



## Greater Boca Raton Beach & Park District

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### Board of Commissioners

Craig F. Ehrnst  
Steven M. Engel  
Robert K. Rollins, Jr.  
Susan Vogelgesang  
Erin A. Wright

## REGULAR MEETING of the BOARD OF COMMISSIONERS

November 6, 2017 ~ 5:15 P.M.

### AGENDA

#### ROLL CALL:

#### CHANGES TO AGENDA:

#### PUBLIC REQUESTS:

#### APPROVAL OF MINUTES OF PREVIOUS BOARD MEETINGS:

*Joint District/City Council meeting held on September 26, 2017*

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*Regular Board meeting held on October 16, 2017*

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#### REGULAR BUSINESS:

1. 2016-2017 Budget Amendment # 2
2. Patch Reef Park - FPL Service Relocation
3. Ocean Breeze
4. Update on Patch Reef Park Tennis Facilities
5. Swim & Racquet Ground Breaking

#### APPROVAL OF INVOICES:

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#### REPORTS AND DISCUSSION ITEMS:

#### FUTURE AGENDA ITEMS:

#### ADJOURNMENT:

**NOTICE:** Anyone wanting to appeal an official decision made on any subject at the meeting must have a verbatim record of the meeting, and the appeal must include the testimony and evidence on which the appeal is based.

**GREATER BOCA RATON BEACH & PARK DISTRICT**  
**MINUTES OF A JOINT CITY/DISTRICT MEETING**  
OF THE  
**BOCA RATON CITY COUNCIL & THE BOARD OF COMMISSIONERS**  
6500 BUILDING, BOCA RATON  
**September 26, 2017**

**DISTRICT COMMISSIONERS  
& STAFF PRESENT:**

Robert K. Rollins, Jr. - Chairman  
Steven M. Engel  
Susan Vogelgesang  
Craig F. Ehrnst  
Erin A. Wright  
*Arthur C. Koski, Executive Director/  
Legal Counsel*

**CITY COUNCIL MEMBERS  
& STAFF PRESENT:**

Susan Haynie - Mayor  
Jeremy Rodgers – Deputy Mayor  
Andrea Levine O'Rourke  
Scott Singer  
Robert S. Weinroth  
*Leif J. Ahnell, City Manager*  
*Diana Grub Frieser, City Attorney*

At 3:03 p.m. Mayor Haynie welcomed everyone; self-introductions followed. The purpose of the meeting is to discuss the Ocean Breeze Golf Course.

Chairman Rollins stated that he hopes a consensus of the Boca Raton City Council can be reached to move the acquisition of the Ocean Breeze Golf Course forward. He advised that the Board of Commissioners and staff were present to answer any additional questions and/or concerns.

**Boca Raton City Council Discussion:**

Mayor Haynie asked Mr. Koski to give an overview of the information that was provided to the City Council and staff in response to questions raised by Council Members at the May 8, 2017 joint meeting.

Mr. Koski stated that the District provided a notebook to the City Council and staff containing three specific items: 1) an *outside legal opinion* [Goren, Cherof, Doody & Ezrol, P.A.]; 2) a report prepared by the *National Golf Foundation [NFG]*; and 3) an **Appraisal** performed by Callaway & Price appraising the Ocean Breeze Golf Course property at \$22.7 million. The District is currently under contract with Lennar through a subsidiary of Wells Fargo (Redus) for a purchase price of \$24 million. A deposit of \$2.4 million, funded by the District, is being held in escrow. The District is not redeveloping the Ocean Breeze Golf Course, but is creating a "new" golf facility with new amenities. The District is contemplating that the hotel will be part of the initial purchase (the hotel site); however, going through the design process, other options might become available.

Discussion followed; members of both entities offered comments.

Council Member Weinroth offered that he would prefer that the hotel be managed by an outside vendor who is experienced in the business of operating a hotel. Mr. Koski responded that when the design of the golf course commences he believes that there will be a lot of interest from third

parties [hotel operators/hotel investors] who will seek to acquire that property in excess of the appraised value.

Councilman Weinroth also inquired if the District is contemplating improving the infrastructure to accommodate the increased participation to sustain the number of golfing rounds to keep the facility financially viable. Mr. Koski stated that issues relative to infrastructure will be determined during the design process once have been engaged.

To address the concerns of Council Member Weinroth relative to attracting golf support from communities not immediately proximate to the Ocean Breeze facility, Chairman Rollins read into the record excerpts from the NGF Report (Page 47) referencing Market Opportunities.

Council Member O'Rourke inquired about the cost of developing the Ocean Breeze Golf Course.

Mr. Koski offered that information from Palm Beach County indicates that the development costs for the Osprey Point Golf Course was \$14 million which is fairly consistent with the estimates that NGF has given to the District.

Council Member. O'Rourke inquired about the financing of the acquisition and if there would be two separate bond issues.

Mr. Koski responded that the District would like to have the Council eventually authorize the borrowing of the entire purchase price of \$24 million, which includes the hotel site. However, if the City elects to fund the appraisal cost of \$22.7 million, the District is in a position to fund the difference of \$1.3 million. If the District funds the \$1.3 million at closing, possibly the borrowing could be increased to capitalize one-year of principle and interest. There is the option that the bond could be separated into two parts; one portion for the golf course and the other portion for the hotel site. If the time came to sell the hotel site, those funds could be used to retire the hotel portion of the borrowing and the balance of the funds could be used for development.

Mr. Koski stated that the new golf facility will not be renamed "Ocean Breeze". It is hoped that the name "Boca National Golf Club" can be adopted.

NGF representatives, Mr. Richard Singer and Mr. Ed Getherall gave an overview of the NGF Feasibility Study highlighting financial performance projections. It was noted that a key assumption in the report is the closing of the Boca Raton Municipal Golf Course being replaced by the Ocean Breeze Golf Course.

At the request of Mayor Haynie, Mr. Koski reviewed the components of the appraisal.

Mr. Koski advised that the appraisal increased in value due to the discovery in the title provided by Lennar and recorded in public records that removes all of the golf facility descriptions from a little over 29 acres that was previously granted development approval and never revoked. The 29 acres approved for 211 units placed a value on the property of \$12 million; the civic site of \$7.5 million, and the hotel site of \$3.2 million, for a total of \$22.7 million

Council Member Singer confirmed with Mr. Koski that if the District was no longer involved in the golf course transaction, the 29 acres would no longer be subject to the restrictive covenants, but would require City Council approval.

Ms. O'Rourke inquired if other golf facilities in the area have golf schools. Mr. Koski responded that there are other golf schools in the area; however the District plans to develop something more sophisticated, calling it a "Golf Learning Center".

**Commissioner Discussion:**

Commissioner Ehrnst evaluated the total taxable property values and taxes paid in the prior year for Boca Teeca residents and the District. He estimates the taxable value of the property at \$163 million. Based on the prior millage rate, the District will collect \$1.5 million and the City \$6 million based on the prior year.

Commissioner Engel stated that Boca Raton's status as a "World-Class City" needs world-class amenities – "Boca National will be a world-class amenity".

**Public Comments:**

Individuals in support of the acquisition: Larry Kobren, Harold Chaffee; Decian Murphy; Madeline Cuevas; Peggy Haupt; Dottie Provenzano; Robert Duke; Doug Collier; Angelo Sands; Cil Ciliberti.

Individuals opposed to the acquisition: Judith Teller Kay and Jay Slapp.

**Other Commentary Received:**

Glen Gromann - put the acquisition to a referendum; conduct contamination studies; the City should not finance the acquisition unless all of the restrictions are lifted.

Lenore Wachtel – Both the City (Mizner Park) and the District (Chuck's Steakhouse) do not have a good track record of making money. Sell off the hotel and golf school.

Robert Kleinschmidt spoke in support of the Boca Raton Municipal Golf Course.

At the end of the meeting, Mayor Haynie read into the record comments received from Jacob Jennings in support the acquisition.

**Conclusion:**

City Council Members expressed their concerns and stated their positions. It was the consensus of the City Council to support the District in their efforts to move forward with the acquisition of the Ocean Breeze property.

**ADOURNMENT:** The meeting was adjourned at 4:38 p.m.

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Robert K. Rollins, Jr., Chairman

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Susan Vogelgesang, Secretary-Treasurer

**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**  
**October 16, 2017**

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

**COMMISSIONERS PRESENT:** Craig F. Ehrnst  
Steven M. Engel  
Robert K. Rollins, Jr.  
Susan Vogelgesang  
Erin A. Wright

**CHANGES TO AGENDA:** Chairman Rollins requested item number seven under Regular Business, "Former Allianz Golf Tournament Discussion" be moved to number one under Regular Business.

**PUBLIC REQUESTS:**

*Teresa Badillo, 12280 St. Simon Drive, Boca Raton*

Ms. Badillo requested that Mr. Gary Cohen be honored at the Field House for his 15 years of volunteer service and dedication to the special needs program High 5 Basketball. Chairman Rollins will have staff investigate options to honor Mr. Cohen and it will be placed on a future agenda for discussion.

*Robert DuKate, 5351 NW 3rd Terrace, Boca Raton*

Mr. Dukate has been to two City Council meetings since the Joint meeting was held on September 26, 2017 and was concerned that the Interlocal Agreement for the financing of the Ocean Breeze acquisition was not mentioned. He is anxious to have the Interlocal Agreement completed so the financing for Ocean Breeze will be in place.

*Jacqueline Harper, 17745 Foxwood Way, Boca Raton*

Ms. Harper showed concern that Patch Reef Park or part of the park was for sale. Chairman Rollins clarified that Patch Reef Park is not for sale, however, the District is discussing the possibility of placing an academy on the property. Chairman Rollins assured Ms. Harper that the District will not do anything to impair the public's ability to use the facility.

*Andrea O'Rourke, 317 NE 3<sup>rd</sup> St., Boca Raton- Boca Raton City Council*

Ms. O'Rourke asked, as a private citizen, what the impact would be if the Addison Mizner School were to be relocated to Sugar Sand Park. Chairman Rollins stated that both the City and the District are investigating the use of that land as it is a conservation easement. The District is in favor of having further discussions with the City regarding this matter.

*Robert Graham, 963 NE 24<sup>th</sup> St., Boca Raton*

Mr. Graham inquired if Eminent Domain has ever been or would ever be used to acquire the ocean front properties on A1A that the District is currently looking into purchasing. Chairman Rollins stated that the District has never used Eminent Domain. To preserve beachfront property and

protect the dune line, instructions were given to the District's attorney to proceed to find out the ways and the means to accomplish that objective. If the District proceeds with Eminent Domain, the property owners will be notified by certified mail.

Harold Chaffee, 6200 NW 2<sup>nd</sup> Ave, Boca Raton

Mr. Chaffe stated that at the recent City Council Workshop, he was told that the City was waiting for information from the District to move forward with the Interlocal Agreement. Chairman Rollins explained that Mr. Koski met with the Finance Director of the City to discuss the District obtaining a Financial Consultant and Bond Counsel to aid with the legal terminology and the Ordinance that was passed on May 16, 2016. The District should have an answer to the City by November 1, 2017.

Mickey Gomez, City of Boca Raton, Recreational Services Director

Mr. Gomez offered his assistance in answering questions regarding the Restroom Trailers at Mizner Bark.

Bonnie Miskel, 1940 SW 7<sup>th</sup> St., Boca Raton - Boca Sailing and Racquet Club

Ms. Miskel thanked the Board for involving the community in the process of building Sugar Sand Park. She expressed her desire for her neighborhood to be included in any discussion regarding the relocation of the Addison Mizner Elementary School. She is concerned about the impact on traffic and the environment if the school is relocated to Sugar Sand Park. Chairman Rollins stated that the District welcomes public input and that no decisions have been made regarding Addison Mizner School thus far.

Andrew Meshbane, 1930 SW 8<sup>th</sup> St., Boca Raton -

Mr. Meshbane expressed his concern for the wildlife on the lake in his neighborhood, Boca Sailing and Racquet Club. He stated that there are many eagles, hawks and falcons living on the lake that are crucial to the fish population. He asked the Board to consider the overall impact of the general area if the Addison Mizner Elementary School was to be relocated in Sugar Sand Park.

**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 of September 25, 2017.

**MOTION UNANIMOUSLY APPROVED**

**MOTION** was made by Commissioner Vogelgesang and seconded by Commissioner Wright to approve the minutes of the regular meeting of October 2, 2017.

**MOTION UNANIMOUSLY APPROVED**

**REGULAR BUSINESS:**

Executive Director

**Former Allianz Golf Tournament Discussion**

Mr. Dick Schmitt thanked the Board and Mr. Koski for their consideration of shared support with the City of Boca Raton that will enable the former Allianz Golf Tournament to stay in Boca Raton. Mr. Koski stated that the event provides economic benefit to the community as well as charitable results and will bring a great deal of recognition to the Boca National Golf Club (former Ocean Breeze Golf Course). Mr. Koski requested a motion be made for matching funds of \$500,000 with the City of Boca Raton for the sponsorship of the 2018 former Allianz Golf Tournament.

**MOTION** was made by Commissioner Wright and seconded by Commissioner Vogelgesang to support the former Allianz Golf Tournament by matching funds of \$500,000 with the City of Boca Raton to sponsor the event.

**Discussion**

Commissioner Ehrnst had reservations with the cost of \$500,000 for the sponsorship of the tournament and does not feel it is the role of a municipality to be contributing to this event. Commissioner Engel felt that a PGA sponsored event would benefit Boca Raton and add to our reputation as a “World-Class City” and a center for pro-athletics, tourism and commerce. Commissioner Vogelgesang believes that the exposure from the sponsorship could be monumental.

**MOTION UNANIMOUSLY APPROVED**

**Facility Manager Recommendation**

Mr. Koski requested a motion to employ Ms. Melissa Dawson to be the Facility Manager for the District.

**MOTION** was made by Commissioner Engel and seconded by Commissioner Vogelgesang to employ Melissa Dawson as the Facility Manager for the District.

**MOTION UNANIMOUSLY APPROVED**

**Execute the Swim & Racquet Contract**

Mr. Koski made a request that the Board make a motion to authorize Chairman Rollins to execute the Contract with MDS Builders, Inc., for the Improvements of the Swim and Racquet Center on October 20, 2017.

**MOTION** was made by Commissioner Wright and seconded by Commissioner Engel to authorize Chairman Rollins to execute the Contract for the Construction of Improvements of the Swim & Racquet Center.

**MOTION UNANIMOUSLY APPROVED**

Restroom Trailers at Mizner Bark (Dog Park)

The City requested that the District fund one-half of the \$128,000 for the temporary restroom trailers at Mizner Bark for one year. The \$64,000 includes the installation of electrical lines, \$40,000 for staff to maintain the facilities, janitorial supplies and the cost of a new ATV Gator vehicle. The building of a permanent restroom facility at Mizner Bark is part of the Phase 2 Development Project. The Commissioners showed frustration with the City in the amount of time the Interlocal Agreement is taking which would allow Phase 2 to begin. After much discussion, Commissioner Wright suggested that the District approve the \$64,000 hoping City Council hears their concerns regarding Phase 2 being initiated. The District will proceed in the design process of the permanent bathroom facilities of Phase 2.

**MOTION** was made by Commissioner Engel and seconded by Commissioner Vogelgesang to approve \$64,000 for Restroom Trailers at Mizner Bark (Dog Park).

**MOTION UNANIMOUSLY APPROVED**

Ocean Breeze Update

Mr. Koski met with Linda Davidson, Finance Director; George Brown, Assistant City Manager; Mike Woika, Assistant City Manager and Mickey Gomez, Director of Recreational Services to discuss financing and the process for proceeding with the acquisition of the Ocean Breeze Golf Course. Resolution 39-2016, passed in May 2016 by the City of Boca Raton, adopted a Debt Management policy which sets forth certain limitations on the use of proceeds that are received from bond issues. The City recommended that the District retain outside Bond Counsel to offer opinions relative to the interpretation of the City's policy as well as the current Internal Revenue requirements on the use of tax-exempt debt. Mr. Koski has contacted both Bond Counsel and a Financial Advisor to serve as representatives for the District. A business plan will be available for the City of Boca Raton by November 1, 2017 that will outline the specifics relative to the acquisition.

Patch Reef Park Tennis Center Update

Mr. Koski met with the members of the Raphael Nadal Group to explore possible opportunities for the District to utilize facilities and enter into a mutually beneficial arrangement with Mr. Nadal and the residents of the District. Mr. Koski wanted to be very clear that Patch Reef Park is *not* for sale. Mr. Nadal is interested in opening up a Learning Academy at the current Community Center. The Learning Academy would include four (4) indoor clay courts and would convert two (2) of the existing thirteen (13) hard courts into clay courts. Chairman Rollins expressed that Patch Reef Park is a public facility and that public access is essential to any discussions that take place.

Commissioner Vogelgesang inquired how the District would be compensated. Mr. Koski explained that Public Private Partnerships (known as a P3) can be established in many different ways such as: lease payments on the facility, cost sharing or long-term leases guaranteed by the banks. Mr. Koski explained to Commissioner Wright that the financial aspects are still being discussed and that Mr. Nadal would do the design of the facility and the District would oversee the construction of it.



Employee Health Coverage

Ms. Harms, Assistant Director, presented the Board with an Employee Health Plan from the Florida League of Cities for approval.

**MOTION** was made by Commissioner Vogelgesang and seconded by Commissioner Engel to approve the Employee Health Coverage.

**MOTION UNANIMOUSLY APPROVED**

**APPROVAL OF INVOICES:** Secretary-Treasurer Vogelgesang provided an invoice disbursement list and recommended approval.

**MOTION** was made by Commissioner Vogelgesang and seconded by Commissioner Engel to approve the invoices as presented totaling \$50,414.50

**MOTION UNANIMOUSLY APPROVED**

**REPORTS AND DISCUSSION ITEMS:**

Executive Director-

Ocean Breeze

Mr. Koski will have an RFP for the Ocean Breeze Golf Course Architectural Engineering and other services ready for review by November 1, 2017.

District Counsel-

Addison Mizner

Mr. Koski is reviewing the legal capability of Sugar Sand Park to receive a structure, such as the Addison Mizner School, on the property. He will provide a written report before the next board meeting on November 6, 2017.

Commissioners-

Executive Director's Compensation

Commissioner Vogelgesang requested that Mr. Koski receive an increase of \$30,000 per year for his Executive Director's duties retroactive to July 1, 2017. She feels that Mr. Koski has undertaken a variety of projects and spends endless hours serving the District.

**MOTION** was made by Commissioner Vogelgesang and seconded by Commissioner Engel to increase the salary of the Executive Director by \$30,000 per year.

Discussion

Chairman Rollins acknowledged the amount of work that Mr. Koski does as Executive Director of the District. Commissioner Engel stated Mr. Koski deserves compensation for all the work that he does and for the funds he personally lays out on behalf of the District. Commissioner Ehrnst appreciates Mr. Koski and is fully supportive of the increase in salary however, he would like to

see Mr. Koski's General Council role and his role as Executive Director separated to provide a balance.

**MOTION UNANIMOUSLY APPROVED**

**Balloon Ordinance**

Recently the Town of Palm Beach passed an Ordinance restricting the release of balloons at their beaches as it poses a threat to the sea wildlife. Commissioner Ehrnst requested that the District consider the idea of banning the release of balloons for environmental reasons.

**Solid Waste Authority Grant**

Commissioner Ehrnst suggested that the District investigate the Blighted and Distressed Property Clean-Up and Beautification Grant offered by the Solid Waste Authority of Palm Beach to see if the properties at Ocean Breeze or the Swim & Racquet Center would qualify for this Grant.

**FUTURE AGENDA ITEM -**

**ADJOURNMENT:**

**MOTION** was made by Commissioner Engel and seconded by Commissioner Vogelgesang to adjourn the meeting at 6:55 p.m.

**MOTION UNANIMOUSLY APPROVED**

\_\_\_\_\_  
Robert K. Rollins, Jr.

Chairman

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Susan Vogelgesang

Secretary-Treasurer