

**GREATER BOCA RATON BEACH & PARK DISTRICT**  
MINUTES OF A REGULAR MEETING OF THE BOARD OF COMMISSIONERS  
SWIM & RACQUET CENTER, 21618 ST. ANDREWS BOULEVARD, BOCA RATON  
December 16, 2019

The MEETING 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.-*Absent*  
Susan Vogelgesang  
Erin A. Wright

**CHANGES TO AGENDA:** Item #3 Communication RFP Feedback was deferred.

**PUBLIC REQUESTS:**

Mr. Mickey Gomez, former Parks & Recreation Director, stopped by to wish everyone a Happy Holiday and Happy New Year.

Mr. Harold Chaffee wished everyone a Happy Holiday and thanked the Board for all the efforts that they put into the District.

Mr. Petro Andreadis urged the Board to continue with the Communication RFP process for the good of the District and its residents and encouraged the Board to have an in-depth conversation with the professionals.

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

**MOTION** was made by Commissioner Engel and seconded by Commissioner Ehrnst to approve the minutes of the Joint Meeting held on November 12, 2019 at 5:30 p.m.

**MOTION UNANIMOUSLY APPROVED**

**MOTION** was made by Commissioner Engel and seconded by Commissioner Ehrnst to approve the minutes of the Regular Meeting held on December 2, 2019 at 5:15 p.m.

**MOTION UNANIMOUSLY APPROVED**

**REGULAR BUSINESS:**

**1. Amended Agreement for the Executive Director:**

Ms. Harms presented her amended Agreement to the Board for consideration.

**MOTION** was made by Commissioner Engel and seconded by Commissioner Wright to approve the amended agreement for the Executive Director, as presented.

**MOTION UNANIMOUSLY APPROVED**

**2. Banking RFP Recommendations**

Ms. Harms informed the Board that she and Mr. Timberlake, District Financial Advisor, started the interview process with the Banking RFP respondents. This item will be moved to a meeting in January and a recommendation will be made.

**3. Communication RFP Feedback**-This item was deferred.

**4. Public Decorum Policy**

Mr. Jacob Horowitz, District counsel, asked for the Board's reconsideration and ratification of the Public Procedure's and Decorum Policy that was approved in principle at the last meeting and has since been revised. His office incorporated the following language into the policy that specifically relates to decorum:

- a. All members of the public and members of the Board shall accord the utmost courtesy to each other and to District employees. Individuals shall refrain, at all times, from rude and derogatory remarks, reflection as to integrity, abusive comments, and statements as to motives and personalities.
- b. Members of the public and members of the Board shall not disturb or disrupt a meeting of the Board of Commissioners or refuse to obey the orders of the Chair (or the presiding officer) in the conduct of the meetings. Any individual who causes a disruption or disturbance of a Board meeting shall be warned by the Chair or presiding officer that the conduct is interfering or disturbing the order of the meeting and shall be given the opportunity to cease the conduct constituting an interruption or disturbance. If the individual fails to cease the offending conduct and continues to interrupt or disrupt the meeting, the individual shall be removed from the meeting by the police officer in attendance, if so directed by the Chair. Once removed, the individual shall be barred from attending the remainder of the meeting.
- c. In the event that the Chair fails to act, any member of the Board may move to require the Chair to act to enforce these rules, and the affirmative vote of a majority of the Board members present shall require the Chair to act.
- d. Any individual or Board member who, at a Board meeting, willfully interrupts or disturbs such meeting in violation of Section 871.01, F.S., entitled "Disturbing Schools and Religious and Other Assemblies, is subject to arrest by those law enforcement officers present. No action by the Chair is required for a law enforcement officer to enforce Section 871.01, F.S., as may be amended from time to time.

<p><b>MOTION</b> was made by Commissioner Ehrnst and seconded by Commissioner Engel to adopt the Public Procedure's and Decorum Policy, as amended.</p>
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Commissioner Ehrnst recommended placing a timer on the wall for public requests.

**MOTION UNANIMOUSLY APPROVED**

**APPROVAL OF PAYROLL AND INVOICES:**

Commissioner Ehrnst questioned if the Board is obligated to make the Community Redevelopment Agency (CRA) payment of \$1,415,254.

Mr. Jacob Horowitz, legal counsel, stated that based on the statutory provisions and the original interlocal agreement, it is counsel's opinion that there is a legal obligation for the District to make that specific payment. The destination of the funds from 1989 to the present date has been specific to Mizner Park project and since the Mizner Park debt has been satisfied, there is an opportunity to have a conversation with the CRA to potentially redirect some of those funds. There is a provision in Section 163.387(2)(d), F.S., that allows the CRA Board the statutory option to exempt the District from the increment payment.

On September 30, 2019, Ms. Harms sent a letter to Mr. Leif Ahnell, City Manager, in his capacity as the Executive Director of the CRA, to open the door to that conversation. Ms. Harms did not receive a response.

Commissioner Ehrnst suggested making the CRA payment with an accompanying letter requesting that the CRA Board invoke the provision in Section 163.387(2)(d), F.S., and exempt the District of all future payments.

Commissioner Vogelgesang suggested redirecting the funds towards the operation and maintenance costs for some of the District parks. She is concerned that District residents who live outside of the City do not get any advantages in the CRA and considers this is a problem.

Commissioner Engel agreed that the funds should be redirected moving forward and suggested choosing a destination that will benefit all residents. He believes that the people who live outside of the city need to have the same rights.

Commissioner Wright believes that the District has fulfilled its obligation to the CRA and agreed to make the request to exempt the District from future payments.

**MOTION** was made by Commissioner Ehrnst and seconded by Commissioner Engel to pay the City's CRA invoice in the amount of \$1,415,254 and send an accompanying letter referencing the letter sent by Ms. Harms to Mr. Ahnell on September 30, 2019. This letter shall request that the CRA take action and invoke the provision in Section 163.387(2)(d), F.S., to exempt the District from all future increment payments and request a response from the City.

**MOTION UNANIMOUSLY APPROVED**

**MOTION** was made by Commissioner Ehrnst and seconded by Commissioner Engel to approve the revised payroll and invoices totaling \$ 4,255,689.78.

**MOTION UNANIMOUSLY APPROVED**

**REPORTS AND DISCUSSION ITEMS:**

**Executive Director:**

*District & the City "Better Together"*

Ms. Harms informed the Board that the recreation staff has been working to rebrand the swag that is given away at events to include the District logo. This will help the public identify the District as part of the Parks and Recreation programs and facilities throughout the city.

The District logo will also be included with the slogan “Better Together” on more items that are given out to the public.

Golf Course ILA and Gumbo Limbo Tower & Funicular

Ms. Harms has reached out to Mr. Mike Woika, Assistant City Manager, last week and today to get an update on the golf course ILA and the tower at Gumbo Limbo with no response. She is hoping to hear back from Mr. Woika this week and will email the Board as soon as she has received any updates. She will also request that a City staff member attend a meeting in January or February to give an update on the tower and funicular.

“Thank you”

Ms. Harms expressed her gratitude and thanked each of the Board members for their support over the past year as she transitioned into the position of the Executive Director.

**District Counsel and the Commissioners** wished everyone a Happy Holiday.

Commissioner Vogelgesang wished Sam Goren the very best on his surgery and thanked the audience for their support.

Excess Funicular Funds

Commissioner Vogelgesang inquired how any excess projected funds collected for the Gumbo Limbo Funicular fund would be handled. Mr. Horowitz will review the Memorandum of Understanding between the District and the Friends of Gumbo Limbo and advise.

Ocean Strand Park

Commissioner Ehrnst suggested that the District, with community input, begin developing a plan to open Ocean Strand as a park for the public.

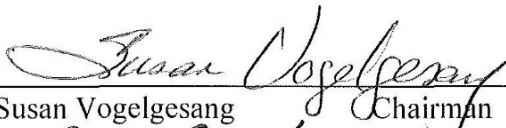
**FUTURE AGENDA ITEMS:**


- Election of Officers
- Golf Course ILA
- Budget Update
- Banking RFP
- Ocean Strand Park Development

**ADJOURNMENT:**

**MOTION** was made by Commissioner Engel and seconded by Commissioner Ehrnst to adjourn the meeting at 5:54 p.m.

**MOTION UNANIMOUSLY APPROVED**

  
Susan Vogelgesang Chairman

  
Craig F. Ehrnst Secretary-Treasurer