

**MINUTES OF A BOARD OF SUPERVISORS MEETING  
NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT 01/25/23**

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Pursuant to the foregoing Notice, the Board of Supervisors of Northern Palm Beach County Improvement District met at approximately 8:00 a.m. on January 25, 2023, in the Administrative Building and Emergency Operations Center, 359 Hiatt Drive, Palm Beach Gardens, Florida.

**1) ROLL CALL**

There were present Board President Matthew J. Boykin and Supervisors L. Marc Cohn, Gregory Block and Brian J. LaMotte; Executive Director Dan Beatty; and General Counsel Kenneth W. Edwards of Caldwell Pacetti, et al.

Also present were Director of Finance & Administration Katie Roundtree; District Engineer Kim Leser; District Clerk Susan Scheff; Director of Operations Ken Roundtree; Capital Construction/Permits Administrator Tim Helms; and Programs & Facilities Maintenance Administrator Jared Kneiss.

**2) ESTABLISHMENT OF A QUORUM**

Mr. Boykin announced that there was a quorum and that it was in order to consider any business to properly come before the Board.

**3) ADDITIONS OR DELETIONS TO THE AGENDA**

Mr. Beatty reported that no additions or deletions to the Agenda were necessary.

**4) APPROVAL OF MINUTES**

A **motion** was made by Mr. LaMotte, seconded by Mr. Cohn and unanimously passed approving the Minutes of the December 14, 2022 Regular Meeting.

**5) COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA**

Mr. Boykin called for any comments from the public for items not on the Agenda to which there was no response.

## 6) CONSENT AGENDA

Mr. Boykin called for any comments from the public on the Consent Agenda to which there was no response.

A **motion** was made by Mr. LaMotte, seconded by Mr. Cohn and unanimously passed approving the following Consent Agenda Items:

- a) Unit No. 2C - Alton  
Consider Ratification of Change Order to J.W. Cheatham, LLC – Parcel G, Phase III (CO No. 6)
- b) Unit No. 16 – Palm Beach Park of Commerce  
Consider Certificate of Correction
- c) Unit No. 18 – Ibis Golf & Country Club
  - i) Consider Purchase Order to Shenandoah Construction
  - ii) Consider Change Order to Solitude Lake Management, LLC (CO No. 1)
- d) Unit No. 31 – BallenIsles Country Club  
Consider Purchase Order to Shenandoah Construction
- e) Unit No. 49 – Northern Palm Beach County Business Park  
Consider Certificates of Correction (2)
- f) Payment Requests

copies of which are contained in applicable Northern files.

## 7) REGULAR AGENDA

### a) UNIT OF DEVELOPMENT NO. 2C – ALTON Status Report

Mr. Beatty began by showing the Board the unit map and displaying the site plan. He then showed various aerial photos of the area, beginning with the new hospital site and Pasteur Boulevard. He explained that the City has approved the site plan for the hospital and is proceeding with the approval processes needed for commencement of construction. Mr. Beatty reported that, after speaking with the City, they agreed to Northern's proceeding with the final lift of asphalt for Pasteur Boulevard, as well as other roadways within Unit 2C. Mr. Beatty then showed a photo of the future University of Florida parcel.

Mr. Boykin asked if there may be a problem with the final lift caused by heavy trucks involved in the hospital construction, and Mr. Beatty advised that there could be an issue, but it will then be the City's responsibility to fix. Once the final lift is completed, those roads will be turned over to the City to make any repairs or modifications necessary.

This item was presented for information only and no Board action was required.

**b) UNIT OF DEVELOPMENT NO. 16 – PALM BEACH PARK OF COMMERCE  
Consider Award of Contract to J.W. Cheatham, LLC**

Ms. Leser explained that this item is for consideration of an Award of Contract for the Venture Way extension project. She stated that in August of 2021, Northern amended the Unit's Plan of Improvements (POI) to add certain roadway improvements, including this extension. She explained that the project will include private improvements as well. She noted that the project was planned, designed and advertised for public bid in December. Ms. Leser reported that five bids were received on January 10, 2023, opened publicly and verified with the apparent low bidder being J.W. Cheatham, LLC in the amount of \$932,633.60 of which \$499,118.60 was for the public improvements and \$433,515.00 for the private improvements. She explained that the engineer's opinion of probable cost was higher at a total estimated project cost of \$1,186,057, so the lowest bid received is lower than the estimate.

Ms. Leser reported that Northern has entered into a Funding Agreement with the landowner for the private improvements, and the Landowner has provided funds amounting to 125% of the cost to construct the private improvements. Staff recommends approval of an Award of Contract for Construction and Purchase Order No. 23-281 to J.W. Cheatham, LLC in the amount of \$932,633.60 which includes \$499,118.60 for the public improvements and \$433,515.00 for private improvements.

Mr. Boykin noted that J.W. Cheatham always seems to come in under budget, and Mr. Beatty advised that the bids received were really tight with only a \$15,000 difference between the lowest two bidders. Mr. Boykin then asked if the bids were binding and Ms. Leser responded affirmatively.

Mr. Boykin called for any comments from the public to which there was no response.

A **motion** was made by Mr. LaMotte, seconded by Mr. Cohn and unanimously passed approving an Award of Contract for Construction and Purchase Order No. 23-281 to J.W. Cheatham, LLC, as presented.

**c) UNIT OF DEVELOPMENT NO. 21 – OLD MARSH  
Consider Ratification of Change Order to Aquatic Vegetation Control, Inc.**

Mr. Beatty stated that in 2020, Northern entered into an amendment to the Unit's High-Level Maintenance Agreement (HLMA) in order to allow the Old Marsh Golf Club (POA) to assume responsibility for the aquatic weed control and marsh maintenance within Unit 21, Old Marsh. He explained that the condition of the lakes has deteriorated, and they are no longer in compliance with the South Florida Water Management District regulations. He stated that, as set forth in the HLMA, once Northern became aware of the situation, Staff contacted the POA. After approximately six months of meetings and discussions, the POA was unable to bring the lake conditions into compliance, so Northern is once again assuming control of those maintenance responsibilities. He advised that Northern has submitted an invoice to the POA for those services and payment has been received. Staff is requesting ratification of Change Order No. 5 to Aquatic Vegetation Control, Inc. adding Unit 21 back into their multi-unit Aquatic Weed Control & Marsh Maintenance contract.

Mr. Beatty noted that Northern has already received compliments from the residents on the job that has been done over the past six weeks.

Mr. LaMotte asked who determined that the lakes were no longer in compliance with SFWMD, and Mr. Beatty advised that Northern's Staff Biologist, Sam Payson, made that determination.

Mr. Boykin asked who the POA used to do the work, and Mr. Beatty advised that the POA used a previous contractor for Northern. He further explained that hand removal is necessary for this Unit and the previous contractor did not have the resources to perform this type of work in an acceptable manner.

Mr. Boykin called for any comments from the public to which there was no response.

A **motion** was made by Mr. LaMotte, seconded by Mr. Cohn and unanimously passed approving ratification of Change Order No. 5 in the additional amount of \$136,531.00 to Aquatic Vegetation Control, Inc.

**d) UNIT OF DEVELOPMENT NO. 53 – ARDEN  
Status Report**

Mr. Beatty began his report by initially displaying the unit map and site plan, followed by aerial photos of the project. He explained that there is currently a significant amount of construction activity in Pod D-Southeast and Pod I-North. He noted that some of the photos show the development of the community over time off in the distance. Mr. Beatty advised the Board that Northern has not heard anything further from Lennar with regard to pursuing additional bonds, noting that Lennar is aware that if they choose to develop future phases, there will not be sufficient bond funds to cover the public infrastructure costs.

This item was presented for information only and no Board action was required.

**8) MISCELLANEOUS REPORTS**

**a) ENGINEER**

Ms. Leser had nothing to report.

**b) ATTORNEY**

Mr. Edwards stated that the Legislative Session will begin on March 7<sup>th</sup> and run through May 5<sup>th</sup>. He explained that a number of proposed bills have already been submitted, noting that there are always some that generally apply to special districts. He further explained that two bills have already been submitted due to some grievous actions by a special district to the southwest of Northern, and he briefly reviewed the potential ramifications of the pending bills, should they pass. Mr. Edwards advised that typically only 5% to 10% of the bills actually make it to the Governor for signature.

**c) EXECUTIVE DIRECTOR**

Mr. Beatty stated that the Public and Community Relations Report is included in the Board materials for review.

**9) RECEIVE AND FILE**

The following items were presented to be received and filed:

- U2C - Hospital Article - PB Post 01-14-23;
- U18 - State Road 7 Article - PB Post 01-02-23;
- U18 - SR 7 Lawsuit - Transportation Projects Article - PB Post 01-05-23;
- Assessment Collection Status;
- Northern Quarterly Financial Report; and
- Proof of Publication of Meeting Notice

copies of which are contained in Northern's records.

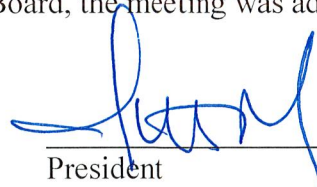
**10) COMMENTS FROM THE BOARD**


There were no further comments from the Board.

**11) ADJOURN**

A **motion** was made by Mr. LaMotte, seconded by Mr. Cohn and unanimously passed to adjourn the meeting.

There being no further business to come before the Board, the meeting was adjourned.

  
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President

  
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Assistant Secretary