

GREATER BOCA RATON BEACH & PARK DISTRICT
MINUTES OF A REGULAR “VIRTUAL” MEETING OF
THE BOARD OF COMMISSIONERS
September 21, 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 Wright

CHANGES TO AGENDA:

PUBLIC REQUESTS:

The following people emailed their public requests that Ms. Harms read into the record:

Mr. Harold Chaffee asked Ms. Harms to read a letter that he had sent to the Boca Raton City Council regarding his concern that the City is taking taxpayer money and investing it in a troubled golf course outside of the City limits which the residents of the City will not benefit from.

There were no requests to speak during public comments.

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 “Virtual” Meeting held on September 8, 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

MOTION was made by Commissioner Engel and seconded by Commissioner Rollins to approve the minutes of the First Public TRIM Compliance Hearing held “virtually” on September 10, 2020, 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. CRA Discussion

On August 10, 2020, the City responded to the District's request date June 30, 2020, to be exempted from the Community Redevelopment Agency (CRA) annual increment payment. The City does not believe that the District's request for exemption from the increment payment adequately addresses and /or satisfies the requirements for a grant of exemption. A public hearing on this matter shall be conducted on October 27, 2020, at a City Council meeting. The District will supply supplemental information in support of the exemption application by September 27, 2020.

The District's payment of the Increment to the CRA was established by an Interlocal Agreement (ILA) between the City and the District on November 10, 1986. This was a commitment from the CRA to put all the District funded money towards recreation within the Community Redevelopment Agency area. The ILA was amended on March 22, 1989, allowing for the District's payment to go towards the debt at Mizner Park, which was satisfied in March 2019. The District sought this exemption from the CRA in hopes of using the money towards recreation within the City which would benefit all constituents.

When Ms. Harms reviewed the CRA's financial statements from April, it showed a surplus of funds in the reserve line. The CRA's current budget does not reflect what was documented in April. Ms. Harms requested additional financial information from the City for clarification of the funds.

Discussion:

Commissioner Rollins would like an accounting of all funds since the debt at Mizner Park has been extinguished.

Commissioner Vogelgesang inquired how the CRA can justify that District residents that live outside of the City limits are paying taxes and they do not receive any resident benefits.

Commissioner Engel would like to know why District residents, that are not residents of the City, cannot participate in the City's library system using CRA Funding that the District contributes.

Commissioner Ehrnst and Commissioner Wright believe that it is a complex situation and would like to continue to gather more information and strive towards common communication for both parties.

2. Gumbo Limbo MOU

Ms. Harms presented the third amendment to the Gumbo Limbo MOU between the Friends and the District for the Board's consideration. This amendment would further clarify the funding obligations of the Friends and the District. The District has committed \$600,000 towards the installation of an ADA-compliant ramp or funicular at the public observation tower at Gumbo Limbo. The Friends have, in honor of Jacob Kowosky and the Kowosky family, raised and committed \$500,000 towards the ADA compliant ramp or funicular. The Friends have agreed to commit to an additional \$100,000 in funding towards the project. If the District incurs any costs or fees over the \$600,000 related to the installation, the Friends shall reimburse the District for such costs.

GBRB&PD Minutes: September 21, 2020

Ms. Harms informed the Board that Mr. John Holloway, Executive Director of Gumbo Limbo, requested that the following two changes be made to the amendment:

1. Eliminate the line that states “in the event that the District incurs any costs or fees in excess of \$600,000 related to the installation, the Friends shall immediately reimburse the District for such costs or fees”; and
2. Change the date of commencement from September 21, 2020, to February 1, 2021, to be consistent with the Friends agreement with the donor.

Discussion:

Commissioner Engel does not want to hold the project up and believes that the District needs to have a cap on the number of funds that it will contribute.

Commissioner Wright suggested splitting any overages amongst the District and the Friends.

MOTION was made by Commissioner Wright and seconded by Commissioner Rollins to change the date of commencement from September 21, 2021, to February 1, 2021, on the Third Amendment to the Gumbo Limbo MOU; and include an amendment that expresses if any costs or expenses for the project exceed \$1,200,000 (\$600,000 each for the District and the Friends) the excess amount will be shared equally between the District and the Friends.

Discussion:

Roll Call Vote:

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

MOTION UNANIMOUSLY APPROVED

3. Staff Recommendation for District Insurance

Ms. Harms and Commissioner Rollins reviewed the District’s insurance premium and the breakdown of losses from the previous ten years with Mr. Morrill, Representative from the Florida League. It was their recommendation to leave the insurance the way it is currently written and to go out for an RFP in June 2021 for competitive bids.

APPROVAL OF PAYROLL AND INVOICES:

MOTION was made by Commissioner Ehrnst and seconded by Commissioner Engel to approve the payroll and invoices totaling \$ 3,088,584.21.

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:

Art in Public Places

Ms. Harms has reached out to Deputy Mayor O'Rourke to work with her team regarding Art in Public Places. She is expecting a response from the Deputy Mayor when the committee reconvenes.

Parks & Recreation Board

Ms. Harms has contacted Dr. Frisch, of the Parks & Recreation Board and Mr. Kalvort, Director of Recreation Services, to schedule a time to speak to the Parks & Recreation Board regarding the Ocean Strand project. A date will be chosen when their meetings resume.

Golf Course

The City has informed Ms. Harms that they would not be talking about the golf course approval at its meeting on September 22, 2020.

Pickleball RFP

The Pickleball RFP has been released and will close October 16th at 2:00 p.m.

Counsel:

Mr. Goren inquired if the Board would like counsel to send a letter to the Governor requesting an extension of his Executive Order allowing for virtual meetings that currently expire on October 1, 2020.

<p><u>MOTION</u> was made by Commissioner Wright and seconded by Commissioner Engel to approve counsel sending a letter to the Governor requesting an extension of the virtual meeting forum beyond October 1, 2020.</p>

Discussion:

Roll Call Vote:

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

MOTION UNANIMOUSLY APPROVED

Ocean Strand Title Search

Mr. Goren received the Title Search Report (TSR) back on the Ocean Strand property that will determine if the three parcels of land that were not included in the survey provided by Calvin Giordano & Associates (CGA) were part of the actual conveyance to the District. If the TSR shows that the District does own these three parcels, Mr. Watts, from CGA, will resketch and prepare a new legal description of the property, and an amendment to the Declaration will be made and recorded. Counsel will review the TSR and advise at the next Board meeting.

Commissioners:

Commissioner Rollins requested certification that the tower being built at Gumbo Limbo will be ADA Compliant; that a press release on Mr. Robert Langford, the original Executive Director of the District who recently passed away, be written to recognize the contributions Mr. Langford made to the recreational community in Boca Raton and a memorial will be organized in his honor; and if the City does not respond to the District's request for approval of the golf course before the next District meeting, Mr. Rollins would like to make a public record request to understand the City's reason for the delay.

Commissioner Ehrnst would like to defer the public record request and give the City the time it needs, and he hopes for better communication between the City and the District. He stated that the District will be an integral part of a new destination for recreation at the Ocean Breeze property if the City does purchase the Boca Country Club golf course.

Commissioner Engel is genuinely concerned with the lack of transparency from the City. If the City does purchase the Boca Country Club golf course, Mr. Engel wishes them success, however, he does not want the District to participate or be involved with the course in any way. The District will make the Ocean Breeze property another jewel in the City's park system. He supports a public record request if no information is forthcoming.

Commissioner Wright hopes to get an answer from the City soon and supports doing a public record request.

Commissioner Vogelgesang suggested adding the public records request to the next agenda if the District does not receive a response from the City.

Ms. Harms will reach out to Mr. Woika to try and obtain information regarding the approval prior to a public record request.

Commissioner Engel requested that the Boca Raton Beach & Park Foundation be added as a future agenda item for discussion.

FUTURE AGENDA ITEMS:

Ocean Strand Declaration Amendment
Insurance RFP-5/ 2021
Boca Raton Beach & Park Foundation
Three Corners RFP Discussion -10/19/20
Public Records Request

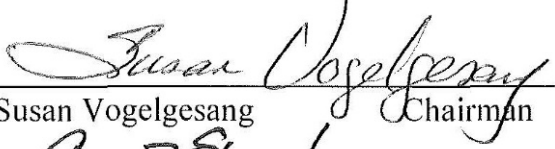
ADJOURNMENT:


MOTION was made by Commissioner Engel and seconded by Commissioner Rollins to adjourn the meeting at 7:06 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