

**GREATER BOCA RATON BEACH & PARK DISTRICT**  
**MINUTES OF A REGULAR MEETING OF**  
**THE BOARD OF COMMISSIONERS**  
October 2, 2023

The MEETING took place at the Swim & Racquet Center and was live-streamed for viewing & listening through Zoom. The meeting was called to order by CHAIR Erin Wright at 5:15 p.m.

**COMMISSIONERS PRESENT:**

Craig F. Ehrnst  
Steven M. Engel-*Via Zoom*  
Robert K. Rollins-*Via Zoom*  
Susan Vogelgesang  
Erin Wright

Mr. Goren, District General Counsel, noted that Commissioners Rollins and Engel were not physically present but were attending via the Zoom platform. A physical quorum was present per Chapter 286 of the Florida Statutes.

**CHANGES TO AGENDA:**

Item#3, Patch Reef Park Pickleball Discussion, was moved to Item #1.

**PUBLIC REQUESTS:**

Mr. Art Turpel, Mr. Raul Travieso, Mr. Tobias Kay, Mr. Cil Ciliberti, Mr. Carl Foster, Ms. Angie Gray, Ms. Pamela Wilkinson, Mr. Warren Seeley, Ms. Ellen Korelitz, and Mr. Joseph Greco expressed their support for the Patch Reef Park Pickleball Project.

Mr. Robert DuKate believes the District should focus on recreational services and not put a hotel on the North Park property. He suggested that the District pay off the bond on the west side of North Park.

Ms. Dayna Strickland expressed concern about having a dog park, children's park, and parking lot near her home at Boca Teeca.

**MOTION** was made by Commissioner Ehrnst and seconded by Commissioner Vogelgesang to re-open public comments after the Patch Reef Park Pickleball discussion.

**Roll Call Vote:**

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

**MOTION UNANIMOUSLY APPROVED**

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

**MOTION** was made by Commissioner Vogelgesang and seconded by Commissioner Ehrnst to approve the minutes of the Joint meeting held on August 21, 2023, at 6:30 p.m.

**Roll Call Vote:**

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

Commissioner Wright        Yes  
**MOTION UNANIMOUSLY APPROVED**

**MOTION** was made by Commissioner Vogelgesang and seconded by Commissioner Ehrnst to approve the minutes of the Special Meeting held on September 11, 2023, at 5:15 p.m.

**Roll Call Vote:**  
Commissioner Ehrnst        Yes  
Commissioner Engel        Yes  
Commissioner Rollins       Yes  
Commissioner Vogelgesang Yes  
Commissioner Wright       Yes  
**MOTION UNANIMOUSLY APPROVED**

**MOTION** was made by Commissioner Vogelgesang and seconded by Commissioner Ehrnst to approve the minutes of the Regular Meeting held on September 18, 2023, at 5:15 p.m.

**Roll Call Vote:**  
Commissioner Ehrnst        Yes  
Commissioner Engel        Yes  
Commissioner Rollins       Yes  
Commissioner Vogelgesang Yes  
Commissioner Wright       Yes  
**MOTION UNANIMOUSLY APPROVED**

**MOTION** was made by Commissioner Vogelgesang and seconded by Commissioner Ehrnst to approve the minutes of the Final TRIM Compliance Hearing held on September 18, 2023, at 6:00 p.m.

**Roll Call Vote:**  
Commissioner Ehrnst        Yes  
Commissioner Engel        Yes  
Commissioner Rollins       Yes  
Commissioner Vogelgesang Yes  
Commissioner Wright       Yes  
**MOTION UNANIMOUSLY APPROVED**

**REGULAR BUSINESS:**

**1. Patch Reef Park Pickleball Discussion**

A discussion was held at the September 18, 2023, District Board meeting regarding the potential pickleball facility at North Park and its impact on the pickleball facility contemplated for Patch Reef Park. The District has begun the conversion of two more tennis courts at Patch Reef Park, which will provide an additional six pickleball courts, bringing the total to twelve. An additional three practice pickleball courts will be located apart from the cluster of 12. The project to restructure existing tennis courts with drainage improvements and to construct 18 covered pickleball courts with parking lot improvements has gone out

to bid. Executive Director Harms asked the Board to consider issuing an addendum to the RFP to allow contractors to bid on it as two separate projects, which will break down the cost of the pickleball complex.

***Discussion ensued.***

It was the consensus of the Board to add the addendum to the RFP and to do a cost analysis of the project.

**MOTION** was made by Commissioner Ehrnst and seconded by Commissioner Vogelgesang to continue the bid process for the Patch Reef Park pickleball project with an addendum to allow the contractors to bid on two separate projects that will provide individual costs for each component.

**Discussion:**

Commissioner Rollins commented that the unknown costs of completing the west side of North Park need to be kept in mind.

**Roll Call Vote:**

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

**MOTION UNANIMOUSLY APPROVED**

*Public Comments were Re-opened at 6:10 p.m.*

Mr. Carl Foster inquired if the budget was already approved for the project and offered to help value engineer the project.

Mr. Cil Ciliberti stated that the “cover” over the courts will always serve a purpose if pickleball gets oversaturated.

Mr. John Silver stated that saturation of the sport is not a concern with all of the “young” pickleball players; the sport will continue to grow.

Ms. Ellen Korelitz offered to form a task force committee to work with the District to review the plans and value engineer the project.

*Public Comments closed at 6:22 p.m.*

**2. CRA Discussion**

A brief recap was provided of the District's history with the CRA -the 1986 ILA and the 1989 Amendment to the ILA to help fund the blighted Mizner Park project that was satisfied in 2019. Over time, the District has contributed millions of dollars to the CRA and receives no tax revenue, resulting in non-CRA residents subsidizing CRA residents for amenities. The District's payment has grown from \$1.3 million to \$2.23 million over the past five years. To limit a rapidly increasing loss of revenue, the District applied for an exemption from the CRA

in 2020 and was denied. At a recent Joint meeting with the City Council, the District voiced its concern over the possible extension of the CRA and decided to apply for another exemption.

Executive Director Harms provided the following options for the Board to consider:

1. Continue pursuing the exemption.
2. Pursue the breach of the ILA for not being consulted on the expenditures of the CRA's budget as outlined in the ILA and for not returning surplus funds per the Florida Statutes. and/or
3. Cap the payment to the CRA per the statute.

**MOTION** was made by Commissioner Ehrnst and seconded by Commissioner Rollins to direct the Executive Director and the District's General Counsel to pursue any and all options to reduce or eliminate the District's increment payment obligation to the Boca Raton CRA by "capping" or exempting the District's payment pursuant to Section 163.187, F.S., and to consider the CRA's breach of the 1986 ILA, as amended, in accordance with Ch. 164, F.S.

**Discussion:**

The Board would like an accounting report or an audit on where its contributions are being spent.

**Roll Call Vote:**

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

**MOTION UNANIMOUSLY APPROVED**

**Ocean Strand Temporary Construction Easement Change Orders**

On November 15, 2021, the District agreed to grant a temporary construction easement on Ocean Strand on the condition that the grantee would restore the vegetation in the easement area and resurface the asphalt service road on the property. The easement was terminated in February of 2023, and the grantee was given notice to follow through on the agreed terms of the easement. The grantee has proposed to reimburse the District for these items. Maracore is under contract for Ocean Strand and has prepared a change order for the work necessary to restore the easement area and renovate the asphalt roadway. Staff recommended approval of this change order contingent upon receiving reimbursement from the grantee prior to work beginning.

**Discussion:**

Commissioner Ehrnst felt that the amount proposed (\$62,272.00) needed to include the add-on alternates presented in the work order and an additional 10% for managing the project. (\$92,000).

MOTION was made by Commissioner Ehrnst and seconded by Commissioner Rollins to proceed with the third party (Maracore Builders) and offer a settlement of \$92,000 to the Grantee for the District to complete all work.

**Discussion:**

**Roll Call Vote:**

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

**MOTION UNANIMOUSLY APPROVED**

**APPROVAL OF PAYROLL AND INVOICES:**

MOTION was made by Commissioner Ehrnst and seconded by Commissioner Vogelgesang to approve the payroll and invoices as presented, totaling \$37,300.61.

**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:**

**Patch Reef Park Pickleball Conversion**

The project to convert two more tennis courts into six pickleball courts at Patch Reef has begun and is expected to be completed by the end of November.

**The Gumbo Limbo Tower Project**

The tower project's clearing and foundation have been completed, and the rebar is being installed.

**North Park Update**

Miller Legg and the Butters Group will provide updates and options on the North Park project at the District Board Meeting on October 16, 2023.

**Patch Reef Park Pickleball Operator Interviews**

The interviews scheduled for October 16<sup>th</sup> will be moved to a future meeting.

**District Counsel:**

**Commissioners:**

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*Commissioner Rollins* expressed his disappointment with the CRA and how easily everything could have been worked out.

*Commissioner Vogelgesang* congratulated the staff for everything accomplished in the past fiscal year and inquired about the status of the roof project at Sugar Sand Park.

*Commissioner Ehrnst* reported that he recently took a tour of the JCC and was very impressed with their facilities and what they can do.

**FUTURE AGENDA ITEMS:**

North Park Updates

**ADJOURNMENT:**

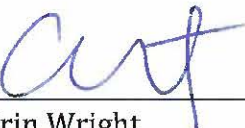
**MOTION** was made by Commissioner Engel and seconded by Commissioner Rollins to adjourn the meeting at 7:00 p.m.

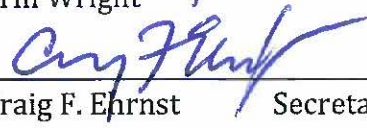
Discussion:

**Roll Call Vote:**

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

**MOTION UNANIMOUSLY APPROVED**

  
Erin Wright \_\_\_\_\_ Chair

  
Craig F. Ehrnst \_\_\_\_\_ Secretary-Treasurer