communication between the city and the District; the Gumbo Limbo Tower and the quasi-judicial matter that was mentioned at the workshop; the lack of city presence at District meetings, and the lack of feedback from the city regarding various projects. Commissioner Wright suggested having one point of contact to improve the lines of communication.

APPROVAL OF PAYROLL AND INVOICES:

<p><u>MOTION</u> was made by Commissioner Ehrnst and seconded by Commissioner Engel to approve the payroll and invoices as presented, totaling \$1,505,847.32</p>
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Discussion:

Roll Call Vote:

Commissioner Ehrnst	Yes
Commissioner Engel	Yes
Commissioner Rollins	Yes
Commissioner Vogelgesang	Yes
Commissioner Wright	Yes

MOTION UNANIMOUSLY APPROVED

REPORTS AND DISCUSSION ITEMS:

Executive Director

Gumbo Limbo Tower Project

Executive Director Harms and Chair Wright met with Mr. Woika, Deputy City Manager, regarding the tower project. Mr. Woika will work with Municipal Services staff to see if hiring a Construction Manager at Risk for the tower project would be beneficial. They will also develop a timeline of when the project specs can be revised to remove the approved ADA parking lot improvements and make changes to the bidder requirements. Mr. Woika

recommended rebidding the project in or around September 2022. He will provide the results of the discussions with staff to Ms. Harms prior to the District's next meeting on June 6th. The Director recommended adding this as an agenda for the first meeting in June and inviting Mr. John Holloway from the Coastal Stewards to participate in that discussion.

Annual Audit

The District's annual audit has been completed. It was a positive report with no recommendations and has been certified by the Department of Financial Services in the State of Florida. A copy was shared with the Director of the Financial Services in the City of Boca Raton and posted on the District's website.

Racquet Center Court Resurfacing and Lighting RFP

One bid was received for the Racquet Center Court Resurfacing and Lighting RFP. Staff will evaluate the bid with Calvin, Giordano & Associates and will provide an update at the first meeting in June.

School District Partnership Update

Ms. Kristin Garrison, Director, Planning & Intergovernmental Relations Palm Beach County School District, will obtain copies of some current agreements that the School District has with other cities for Ms. Harms to review.

Miller Legg Update

The next public meeting for the Ocean Breeze Master Plan is tentatively set for June 15th. Miller Legg will have the proposed master plan available at the meeting for review.

District Counsel:

Mr. Goren reported that the General Counsel's Office, at the request of the Board, provided a legal Memorandum dated 4/25/22 regarding Firearm Regulations. There have been no updates to report on the Memorandum since it was issued. The firearm litigation case to which Mr. Goren referred, is still pending in the Florida Supreme Court.

Mr. Goren also discussed the General Counsel Memorandum affecting the District's Investment Policy dated 4/25/2022, as an update.

Mr. Goren also stated that he supplied a copy of the General Counsel's Memorandum dated 11/16/2022 regarding the deed restrictions at Ocean Breeze for Boca Teeca, to Mr. Cil Ciliberti from the last meeting.

Commissioners:

Commissioner Vogelgesang would like to see disc golf added as a future agenda item and noted that the Miller Legg meeting for public input and the master plan with the amenities will be in June.

Commissioner Rollins would like to make sure that the tower project is completed even if additional funding is necessary. He reported that he went to the Boca Country Club and noted that they have made nice progress, however, he was disappointed to see that the twelve clay courts were in disrepair and not in use. He is appreciative that the city will be putting the netting up at the soccer fields and for the seating that was installed at De

Hoernle Park. He believes that the Chair attending the Strategic Planning Session at the City will help with the communication problem.

Commissioner Ehrnst suggested exploring disc golf, understanding the limitations involved, and researching the best location for it. He would like to make sure that the lights at Sugar Sand park stay on for a sufficient amount of time after people leave the ball fields and would like to be informed about the smash and grabs happening at District facilities.

Commissioner Engel agrees with Commissioner Ehrnst regarding disc golf and the need to find the best location for it. He stated that he will do whatever he can to facilitate communication with City Council and city staff. He is available if anyone wants to call him to discuss any item.

FUTURE AGENDA ITEMS:

Insurance RFP

Gumbo Limbo Tower Discussion

Racquet Center RFP

ADJOURNMENT:


<p><u>MOTION</u> was made by Commissioner Engel and seconded by Commissioner Vogelgesang to adjourn the meeting at 7:12 p.m.</p>

Discussion:

Roll Call Vote:

Commissioner Ehrnst	Yes
Commissioner Engel	Yes
Commissioner Rollins	Yes
Commissioner Vogelgesang	Yes
Commissioner Wright	Yes

MOTION UNANIMOUSLY APPROVED



Erin Wright Chairman



Craig F. Ehrnst Secretary-Treasurer