

GREATER BOCA RATON BEACH & PARK DISTRICT
MINUTES OF A REGULAR MEETING OF THE BOARD OF COMMISSIONERS
SUGAR SAND PARK - 300 SOUTH MILITARY TRAIL, BOCA RATON
June 6, 2016

The MEETING was called to order by CHAIRMAN Robert K. Rollins, Jr. at approximately 5:15 p.m.

COMMISSIONERS PRESENT: Steven M. Engel
Robert K. Rollins, Jr.
Earl L. Starkoff
Susan Vogelgesang

CHANGES TO AGENDA:

At the request of Commissioner Starkoff, and with Board concurrence, item number six under Regular Business: City of Boca Raton Interlocal Agreement, was moved to after the Approval of Invoices.

PUBLIC REQUESTS:

Tom Thayer

4821 N. Dixie Highway, Boca Raton

Mr. Thayer extended an invitation to attend the June 7th meeting of the Boca Raton Federation of Homeowners at 8:30 a.m. at the Boca Raton Community Center. Mayor Haynie will address the "State of the City". In addition, the President of the Research Park at FAU will discuss its economic impact in the community.

Robert DuKate

5351 NW 3rd Terrace, Boca Raton

Mr. DuKate thanked the Board for the very cordial cooperation extended to the residents of Boca Teeca who attended the May 24th Board meeting. In addition, he thanked Mr. Koski for his detailed explanation on the boundaries of the District and the City. For informational purposes, he provided a copy of the "Declaration of Restrictions" pertaining to the Boca Teeca Golf Course which states that the land can only be used as a golf course unless there is at least a majority of the unit owners within Boca Teeca that agree to lift the restrictions. He noted that there are approximately 16-17 different homeowner associations within Boca Teeca; no one reports to a master HOA. Mr. DuKate thanked the Board for their cooperation and potential consideration of the golf course property.

APPROVAL OF MINUTES OF PREVIOUS BOARD MEETINGS: - None presented.

REGULAR BUSINESS:

1. Approval of Sugar Sand Park Field House Contract with Barretta & Brewer Associates, Inc.

Mr. Koski furnished an agreement between the District and Barretta & Brewer Associates, the design firm selected by the Board of Commissioners as a result of the interview process and the

Consultants' Competitive Negotiation Act. The all-inclusive agreement compensates Barretta & Brewer in the amount of \$248,000. He recommends approval.

MOTION was made by Commissioner Starkoff and seconded by Commissioner Engel to approve the Agreement for Services between the District and Barretta & Brewer Associates relative to the design of a Field House at Sugar Sand Park not to exceed \$248,000.

MOTION UNANIMOUSLY APPROVED

2. Approval of Imperial Electric Contract for Lighting Improvements at Sugar Sand Park

Mr. Koski provided a contract to engage Imperial Electric to install lighting fixtures at Sugar Sand Park for the total lump sum price of \$27,000. He recommends approval.

MOTION was made by Commissioner Vogelgesang and seconded by Commissioner Engel to approve the contract with Imperial Electric for the installation of lighting fixtures at Sugar Sand Park in the total amount of \$27,000.

MOTION UNANIMOUSLY APPROVED

3. Approval of Agreement with Merv Timberlake for District Financial Services

Mr. Koski provided an agreement to continue to engage Mr. Merv Timberlake for District financial services. The agreement is for a period of three years, and compensates Mr. Timberlake for services performed at a rate of \$95 per hour. He recommends approval.

MOTION was made by Commissioner Vogelgesang and seconded by Commissioner Engel to approve the agreement between the District and Mr. Merv Timberlake for District financial services as presented.

MOTION UNANIMOUSLY APPROVED

4. Approval of Extension to Contract with Grau and Associates

Mr. Koski stated that the engagement of Grau and Associates terminates on September 30, 2016. Should the District desire to continue the relationship, Grau has submitted a Letter of Agreement to provide auditing services to the District for a period of five years ending September 30, 2020 with a modest yearly fee increase.

MOTION was made by Commissioner Starkoff and seconded by Commissioner Engel to approve the Grau and Associates Letter of Agreement to continue to provide auditing services to the District for a period of five years commencing on September 30, 2016.

MOTION UNANIMOUSLY APPROVED

5. Discuss Preliminary Property Assessment for FY 2016

Mr. Merv Timberlake, District Financial Advisor, provided an analysis based upon the preliminary assessment information received from the Palm Beach County Property Appraiser. Total property

values increased by 6.7% from 2015. Going to the roll back rate in 2016 would generate \$309,000 in additional revenue; keeping the current rate in 2016 would generate \$1,122,000. Mr. Timberlake also provided an analysis indicating that, due to new construction, the Community Redevelopment Agency (CRA) tax increment increased 14.20% over the prior year. Keeping the current tax rate in 2016 would increase the tax payment to the CRA by \$136,600. The CRA payment will exist until January 1, 2025.

Mr. Koski advised that since the District has paid the CRA for 24 years, the District could, with adequate notice, elect to “freeze” its contribution at the prior fiscal year’s number [\$894,000] from now until 2025. This item will be placed on a future agenda item for discussion.

APPROVAL OF INVOICES:

In the absence of the Secretary-Treasurer, Commissioner Starkoff presented a list of invoice disbursements totaling \$139,015.83 and requested approval.

MOTION was made by Commissioner Starkoff and seconded by Commissioner Vogelgesang to approve the invoices as presented totaling \$139,015.83.

MOTION UNANIMOUSLY APPROVED

6. City of Boca Raton Interlocal Agreement

Mr. Koski was requested to review and edit the City Interlocal Agreement (ILA) dated November 20, 2015 to reflect the comments made by the Board of Commissioners at the May 24th meeting. Copies of the edited document, along with a clean copy, were provided for Board discussion. He reviewed the highlights of the modified ILA document as follows:

District Charter - As a special independent entity created by the Florida Legislature, the District has specific purposes, certain obligations and authorities to follow as outlined in its Enabling Legislation. The Legislature has directed that the District levy ad valorem taxes in the District. As a result, there has to be retention by the District of some discretion and legislative authority as to how the funds obtained are expended, and the ILA sets forth those parameters.

Payments to City - The ILA is not, in any way, intended to be a change of the *existing* City/District ILA for operation and maintenance of all of the other facilities; however, there is a change in the manner in which payments are made to the City for those services. The ILA states that the District will pay the City 1/12 of the budgeted amount each month and true-up at the end of the year. To make sure that the true-up is fair, there will be a small retention that will be kept from each one of the payments.

Recreation Services Department - The District will pay a percentage to the City for the services of the City’s Recreation Services Department employees, and a percentage amount of the proposed budget for the City Overhead Fee for services performed by City employees outside the Recreation Services Department.

Scheduling/User Fees - The District seeks the ability for communication and input into the scheduling of District facilities, with some input into the establishment of user fees for District facilities.

Capital Expenditures - The ILA suggests that the City establish, on an annual basis, the funds required for the purchase of equipment to perform services, and provide the District with a line item expense for “Depreciation”. The District will provide funding to the City, on an annual basis, for equipment that is going to be depreciated over the life of the equipment. This will ensure that the City has funds on hand, at all times, to acquire the equipment to perform the services.

Annexation – Any resident of the City who is not a resident of the District shall be considered as a “non-resident” for scheduling and fee purposes.

Mr. Koski believes that the agreement is clear and fair. The ILA allows the City to continue to perform the good job that they are doing; it allows the City to know that the District will pay; and it allows the Commissioners to understand how their funds are being expended. Board commentary ensued.

It was the consensus of the Board to have Mr. Koski modify the ILA as follows:

1. Term and Renewal - Term of agreement: 10 years. Renewal: automatic renewal of an additional 5 years. Termination: Either party must notify the other of termination at least 365 days prior to the expiration of the initial term.
2. Privatization – Include in the ILA that the City and the District will agree to cooperate in the event that privatization will provide the District with an equal level of service at a lower cost to the taxpayer.
3. Operation and Maintenance – Under Section “b”: Eliminate Item (1) programming. Add item number (6) “to continue to encourage volunteer organizations to provide recreational activities for the community”.
4. Costs and Expenses, Final Budget – Under Section “f”: The last paragraph, last sentence should read “The CITY and DISTRICT shall make prompt payment to the other party within 60 days of receipt of said reconciliation”.

REPORTS AND DISCUSSION ITEMS:

Executive Director

Sugar Sand Park Science Playground

The contractor has submitted a larger Change Order than originally anticipated to expand into Phase II. This item will be addressed at the June 20th meeting. The project is anticipated to be completed by the end of November 2016.

Swim & Racquet Center

Mummaw & Associates is scheduled to meet with the City’s Planning & Zoning Board in July.

District Counsel - None

Commissioners

Status of Joint Meeting

Commissioner Starkoff inquired if the District has received a response from the City regarding a joint meeting on July 25th. Ms. Harms advised that she received confirmation from the City Clerk that the e-mail was received. Commissioner Starkoff requested that Ms. Harms follow-up on the matter.

Fourth of July Celebration

Commissioner Starkoff requested information pertaining to the City's 4th of July celebration.

Executive Director Position

Ms. Briann Harms, Assistant Director, thanked Mr. Koski for recommending her for the subject position, and also the Board of Commissioners for its support. However, in light of the upcoming elections, she felt it would be more appropriate to address this item at the first meeting in January 2017 when the election of Board officers is held.

DeHoernle Park Phase II

Commissioner Rollins read into the record the efforts he has put forth in attempting to move the DeHoernle Park Phase II project forward. He documented his year-long activities which included a joint City/District meeting on June 9th, 2015; meetings with the Mayor, City Manager and Assistant City Manager; making a power point presentation at a City Workshop, and meeting individually with every City Council member except Councilman Rogers. Regrettably, his efforts undertaken in this endeavor were unsuccessful. It is his recommendation that the Board consider moving the budgeted funds for DeHoernle Park Phase II to Patch Reef Park. The budget item for Phase II should be changed to "Design Fees" as it does not appear that the District will be able to start development this fiscal year. The Board is committed to installing sports turf at Patch Reef Park, and it may be possible to begin construction by the spring of 2017.

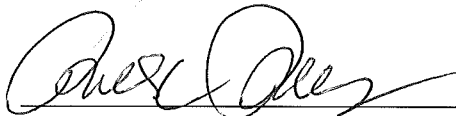
FUTURE AGENDA ITEM

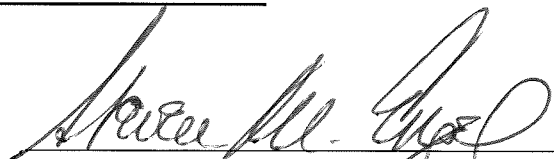
June 20 - Discuss notice to freeze CRA tax increment payment

ADJOURNMENT:

MOTION was made by Commissioner Starkoff and seconded by Commissioner Engel to adjourn the meeting at approximately 7:30 p.m.

MOTION UNANIMOUSLY APPROVED


Robert K. Rollins, Jr. Chairman


Steven M. Engel Vice-Chairman