

GREATER BOCA RATON BEACH & PARK DISTRICT
MINUTES OF A REGULAR "VIRTUAL" MEETING OF
THE BOARD OF COMMISSIONERS
June 10, 2020
(Rescheduled from June1, 2020)

The "VIRTUAL" MEETING, conducted through the Zoom platform, was called to order by CHAIRMAN Susan Vogelgesang, at 5:15 p.m.

COMMISSIONERS PRESENT:

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

CHANGES TO AGENDA: Item #1 was deferred so that counsel could review the City's new Indemnification Agreement.

Commissioner Rollins suggested that counsel consider the following when reviewing the indemnification agreement: it should include more than just youth sports groups; the City should consider youth sports groups as part of a public/private partnership; and address the areas of the agreement that could essentially bankrupt a nonprofit organization.

PUBLIC REQUESTS:

Ms. Harms read into the record the following emails that were sent to the District for public requests:

Mr. Earl Starkoff, on behalf of the Soccer Association of Boca Raton, Inc. (SABR), shared the following concerns with the District's proposed SABR Indemnification Agreement: it does not address the safety or welfare of the participants or residents of the BPD; it does not reflect any thoughtful discussion regarding if, how or why the BPD is lacking legal liability protections; there is no indication of why the renewal of the FAU Agreement raises new and different issues that were never contemplated in the past. SABR's Board of Director's believe that the proposed Indemnification Agreement should categorically rejected by the Board of Commissioners.

Mr. Raul Travieso, President of the Boca Raton Pickleball Club, requested the Board's consideration, in coordination with the City of Boca Raton, to provide additional dedicated and lighted pickleball courts to meet the increased demand.

The following people called into the meeting:

Mr. Greg Galanis, inquired: if the City had responded to the District's request for the design approval of the golf course; and if there was any legal recourse that the District could take on the timeline. He believes that the closing of Boca Municipal golf course is imminent, and a response is needed so a legal decision on how to proceed can be made.

Mr. Earl Starkoff, President of SABR, values the partnerships between the City, the District, the PBC School Board and FAU; and requested that if there is a new Indemnification Agreement prepared, it needs to be resolved between staff and the elected officials from the City, the District

the Palm Beach County School Board and FAU with community input and have a fair process and responsibilities applied to all users.

Mr. John Fumero, Legal Counsel for SABR, asked the Board to please proceed in a careful fashion and have a collaborative conversation with all principals when considering an Indemnification Agreement.

APPROVAL OF MINUTES OF PREVIOUS BOARD MEETINGS:

MOTION was made by Commissioner Engel and seconded by Commissioner Wright to approve the minutes of the Regular "Virtual" Meeting held on May 18, 2020, 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

REGULAR BUSINESS:

- 1. SABR Indemnification -Deferred**
- 2. CIP Timeline & Costs**

Ms. Harms stated that she has not yet received the City's budget but anticipates it will be available by the first meeting in July. Ms. Harms will provide preliminary budgets with estimated numbers from the City with the current rates and roll back rates for the next Board meeting to start an initial conversation regarding the FY20/21 budget.

Ms. Dawson, Facilities Manager, provided a draft CIP plan to ensure that the District could meet its golf obligations while simultaneously maintaining its current facilities.

Discussion:

Ocean Strand:

Commissioner Engel noted the community's concern regarding commercial interest in the Ocean Strand Property and reviewed the timeline for Phase 1 for the development of a passive park at Ocean Strand. The RFP will go out in July; responses due back in 45 days and have the project completed, if possible, prior to Thanksgiving.

Commissioner Wright would like the RFP to be for a design build and noted that \$75,000 has already been approved by the Board and set aside for Phase 1.

MOTION was made by Commissioner Wright and seconded by Commissioner Engel to direct the Executive Director to prepare an RFP for a design build for Phase 1 of the Ocean Strand

development not to exceed \$75,000. The RFP shall include park elements such as: pervious walkways; Florida friendly landscaping; removing all invasive vegetation; tables; benches and possibly solar shades.

Discussion:

Roll Call Vote:

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

MOTION UNANIMOUSLY APPROVED

Commissioner Rollins: suggested preventative maintenance for the I.T. equipment to help reduce the cost of I.T. upgrades; inquired about the batting cages ,Gumbo Limbo A/C and duct work; boardwalk and beach crossover repair and material; and what the District's requirements or obligations are pertaining to the Don Estridge ILA as far as resurfacing the track.

Commissioner Ehrnst would like an answer from the City to see what their priorities are, where they stand regarding the design approval for the golf course and its plans on the sale of the municipal golf course. His priorities are to develop the east side of the golf course; the development of Ocean Strand, with community input; and to bring in the elements of the Need's Assessment such as dog parks and walking trails

Commissioner Vogelgesang stated that Mr. Branthwaite will provide an update for east side of the golf course at the next meeting. She suggested that Ms. Harms attend a City Counsel workshop or meeting and request a timeline for the design approval for the golf course.

MOTION was made by Commissioner Rollins and seconded by Commissioner Engel to direct the Executive Director to address City Counsel to request a timeline and approval of the design for the golf course that was previously submitted.

Discussion:

Commissioner Wright and Ehrnst inquired if walking trails could be incorporated into the east side of the golf course. City approval would be needed.

Commissioner Vogelgesang stated that the District has a fiduciary responsibility to our community to finish this project.

Commissioner Rollins does not believe that the District should start the development of the east side until the sale of Boca Municipal has been confirmed by the City. He believes that liability will be an issue if walking trails are placed on the golf course.

Roll Call Vote:

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

MOTION UNANIMOUSLY APPROVED

3. Beautification of Golf Course

At a prior meeting, the Board asked for recommendations to improve the lot located on the SE corner of NW 2nd Avenue and Clint Moore Road. Ms. Dawson provided various options and pictures to “dress” up the area.

Commissioner Wright suggested a design build RFP to beautify the three corners with different levels of pricing.

Commissioner Rollins suggested setting up a perimeter to prevent unauthorized access to the golf course.

City approval will be needed.

MOTION was made by Commissioner Wright and seconded by Commissioner Rollins to prepare a design build RFP for ideas to beautify the three corners on the intersection of Clint Moore Road and 2nd Avenue for \$10,000; \$20,000; and \$30,000 for each corner.

Discussion:

Roll Call Vote:

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

MOTION UNANIMOUSLY APPROVED

4. Banking RFP

On October 11, 2019, the District received three responses to the advertised RFP for Banking Services from TD Bank, Bank United, and PNC Bank. After reviewing each qualified proposal with the District’s Financial Advisor, Mr. Merv Timberlake, Ms. Harms recommended continuing with the current banking services at Northern Trust.

MOTION was made by Commissioner Ehrnst and seconded by Commissioner Wright to close the banking RFP and include a rejection of all bids that were submitted pursuant to the RFP and continue with the current banking relationship with Northern Trust.

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 Engel to approve the payroll and invoices totaling \$ 67,802.43

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:

Pedestrian Gate and Fence Request

Mr. Adam Cogley, Wimbledon HOA Treasurer, requested the Board's consideration to obtain a quote and design for a pedestrian gate and fence that would control access at the foot path between the Swim and Racquet Center and the Town Place and Wimbledon communities.

Ms. Harms will provide the Board options, without the need for electricity, that will prevent unauthorized access in the area.

Needs Assessment

The final Need's Assessment report is forthcoming, a meeting will be scheduled to review and discuss once the report has been completed.

Pipes & Pumping Project:

The Pumps and Piping project has gone out to bid, answers are expected back in July. A copy of the bid has been requested from the City.

Gumbo Limbo MOU

The Friends of Gumbo Limbo are in the process of reviewing the MOU, the District is awaiting an executed copy. Ms. Harms hopes to have a better idea of when the tower will be completed after a conference call on June 12th.

Virtual Meetings

The Executive Order 20-69 given by Governor DeSantis allowing the option for Communication Media Technology (CMT) to be used for virtual meetings has been extended to June 30, 2020. The District will prepare for future meetings that will be held at the Willow Theatre in Sugar Sand Park starting in July.

Field House Bleachers

The new field house bleachers are expected to be completed by July 17, 2020.

Counsel:

Ocean Strand Declaration of Restrictive Covenants

Mr. Horowitz advised that the deed needed to record the Ocean Strand declaration is not a certified copy and asked the Boards permission to engage Calvin Giordano and Associates to prepare a survey to provide a certified legal description for under \$1,000.

MOTION was made by Commissioner Rollins and seconded by Commissioner Engel to engage Calvin Giordano & Associates to prepare a survey of the Ocean Strand property.

Discussion:

Roll Call Vote:

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

MOTION UNANIMOUSLY APPROVED

Commissioners:

Commissioner Rollins:

- Likes the idea of more walking paths in the community; however, he believes that it would be a liability on the golf course;
- Stated that the indemnification agreement could put nonprofit organizations out of business with litigation fees;
- Believes that an agreement needs to be worked out between the parties to be indemnified; and
- Would like to let the City know that more discussion is needed on the agreement

Commissioner Engel requested that a Joint meeting be scheduled this summer.

Commissioner Ehrnst concurred with Commissioner Rollins on the litigation and legal indemnification agreement. He does have concerns regarding the new additional language

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that is brought out by the COVID19 pandemic and does not want to put anyone out of business.

Commissioner Vogelgesang inquired about the clearance in the right of way at the golf course; advised that the Attorney General has not yet responded to counsel's inquiry regarding the District's ability to sell or convey property; inquired if the sunscreen dispensers are motion detected or push button for disinfection purposes; inquired if performance reviews were in place for staff and what the policy is for that review; and inquired about the CRA Hearing.

FUTURE AGENDA ITEMS:

Budget Discussion
Ocean Breeze RFP
Joint Meeting
SRC Pedestrian Gate

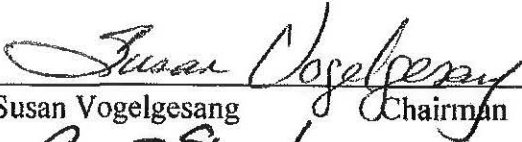
ADJOURNMENT:


MOTION was made by Commissioner Engel and seconded by Commissioner Ehrnst to adjourn the meeting at 7:05 p.m.

Roll Call Vote:

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

MOTION UNANIMOUSLY APPROVED


Susan Vogelgesang Chairman


Craig F. Ehrnst Secretary-Treasurer