

**GREATER BOCA RATON BEACH & PARK DISTRICT**  
MINUTES OF A REGULAR MEETING OF  
THE BOARD OF COMMISSIONERS  
January 3, 2023

The MEETING took place at the Swim & Racquet Center and was also conducted virtually through the Zoom platform. The meeting was called to order by CHAIRMAN Erin Wright 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:**

*Councilman-Elect Marc Wigder*, Seat B, and *Councilwoman Fran Nachlas*, Seat A, introduced themselves to the Board and expressed their excitement to get involved and serve the residents of Boca Raton.

*Mr. Robert DuKate* presented his objections to the District's potential 3P option under Ch.255, FS, and suggested that the District get the opinion of the Attorney General prior to going out for an RFP for the Boca Teeca project. He expressed his security concerns and requested that fencing be installed near the bike trails that will be included at Boca Teeca.

*Mr. Harold Chaffee* believes that it would be beneficial for the District to contact the Attorney General for an opinion on the 3Ps before going out for an RFP and that the District should have a backup plan if needed.

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

**MOTION** was made by Commissioner Vogelgesang and seconded by Commissioner Engel to approve the minutes of the regular meeting held on December 19, 2022, at 5:15 p.m.

**Discussion:**

**Roll Call Vote:**

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

**MOTION UNANIMOUSLY APPROVED**

**REGULAR BUSINESS:**

**1. 2023 Election of Officers**

**Chairman**

**MOTION** was made by Commissioner Vogelgesang and seconded by Commissioner Engel to nominate Erin Wright for the position of Chairman in 2023.

Mr. Goren, District Counsel, noted that a Motion by Commissioner Engel and seconded by Commissioner Rollins to close nominations for the position of the 2023 Chairman was accepted.

**Roll Call Vote:**

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

**MOTION UNANIMOUSLY APPROVED**

**Vice-Chairman**

**MOTION** was made by Commissioner Vogelgesang and seconded by Commissioner Engel to nominate Robert Rollins, Jr. as Vice-Chairman for 2023.

Mr. Goren, District Counsel, noted that a Motion by Commissioner Vogelgesang and seconded by Commissioner Engel to close nominations for the position of the 2023 Vice-Chairman was accepted.

**Roll Call Vote:**

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

**MOTION UNANIMOUSLY APPROVED**

**Secretary-Treasurer**

**MOTION** was made by Commissioner Vogelgesang and seconded by Commissioner Rollins to nominate Craig Ehrnst as Secretary-Treasurer for 2023.

Mr. Goren, District Counsel, noted that a Motion by Commissioner Vogelgesang and seconded by Commissioner Engel to close nominations for the position of the 2023 Secretary-Treasurer was accepted.

**Roll Call Vote:**

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

**MOTION UNANIMOUSLY APPROVED**

**2. Presentation on Accessible Playgrounds**

Mr. David Ogman, a resident of Boca Raton, has a special needs son named Jordan. Mr. Ogman noted that many of the playgrounds in Boca Raton are inaccessible to handicapped children.

He shared his personal experiences and offered the following suggestions to make the playgrounds more accessible: add rubber bottoms to the playground instead of wood mulch, lower the playground structures, and have closed structures at the top of the playground to prevent falls. The Board expressed its support for more accessible playgrounds and welcomed Mr. Ogman's input on future playground renovations or development of playgrounds.

### **3. CRA Contribution Discussion**

The District began making obligatory payments to the Community Redevelopment Agency (CRA) fund in 1986 under the interlocal agreement that provided that District funds would be utilized on recreation facilities and programs in the blighted area. In March of 1989, the District agreed to an amendment of that agreement which allowed the CRA to utilize the District TIF payment to go toward the Mizner Park debt. The CRA was extended in 1995. The Mizner Park bonds were satisfied in 2019. In 2020 the District sought an exemption from the CRA, and the City denied the request.

After reviewing Section 163.387 of the Florida Statute and conferring with District legal counsel, Director Harms noted that the District is unable to exempt itself from the TIF payments but can lawfully cap future payments to the CRA in the amount that the District was obligated to contribute during FY22-23 (approximately 2.3 million dollars). She recommended moving forward with the process to cap the CRA payment.

Mr. Goren, District counsel, advised that according to the statute, the process to cap the CRA payment would be to prepare a letter on behalf of the District to the CRA advising them of the intent to adopt a resolution to limit the amount of future increment contributed by the District to the CRA in the amount that the District was obligated to contribute during FY22-23. The resolution would be presented at a public hearing, with public comment provided, that will be held in February and will be properly advertised.

Discussion ensued.

**MOTION** was made by Commissioner Rollins and seconded by Commissioner Engel to have Counsel assist the Executive Director and send a letter notifying the CRA of the District's intention to adopt a Resolution to cap its increment payment to the CRA and provide a Public Hearing notice which will be properly advertised.

#### **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 \$1,012,343.52.

**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:**

*Gumbo Limbo Tower Bids*

The due date for the Tower bids has been extended to January 21, 2023.

*Patch Reef Park Pickleball Courts Project*

Director Harms, Melissa Dawson, Facilities Manager, and CGA will present the Patch Reef Park Pickleball Courts project at the Parks & Recreation Advisory Board meeting on January 10, 2023.

**District Counsel:**

Mr. Goren requested that the Board defer any further action regarding the Temporary Construction Easement at Ocean Strand until the next District Board meeting when he will provide an update on the matter.

He advised that he received an engagement letter from JoLinda Harris of Bryant Miller Olive Law Firm to represent the District as special Bond Counsel to review the Ocean Breeze bonds and Interlocal agreements with the City and provide a separate opinion on the Attorney General's opinion on the District's Special Act and how it applies to Public Private Partnerships.

Mr. Goren reviewed Legal Memorandum 2022-004-Public Meeting Notice Requirements under House Bill 7049, Memorandum 2022-005-Emergency Preparedness and Response Fund, and Memorandum 2022-006-Provisions related to Prohibition Against Lobbying by a Public Officer.

**Commissioners:**

*Commissioner Engel* thanked Mr. Ogman for his presentation and congratulated the Officers of the Commission on their re-election.

*Commissioner Ehrnst* inquired about the Patch Reef Park Pickleball project; and expressed his frustration on how long it takes to get projects moving along.

*Commissioner Rollins* thanked the city council members for coming to the meeting. He assured the residents that the District is doing its best to move forward on the Ocean Breeze project, and extended congratulations to those re-elected.

*Commissioner Vogelgesang* suggested that the Chairman and the Executive Director make a YouTube presentation on the Ocean Breeze Project and that they should talk to the Chamber of Commerce once the P3s boundaries are established. She supports having mountain biking trails at Ocean Breeze; thanked the council members for coming to the meeting and congratulated the elected Commissioners.

*Commissioner Wright* thanked City Council members and Mr. Ogman for coming to the meeting. Congratulated the elected Commissioners and suggested putting numbers on the pickleball courts to avoid confusion at the courts.

**FUTURE AGENDA ITEMS:**

Miller Legg Work Order  
Public Hearing on CRA Contribution  
Athletics Presentation on Scheduling

**ADJOURNMENT:**

**MOTION** was made by Commissioner Engel and seconded by Commissioner Ehrnst to adjourn the meeting at 6:36 p.m.

Discussion:

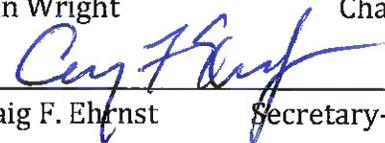
**Roll Call Vote:**

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

**MOTION UNANIMOUSLY APPROVED**



Erin Wright Chairman



Craig F. Ehrnst Secretary-Treasurer