

**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 2, 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:** None

**PUBLIC REQUESTS:**

*Tom Thayer, 4821 North Dixie Highway, Boca Raton*

Mr. Thayer extended an invitation to the Boca Raton Federation of Homeowners meeting on October 3, 2017, at 8:30 a.m. spotlighting the Boca Raton Innovation Campus. The City of Boca Raton's Development Director, Jessica Del Vecchio will address the prospective Amazon office complex.

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

Mr. Chaffe offered congratulations to the Beach and Park District for becoming a Golf Club owner. He feels Mr. Koski should get an award for the great job and presentation that he made to the City.

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

Mr. DuKate felt that the District did a great job at the Joint Meeting. He is looking forward to an increase in property values; the enhancement of the community; the Interlocal Agreement being approved and the timeline going forward.

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

**MOTION** was made by Commissioner Engel and seconded by Commissioner Vogelgesang to approve the minutes of the regular meeting of September 5, 2017.

**MOTION UNANIMOUSLY APPROVED**

**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 18, 2017.

**MOTION UNANIMOUSLY APPROVED**

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

**MOTION** was made by Commissioner Engel and seconded by Commissioner Vogelgesang to approve the minutes of the First Public Hearing on Proposed 2017-2018 Budget & Taxes - September 19, 2017.

**MOTION UNANIMOUSLY APPROVED**

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

**MOTION** was made by Commissioner Vogelgesang and seconded by Commissioner Wright to approve the minutes of the Final Public Hearing on 2017-2018 Budget & Taxes - September 26, 2017

**MOTION UNANIMOUSLY APPROVED**

**REGULAR BUSINESS:**

**Executive Director**

**Swim & Racquet Center Contract**

Mr. Koski informed the Board that the low bidder, Certified Contractors of America, Inc., was unable to furnish the District a Bid Bond or a Payment and Performance Bond for the Swim & Racquet contract in conformance with the requirements of paragraph 17 of the Judicial Instructions as contained on page 11 of the Project Manual. The second low bidder, Tron Construction, LLC was not responsive pursuant to paragraph 10 of the Instruction to Bidders, and was not in conformance with their responses to the Questionnaire in the Project Manual.

Mr. Koski recommended that the District reject the proposals of Certified Contractors of America and Tron Construction, LLC and award the contract to the next low bidder, MDS Builders, Inc., who have a sound bonding company and good work experience. MDS Builders Inc. submitted a bid of \$3,995,930.

**MOTION** was made by Commissioner Vogelgesang and seconded by Commissioner Engel to reject the bid of Certified Contractors of America, Inc.

**MOTION UNANIMOUSLY APPROVED**

**MOTION** was made by Commissioner Wright and seconded by Commissioner Ehrnst to reject the bid of Tron Construction, LLC.

**MOTION UNANIMOUSLY APPROVED**

**MOTION** was made by Commissioner Wright and seconded by Commissioner Ehrnst to award the contract for the Swim & Racquet Club Improvements to MDS Builders, Inc.

**Board Discussion**

Mr. Koski confirmed to Commissioner Vogelgesang that a thorough investigation was done on MDS Builders Inc.

Commissioner Ehrnst questioned the process of the low bidder to which Mr. Koski explained that the low bidder must prove themselves to be responsible and the bid must be responsive. When evaluating the bid, there are laws that must be followed, and the District has the ability to waive irregularities.

Commissioner Ehrnst showed concern if MDS Builders, Inc. could do the work correctly. Mr. Koski explained that their work experience indicates that they are capable of doing the work. The proposal they submitted indicates that they would do the work in the timeframe given; they would do it for the price for which they have provided in the bid; and they provided an adequate Surety Company that is listed on the Department of Treasury- Circular 570.

**MOTION UNANIMOUSLY APPROVED**

**Ocean Breeze**

The City of Boca Raton is requiring the District to obtain its own Bond Council and Financial Advisor due to an Ordinance passed by the City of Boca Raton on May 16, 2016 relating to the use of debt which is obtained through tax exempt bond financing.

Mr. Koski explained that it is a complex ordinance that states the City is not allowed to use its tax-exempt debt borrowings from its tax-exempt debt, nor allow a third party to use its borrowings from a tax-exempt debt, if there is going to be any use of the monies for private business enterprise.

Mr. Koski believes the District can either satisfy the City that it will not be in violation of those restrictions in its Bond Ordinance, or the District could eliminate proceeds from a tax-exempt bond from being involved in any private business activity. He sought the Board's permission to seek the services of Bond Counsel and a Financial Advisor for approval. Mr. Koski explained the District would need to get a 30-day extension on the closing.

Commissioner Engel queried as to what would happen if the District's and/or the City's Bond Counsel found the project to be unworkable or not able to be publicly funded. Mr. Koski advised that the District would buy the hotel site and the site where the learning center will be built at the

appraised value so debt financing would not be a factor. The District would entertain a sale of the hotel site and use those funds to offset the cost for the future construction of the Learning Center.

**MOTION** was made by Commissioner Ehrnst and seconded by Commissioner Wright to select Bond Counsel and a Financial Advisor to represent the District for financing the Ocean Breeze acquisitions.

**Board Discussion**

Commissioner Engel asked what the hourly rate would be for the Bond Counsel. Mr. Koski advised that it would have to be determined and that money is set aside for both items in next year's budget.

**MOTION UNANIMOUSLY APPROVED**

**MOTION** was made by Commissioner Vogelgesang and seconded by Commissioner Engel to extend the closing date with Lennar Homes, LLC from October 25, 2017 to November 27, 2017.

**MOTION UNANIMOUSLY APPROVED**

**Parking at Ocean Strand for Sea Turtle Day**

Briann Harms, Assistant Director, presented a request from the Friends of Gumbo Limbo to consider using Ocean Strand for parking on Sea Turtle Day.

**MOTION** was made by Commissioner Vogelgesang and seconded by Commissioner Engel to allow parking at Ocean Strand for Sea Turtle Day.

**MOTION UNANIMOUSLY APPROVED**

**APPROVAL OF INVOICES:** Commissioner Vogelgesang furnished a revised invoice disbursement sheet in the amount of \$1,085,159.46

**MOTION** was made by Commissioner Vogelgesang and seconded by Commissioner Engel to approve the invoices as presented totaling \$1,085,159.46

**MOTION UNANIMOUSLY APPROVED**

**REPORTS AND DISCUSSION ITEMS:**

Executive Director- None

District Counsel-None

Commissioners-

Commissioner Ehrnst requested an updated Strategic Plan for Gumbo Limbo; he believes it is a valuable guide. Chairman Rollins agreed to move forward with this request.

The Board granted Mr. Koski permission to put a Request for Proposal (RFP) together for a golf course architect which would include architect, engineers, surveyors, concepts and ideas.

Commissioner Wright inquired if there was an update on the Addison Mizner School. Mr. Koski advised that at a workshop meeting he recently attended, Addison Mizner was discussed. The City Council requested staff to review the environmental impact.

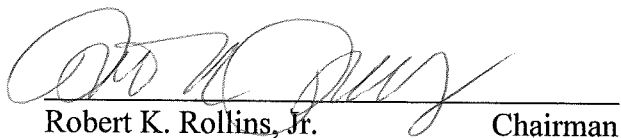
Mr. Koski informed Commissioner Vogelgesang that there will be a meeting on Friday, October 13, 2017 at 10 a.m. with the representatives from the Nadal Group to discuss in general any plans for Patch Reef Park. Mr. Koski is optimistic about receiving some feedback before the next District meeting on November 6, 2017.

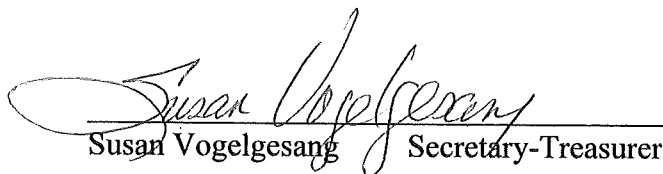
**FUTURE AGENDA ITEM -**

**ADJOURNMENT:**

**MOTION** was made by Commissioner Engel and seconded by Commissioner Vogelgesang to adjourn the meeting at 6:15 p.m.

**MOTION UNANIMOUSLY APPROVED**

  
Robert K. Rollins, Jr. Chairman

  
Susan Vogelgesang Secretary-Treasurer