

GREATER BOCA RATON BEACH & PARK DISTRICT
MINUTES OF A REGULAR "VIRTUAL" MEETING OF
THE BOARD OF COMMISSIONERS
April 20, 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
Erin A. Wright

Mr. Samuel Goren, District Counsel, read into the record the Adoption of the New Board Meeting Procedures in virtual form that are consistent with Executive Order No. 20-52 signed by Governor De Santis on March 9, 2020.

MOTION was made by Commissioner Rollins and seconded by Commissioner Engel to approve the Adoption of the New Board Meeting Procedures in virtual form that is consistent with Executive Order No. 20-52 signed by Governor DeSantis on March 9, 2020.

Roll Call Vote:

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

MOTION UNANIMOUSLY APPROVED

CHANGES TO AGENDA:

Item #1. FAU Memorandum of Understanding and item # 4. Sugar Sand Park Easement were deferred.

MOTION was made by Commissioner Ehrnst to prepare a resolution urging Palm Beach County to reopen beaches, passive, public and private parks.

MOTION FAILS DUE TO LACK OF SECOND

PUBLIC REQUESTS:

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

Mr. Michael Kalvort, Recreation Services Director, thanked the District for its support and provided an update on some of the tasks and accomplishments that the City has made over the past few weeks.

Mr. David Petruzzelli asked that the District follow past practices in working with area neighbors who would be impacted by a park's opening. He was concerned that the opening of the Ocean Strand property during these times would restrict those who would be affected from being heard.

Mr. Harold Chaffee inquired about the status of the golf course and if there has been any communication with the City regarding the golf course site plan approval. He also asked if a response from the Attorney General was received regarding the District's ability to convey and lease property.

Mr. Jim Miller, on behalf of Gumbo Limbo, gave an update on how the Friends and the Nature Center have adapted during the COVID 19 crisis. He proposed extending the MOU for the Tower Project for an additional six months from April 18, 2020.

Ms. Leeann Welch, representing herself as a resident of Boca Raton, urged the District to consider the value of the Ocean Strand property not for development or recreation but as habitat. She would like to have the property restored to its native habitat to include coastal dunes, Maritime Coastal Hammock, and mangrove wetlands.

Mr. Greg Galanis suggested opening the City with caution and a minimal amount of risk.

Heidi Rutman, Gayle Weissberg, Lori Jacobs, Elizabeth Sterling, Randi Paul-Heskins, Judy Kay, Perry Baron, Anna Crane, Joel Ivers, Cheryl Lapin, Susan Marcus, Diana Friedlander, Tatyana Chinenova, Neil Tannor, Mike Budd, Bob Zoeller, Nachshon David Carmi, Thomas Bagli, Sharon Margulies, Richard Fenton, James Bodenheimer, Carol Makofsky, Victoria Milazzo, Blair Wilson, Caren Dorfman, Marc Platt, Kathleen Moorhead, Gabriel Farkas, Sharon Sullivan, Sona Khare Shornden, Elizabeth Romfh, Barbara Lipton, Ann Malachowski, Debbie Sierra, Susanne and Aaron Pepis, Lynne Andia, Marjory Hochman, Sharon (Ladeda) , Barbara Silver, Donna Mae Evans, Hope Klauber, Barbara Wiston, Joy Scher, Susan Sibley, Susan Eddins, Marian Andrea, Marian Passidomo, Kathy Hart, Gayle Silverman, Theresa Spurgeon, Heidi Rabinowitz, Diane & Gary Pearce, Diane Silver-Smith, Cinplon1, Colette Wilt, Richard Shaller, Melissa Boher Jacobson, Judith Beck, Jane Tucker, Linda Cherry, Joanne Lieberman, Judith Baker, Bob Nathanson, Ellen Cristol, Deena Drandoff, Harriet Norden, Jane R., Sandy Coyman, Peggy Hollins, Michi Wexler, Sue-Rita Goldstein, Marilyn Greenbaum, Linda Mollick, Stephanie Kay, Mimi Abramson, Harriett Schwartz, Wendy and Nate Weisbard, Barry Sibul, bladen460, Susan LaDuca, Iris Wyman, Betsy Gilbert, Arlene Kasner, Joan Krotenberg, Nadine Van Dyk, Lindy Levey, Laura Cain, Gloria J. Brand, Stephen Cohen, Marlene Solomon, Lee Hiller, Rhoda Chester, etg5, Sandra Krieger, sfeig, Christopher Robe, Peggy Alperin, Sandy & Harvey Brandner, Barbara Stewart, Louise Rutman, Dr. Tina Pearl, Andrea Schwartzberg, Morgan Udell, Miriam Merkur, Harold Lipitz, deznher, Florence Drobbin, Susan Usow, Ken Sexton, Jerry Stock, Allan Rosenthal, Tobey & Brian Brown, Veronica Lichman, Paul, Elaine Patterson, Alan Merdek, Stacy Scheile, Neil Okum, Roger Messenger, Michael & Libby Stern, Lorene Marden, Helene Selznick, Karen Leader, Mark Schlazer, Natalia Jefferson, ghelenherb, Marilyn Weissglass, Arlene Ustin, Jacques Elion, Susan Newman, Robin Warner, David Kauffman, Maleah Wilson, Terry Schwartz, Ellyn Gross, Cheryl Duckworth and Sandra McCaul were all opposed to re-opening the beaches, parks and City at this time.

The following people called into the meeting to provide their comments:

Deputy Mayor Jeremy Rodgers, representing himself as a resident of Boca Raton, supported opening public land for passive, distant use.

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Mr. Greg Galanis suggested that the elected officials re-open the City in a thoughtful and safe way.

Ms. Nancy Jo Feinberg believes that there are ways to slowly open some facilities.

APPROVAL OF MINUTES OF PREVIOUS BOARD MEETINGS:

MOTION was made by Commissioner Engel and seconded by Commissioner Rollins to approve the minutes of the Regular Meeting held on March 2, 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. **FAU Memorandum of Understanding-** Deferred
2. **Ocean Strand Declaration**

Mr. Jacob Horowitz, District Counsel, reviewed a Declaration of Restrictive Covenants for the Ocean Strand property that was prepared at the request of the Board. This would ensure that the use of the Ocean Strand property is restricted to open space, including parks and recreation uses for the benefit of the citizens and residents of the District and the general public, in perpetuity. If approved, this Declaration will be executed and recorded in the public records of Palm Beach County.

MOTION was made by Commissioner Engel and seconded by Commissioner Rollins to approve the Declaration of Restrictive Covenants for the Ocean Strand Property as presented.

Discussion:

Commissioner Ehrnst questioned if the District would be doing anything that would be an unintended consequence that would limit the District in any way. Mr. Horowitz clarified that any usage of the Ocean Strand property would require Board approval as long as it is consistent with the District's charter.

Roll Call Vote:

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

MOTION UNANIMOUSLY APPROVED

3. Ocean Strand Budget Amendment

At the March 2, 2020 meeting, the Board of Commissioners made a motion to put aside \$75,000 to open the Ocean Strand property within six months. Ms. Harms presented Resolution 2020-03, Budget Amendment #1 to the 2019-2020 budget, that would take \$75,000 out of the District's Capital Reserves and place it into a line specifically dedicated to the Ocean Strand Capital Project.

MOTION was made by Commissioner Engel and seconded by Commissioner Wright to approve Resolution 2020-03, adopting Budget Amendment #1 to the Fiscal Year 2019-2020 Budget in the amount of \$75,000 to open the Ocean Strand property.

Roll Call Vote:

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

MOTION UNANIMOUSLY APPROVED

4. SSP Easement- Deferred

5. Moody's Services Application Discussion

Ms. Harms advised the Board that a credit rating from Moody's Services would cost the District \$6,000 and \$3,000 every subsequent year and that the Indicative Rating would become a written public record.

Discussion ensued.

MOTION was made by Commissioner Wright and seconded by Commissioner Rollins to defer the Moody's credit rating to an undetermined time.

Discussion: Commissioner Ehrnst believes that the credit rating would be a good investment that would provide guidance moving forward.

Roll Call Vote:

Commissioner Ehrnst	No
Commissioner Engel	Yes
Commissioner Rollins	Yes
Commissioner Vogelgesang	Yes
Commissioner Wright	Yes

MOTION PASSES 4-1

APPROVAL OF PAYROLL AND INVOICES:

MOTION was made by Commissioner Ehrnst and seconded by Commissioner Engel to approve the payroll and invoices totaling \$ 26,408.26

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 MOU

Ms. Harms requested the Board's consideration to approve a six-month extension of the current MOU with the Friends of Gumbo Limbo due to the current COVID 19 situation.

MOTION was made by Commissioner Ehrnst and seconded by Commissioner Rollins to extend the existing MOU with the Friends of Gumbo Limbo for an additional six months.

Roll Call Vote:

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

MOTION UNANIMOUSLY APPROVED

Gumbo Limbo Roof Replacement

The City has requested a roof replacement at the Gumbo Limbo Nature Center. The project will cost an estimated \$272,192. Ms. Harms informed the Board that \$500,000 was placed in capital expenses for Gumbo Limbo this year which would fund this project.

MOTION was made by Commissioner Ehrnst and seconded by Commissioner Rollins to replace the roof at Gumbo Limbo based on the City's estimated cost of \$272,192.

Discussion ensued.

Roll Call Vote:

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

MOTION UNANIMOUSLY APPROVED

Golf Course Update

Mr. Wayne Branthwaite sent a report to Ms. Harms stating that the intent of the District to proceed with the phased development of the golf course under a new budget necessitated a revised approach to the project. Mr. Branthwaite has been working with Clear Span Structures, Landscapes Unlimited, and Mr. Charles Putman to discuss the following issues with the phased approach:

- lowering the original budget for the maintenance facility from \$2,600,000 to \$1,900,000 and perform value engineering
- Review the maintenance building area to open on a smaller scale.
- Amend the short course from eleven to nine holes

Discussion ensued.

MOTION was made by Commissioner Rollins and seconded by Commissioner Engel to instruct Mr. Branthwaite and Southern Hills that they shall not incur any additional expenses and shall stop all development on the golf course at the present time.

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 Rollins and seconded by Commissioner Engel to direct the Executive Director to draft a letter to the City requesting that the City continues to evaluate the site plan for the development of the golf course that the District previously presented for approval. While the District still requests approval of the site plan; it will abate its timeframe within which the City can respond and will coordinate a future date due to the current pandemic situation.

Roll Call Vote:

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

MOTION UNANIMOUSLY APPROVED

Thank You

Ms. Harms thanked the Recreation Services staff and the City Leadership for all they have done and continue to do to keep their employees and residents safe during the pandemic.

District Counsel

Mr. Goren thanked the Chairman, Commissioners, and staff for organizing a successful “virtual” meeting.

Mr. Goren advised that counsel is still waiting on an answer from the Attorney General as to whether the District can lease or convey property.

Commissioners

Commissioner Engel thanked the Executive Director and staff for the extensive amount of work that they have done.

Commissioner Wright thanked District and City staff for all that they have done.

Commissioner Rollins thanked the staff for organizing the virtual meeting and inquired if all emails are required to be read into the record at the virtual meetings.

Commissioner Ehrnst clarified some of the facts that were stated during public requests; and strongly believes that the District should prepare a Resolution urging Palm Beach County to reopen beaches, passive and private parks.

MOTION was made by Commissioner Ehrnst to prepare a resolution urging Palm Beach County to reopen beaches, passive, public and private parks.

Discussion ensued.

MOTION FAILS DUE TO LACK OF SECOND

Commissioner Vogelgesang thanked the Executive Director, staff, first responders, and healthcare workers for all the work they are doing.

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FUTURE AGENDA ITEMS:

SSP Easement

FAU MOU

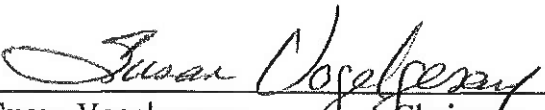
ADJOURNMENT:

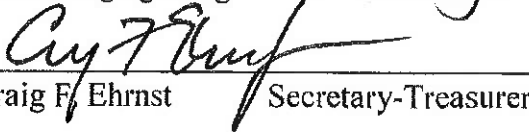
MOTION was made by Commissioner Engel and seconded by Commissioner Wright to adjourn the meeting at 8:18 p.m.

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