

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
April 4, 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:

Robert DuKate

5351 NW 3rd Terrace, Boca Raton

Mr. DuKate advised that at the end of the City Council Workshop on March 27, a heated exchange took place between G.L. Homes and Lennar relative to the sale of the City Municipal Golf Course. Mr. DuKate and others are concerned that if Lennar's bid to purchase the Municipal Golf Course is not selected, and there is no contract signed by the District to acquire the Ocean Breeze property, nothing requires Lennar to sell the property to the District. If the opportunity exists for the District to sign a contract without risking any money, they should do so to move the project forward. He noted that the date of the joint City/District meeting to discuss financial matters regarding the acquisition of the Ocean Breeze property is scheduled for May 8th, at 4:30 p.m. at the 6500 Building on Congress Avenue.

Harold Chaffee

6200 NW 2nd Avenue, Boca Raton

Mr. Chaffee advised that due to the tension between G.L. Homes and Lennar, there is a need to get a contract signed for the acquisition of the Ocean Breeze property. He remarked that G.L. Homes is negotiating with the property owner whose property abuts the Municipal Golf Course which will provide access onto Lyons Road. In his opinion, at the City Council Workshop, the Council appeared to pick G.L. Homes.

Commissioner Wright asked if the Council set a date for the vote on the sale of the Municipal Golf Course.

Mr. Koski responded that the vote will take place sometime after the District makes its presentation to the City Council.

Steve Finvar

787 Havana Drive, Boca Raton

Mr. Finvar, representing Boca Jets/Lacrosse, stated that he is glad that the Patch Reef Park artificial surface project is moving forward. He hopes that the Board will make a decision this evening relative to the selection of an architectural firm, and that the selected firm will expedite their choice

as to who they will use to install the best quality artificial turf at Patch Reef. He would like to see a groundbreaking by July; if not before.

Jim Miller

480 East Boca Raton Road, Boca Raton

Mr. Miller, representing the Friends of Gumbo Limbo, informed that March is the beginning of the turtle season and that events and programs have been planned for the whole month. On Sunday, April 9th, at 7:15 a.m., a 10K race and a one mile walk will take place at Spanish River Park. Proceeds will benefit the Gumbo Limbo Sea Turtle Rehabilitation and Conservation Programs.

APPROVAL OF MINUTES OF PREVIOUS BOARD MEETINGS:

<p><u>MOTION</u> was made by Commissioner Engel and seconded by Commissioner Vogelgesang to approve the minutes of the regular meeting of March 20, 2017.</p>
--

MOTION UNANIMOUSLY APPROVED

REGULAR BUSINESS:

1. Ocean Breeze Acquisition Update

Mr. Koski advised that the joint City/District meeting date change from April 24th to May 8th was not in any way politically motivated. The process of completing the District's financial analysis, which includes information provided by other individuals and entities, is continuing. He will provide assurance to the Board that they are going to act prudently in the acquisition and the expenditure of funds to acquire the Ocean Breeze property, and that the operation of the facility is going to provide a positive result, or at least, a breakeven. Justification of the \$24 million purchase price will be viewed from an operational point of view [income approach], not a comparable sale, or a replacement cost approach.

Mr. Koski stated that he has a contract with Lennar on his desk; however, the change in the presentation date results in changes to other items such as various due diligence, and the anticipated dates upon which the District will receive funds from the City in the event that the City approves the District's project. Those dates need to be in place before the District puts down a deposit of \$2.4 million. He wants to make absolutely sure that if the contract does not close, that the \$2.4 million deposit will be returned to the District. The issue of whether there will be any private activities taking place on the property needs to be resolved. If the District goes out for a bond issue and there are private activities, the bonds may not qualify as "tax exempt" [they may be taxable].

Mr. Koski anticipates that within the next few weeks, he will have a contract fully vetted and reviewed by the Board of Commissioners, and possibly ready at that point to sign with Lennar. He has confirmed in conversations with Lennar that they are still on-board, regardless of whether or not they are the successful bidder for the Municipal Golf Course. Lennar is still the seller to the District of the Ocean Breeze property.

Mr. Koski has had conversations with hoteliers and has been advised that hotel interest requires a minimum of between 110 to 120 rooms to build on the site. He is currently determining whether

the site can accommodate that requirement. Parking for the projected number of rounds of golf is also being investigated.

In an effort to speed up the acquisition process, Commissioner Ehrnst suggested that Boca Teeca residents should consider releasing the deed restrictions [as they did with the previous landowner] which would allow the District to utilize 18 holes for a golf course and 9 holes for other park activities. Such a move would increase the value of the property and allow the District to obtain a public bond based on an appraisal that is justifiable to all District residents. He presented three financial opportunities for consideration:

- 1) The District funds the \$24 million purchase price or gets financing from Lennar. *Mr. Koski advised that this is not a viable option since the District does not have \$24 million on hand, and is prohibited from obtaining financing from Lennar.*
- 2) The City prefers a bond issue which comes with a public/private aspect. If it was a typical public bond, there would be no issues. *Mr. Koski stated that the private aspect is the hotel site, and if that is a problem, the District has the ability to acquire the site for cash at some pre-agreed price in the future. Everything the District is borrowing from the City is for a public purpose.*
- 3) Eliminate the City bond option issue as the City should have sufficient funds. *Mr. Koski stated that the City had two options; funding from general reserves or a bond issue. They evaluated both options and said it would be a bond issue. They have offered to include funds to improve the facility.*

Mr. Koski stated that the City will not select a bidder for the acquisition of the Municipal Golf Course until after a contract has been consummated with Lennar for the purchase of the Ocean Breeze property.

2. Gumbo Limbo Pump/Piping System & Boardwalk Update

Ms. Briann Harms, Assistant Director advised that all of the RFP's for the pump/piping system were received last week and the submissions will be reviewed on April 5th. The Phase II Boardwalk Project has not gone out to bid yet.

Commissioner Engel inquired about the Phase II Boardwalk delay in going out to bid. Ms. Harms stated that it was a City project and that ATM was working on the design. She will provide a project timeline and update on a regular basis.

3. Patch Reef Park – Artificial Surface Proposals

The District received the following four proposals in response to the RFP for the subject project:

Calvin Giordano & Associates, Inc.
Kimley-Horn and Associates, Inc.
Motre' Co., LLC
Stantec Consulting Services, Inc.

The Board was provided copies of the proposals along with guidelines from the Consultant's Competitive Negotiation Act (Architect Selection Factors) to assist them in the selection process.

Commissioner Ehrnst asked for specific information regarding the District's policy making decisions. Mr. Koski explained the process in detail.

Commissioner Ehrnst stated that he has no conflict of interest with the proposed firms and that each Commissioner should state affirmatively that they also are not in a conflict of interest position.

Chairman Rollins asked the Commissioners if any of them had a conflict of interest with any of the proposers; all responded "no".

Each of the Commissioners proceeded to rank the proposers as follows:

Commissioner Wright:

1) Stantec; 2) Calvin Giordano; 3) Kimley-Horn; 4) Motre'

Commissioner Vogelgesang:

1) Calvin Giordano; 2) Stantec; 3) Kimley-Horn; 4) Motre'

Commissioner Engel:

1) Stantec; 2) Calvin Giordano; 3) Kimley-Horn; 4) Motre'

Commissioner Rollins:

1) Calvin Giordano; 2) Stantec; 3) Kimley-Horn; 4) Motre'

Commissioner Ehrnst:

1) Calvin Giordano; 2) Stantec; 3) Kimley-Horn; 4) Motre'

MOTION was made by Commissioner Engel and seconded by Commissioner Vogelgesang to direct staff to begin negotiations with Calvin, Giordano & Associates, Inc. for a contract including a fee.

Discussion:

Commissioner Ehrnst is opposed to selecting an architect for a project costing \$3-\$4 million without the benefit of City maintenance staff engaged in the process.

MOTION PASSES 4-1

4. Succession Planning

Prior discussions with a potential prospect for the Executive Director position have concluded with the decision not to move forward. The individual who had expressed an interest in the position has withdrawn the request. As members of the Florida Association of Special Districts, Mr. Koski will utilize that organization to publicize the Executive Director position. He will prepare a job description and compensation package for Board evaluation.

5. Waterfront Plan Discussion

On April 3rd, the City held a Public Outreach Meeting on its Waterfront Master Plan to determine the types of recreational amenities residents would like to see in the community. Chairman Rollins described the essence of the meeting.

Commissioner Wright noted that Council Member Scott Singer did a similar presentation for the Wildflower property and had a larger audience in attendance. She hopes that the Waterfront committee will reach out to Council Member Singer for his data.

Commissioner Vogelgesang expressed the sentiment that the City was attempting to make decisions for the District without District input.

Commissioner Engel noted the exclusion of the Red Reef Golf Course property since there have been suggestions to have floating docks at that location. He took issue with the idea of putting boat ramps at Lake Wyman and not taking into consideration the concerns of the District. He would have liked to contribute more input before the meeting.

Commissioner Rollins felt that the public meeting was a good starting point, and that some ideas may emerge for consideration with regard to the opening and utilization of the Ocean Strand property. He noted the impressive number of small pocket parks on the water; it's a unique tie-in to the waterfront plan.

APPROVAL OF INVOICES:

<p><u>MOTION</u> was made by Commissioner Vogelgesang and seconded by Commissioner Engel to approve the invoices as presented totaling \$1,444,488.18.</p>

Discussion:

Commissioner Ehrnst inquired about the costs incurred to-date for the Sugar Sand Park Playground Project. Mr. Koski responded \$2.8 million.

MOTION UNANIMOUSLY APPROVED

REPORTS AND DISCUSSION ITEMS:

Executive Director

Swim & Racquet Center

Mr. Koski stated that he, Mike Fichera and representatives of Mumshaw & Associates (architect of record) met to discuss the status of the subject project. Demolition plans are ready for submission to the City for approval. Electrical issues need to be resolved before demolition. He is working with Mumshaw on the Technical Specifications. The project should be ready to bid in May.

Sugar Sand Park Playground Re-Opening

The playground is being received with rave reviews. Two concerns warrant consideration: 1) installation of a gate at the entrance; and 2) the need for shade.

Commissioner Wright suggested the installation of low level shade over the structures.

Commissioner Ehrnst commented that the rubber surface in the open area is very hot.

Other Playground Notations: There is a need for special equipment (vacuum) to keep the park clean; consider some type of water feature (mister) outside of the playground to lower the surface temperature; parking lots are overflowing; lots of enthusiasm for the water bottle refill on the drinking fountain; many users are from out of town.

District Counsel - None

Commissioners

DeHoernle Park Phase II

Commissioner Vogelgesang inquired about the status of the subject interlocal agreement. Mr. Koski advised that Mr. Mike Woika has transmitted the ILA to the City Attorney for review. A copy of the ILA will be provided to each Commissioner. There is still a list of outstanding items that need to be resolved.

Gumbo Limbo Parking

Commissioner Vogelgesang expressed concern about parking issues at the subject facility. Mr. Koski offered that the parking is a function of the popularity of the facility and the lack of areas to accommodate additional parking.

SolarTree

Commissioner Engel inquired about the status of the SolarTree installation. Ms. Harms, Assistant Director, responded that easements are being reviewed.

Food Trucks

Commissioner Engel commented that he is not in favor of having a permanent restaurant structure at Ocean Strand, however, having food trucks, specifically at Red Reef on weekends, specific day or days for a specific number of hours, might be something to consider.

Commissioner Rollins stated that from a liability standpoint, he is not a fan of food trucks.

City Long-Range Planning

Commissioner Ehrnst stated that the City's Long-Range Planning Session will be held in May and he felt it would be beneficial to have a representative from the District attend. Commissioner Rollins advised that he plans to be in attendance.

Sugar Sand Park

Commissioner Rollins asked about the status of the lighting improvements at the subject park. Ms. Harms responded that Grainer provided the lights for the first phase and they are working on a new Phase II plan to finish the front area of the park and all the sidewalk lighting. Phase II should be ready to go in 4-6 weeks.

DeHoernle Park Lighting Issues