

GREATER BOCA RATON BEACH & PARK DISTRICT
MINUTES OF A REGULAR MEETING OF
THE BOARD OF COMMISSIONERS
July 15, 2024

The MEETING took place at the Swim & Racquet Center and was live-streamed for viewing & listening through Zoom. The meeting was called to order by VICE-CHAIR Robert Rollins, Jr. at 5:15 p.m.

COMMISSIONERS PRESENT:

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

CHANGES TO AGENDA:

PUBLIC REQUESTS:

Mr. Rick Heard is enthusiastic about the pickleball opportunity at North Park and urged the Commissioners to vote in favor of the Boca Paddle contract.

Mr. Garth Duff-Gray asked the Beach & Park District to commit support and funding for developing two rugby fields on SW 18th Street.

Mr. Art Turpel encouraged the Board to approve the Sugar Sand Park Multi-Sport Rink Drainage repairs.

Mr. Dan Martino advocated for a roof covering at the Sugar Sand Park multi-sport rink.

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 held on July 1, 2024, at 5:15 p.m.

Roll Call Vote:

Commissioner Ehrnst	Yes
Commissioner Engel	Yes
Commissioner Rollins	Yes
Commissioner Vogelgesang	Yes
Commissioner Wright	Yes

MOTION UNANIMOUSLY APPROVED

REGULAR BUSINESS:

1. Boca Paddle Agreement

MOTION was made by Commissioner Engel and seconded by Commissioner Vogelgesang to read Resolution 2024-02.

Mr. Goren, District General Counsel, read Resolution 2024-02 into the record. If the resolution is passed, the Boca Paddle Concession Agreement will be approved, and the Executive Director and District Counsel will have the authority to amend the agreement approved by the Board of Commissioners.

Mr. Horowitz, District General Counsel, noted that Article 1 of the agreement states "that the District's Enabling Legislation prohibits the leasing, sale, or conveyance of District property and that nothing contained herein is intended to convey any interest in real property from the District to the Concessionaire."

Boca Paddle provided a copy of their initial fee schedule. Mr. Butters was present to answer questions from the Board of Commissioners.

Discussion ensued.

The Board agreed to have Counsel incorporate the following amendments into the agreement:

- 1. The District will receive the Right of First Refusal in the event of any assignment.
- 2. The Concessionaire is to pay the District's legal fees to review any assignment documentation.
- 3. The District's insurer will review coverage terms every five years and make recommendations.
- 4. The addition of the initial Boca Paddle Fee Schedule as an Exhibit.

MOTION was made by Commissioner Engel and seconded by Commissioner Vogelgesang to approve Resolution 2024-02, the Concession Agreement between the District and Boca Paddle, LLC, with the following amendments:

- 1. The District will receive the Right of First Refusal in the event of any assignment.
- 2. The Concessionaire is to pay the District's legal fees to review any assignment documentation.
- 3. The District's insurer will review coverage terms every five years and make recommendations.
- 4. The addition of the initial Boca Paddle Fee Schedule as an Exhibit.

Discussion:

Commissioner Ehrnst strongly felt that under Article 57, the purchase price payable by the District to purchase the facility on the property from the concessionaire should be a definitive number and not based on Fair Market Value.

Roll Call Vote:

Commissioner Ehrnst	No
Commissioner Engel	Yes
Commissioner Rollins	Yes
Commissioner Vogelgesang	Yes
Commissioner Wright	Yes

MOTION PASSES 4-1

2. Set Tentative Millage rate

In accordance with the Florida Department of Revenue's Truth in Millage (TRIM) Compliance process, the District must establish a proposed tentative millage rate by August 4, 2024. The final millage rate, determined in September, cannot exceed the adopted tentative millage rate, but it can be lowered.

Executive Director Harms presented a table of various millage rates for the Board's consideration, with the recommendation of setting the tentative millage rate at the current rate of 1.08 Mills and reassessing, if necessary, before the final budget adoption.

MOTION was made by Commissioner Ehrnst and seconded by Commissioner Engel to set a Tentative Millage Rate of 1.08 Mills for Fiscal Year 24-25 for the Beach & Park District and reassess, if necessary, in September.

Roll Call Vote:

Commissioner Ehrnst	Yes
Commissioner Engel	Yes
Commissioner Rollins	Yes
Commissioner Vogelgesang	Yes
Commissioner Wright	Yes

MOTION UNANIMOUSLY APPROVED

3. Sugar Sand Park Multi-Sport Rink Drainage Repairs

Executive Director Harms advised the Board of the significant safety concerns at Sugar Sand Park's multi-sport rink. Recent observations, especially post-rainfall, indicate that the current condition poses a risk to users, necessitating swift action. The District received three bids for the necessary repair work from the following companies:

1. Maracore Builders: \$25,520.00
2. CSR Construction: \$28,872.00
3. EMS Site Development: \$29,300.00

Staff recommended that Maracore Builders execute the necessary repairs with the lowest bid of \$25,520.00.

MOTION was made by Commissioner Vogelgesang and seconded by Commissioner Engel to approve the bid from Maracore Builders for \$25,520.00 to execute the necessary repairs at the Sugar Sand Park Multi-Sport Rink, as presented.

Roll Call Vote:

Commissioner Ehrnst	Yes
Commissioner Engel	Yes
Commissioner Rollins	Yes
Commissioner Vogelgesang	Yes
Commissioner Wright	Yes

MOTION UNANIMOUSLY APPROVED

APPROVAL OF PAYROLL AND INVOICES:

MOTION was made by Commissioner Ehrnst and seconded by Commissioner Vogelgesang to approve the payroll and invoices as presented, totaling \$ 2,155,640.79.

Roll Call Vote:

Commissioner Ehrnst	Yes
Commissioner Engel	Yes
Commissioner Rollins	Yes
Commissioner Vogelgesang	Yes
Commissioner Wright	Yes

MOTION UNANIMOUSLY APPROVED

REPORTS AND DISCUSSION ITEMS:

Executive Director:

North Park Site Plan

City staff have no additional comments regarding the site plan for North Park. The next step is to present it to the advisory boards in August, followed by seeking approval from the City Council. Miller Legg has commenced preparing the bid documents in anticipation of receiving final approval from the City Council.

Patch Reef Park Playground

Bids are due this week for the Patch Reef Park playground renovations.

DeHoernle Park Maintenance Building

The maintenance building is progressing well. The first asphalt layer has been completed, and the interiors and HVAC system are currently being installed.

July is Parks and Recreation Month

In honor of Parks and Recreation Month, the city has created collectible stickers representing each park for residents to collect and enjoy.

District Counsel:

Mr. Goren, District Counsel, reported that the JJ Morley litigation remains pending and is currently in the discovery phase. Discussions with JJ Morley's counsel are ongoing, and District Counsel is committed to recovering all expenses incurred by the District in this matter.

Commissioners:

Commissioner Engel expressed his appreciation for the collegial manner in which the District operates, wishing that the rest of the country could follow this example.

Commissioner Ehrnst attended the Fabulous Fourth of July fireworks hosted by the city and was thoroughly impressed. He emphasized three guiding factors that must be carefully considered in every District park and building project: the sun's heat, water/drainage, and security. He suggested allocating funds in the budget to address these priorities.

Commissioner Vogelgesang commended staff and counsel for their work on the Boca Paddle Agreement and inquired about the Swim & Racquet shower project. She noted that turtle rehab facilities in the Keys charge high fees, highlighting that Gumbo Limbo offers free access to view turtles. She also mentioned that Sugar Sand Park was listed on Facebook as the most impressive playground in South Florida, with amazing drone footage showcasing the site.

Commissioner Rollins wanted to ensure the Boca Raton Little League's requests were included in the budget for the next fiscal year.

ADJOURNMENT:

MOTION was made by Commissioner Engel and seconded by Commissioner Vogelgesang to adjourn the meeting at 6:42 p.m.

Roll Call Vote:

Commissioner Ehrnst	Yes
Commissioner Engel	Yes
Commissioner Rollins	Yes
Commissioner Vogelgesang	Yes
Commissioner Wright	Yes

MOTION UNANIMOUSLY APPROVED

at

Erin Wright Chair

Craig F. Ehrnst

Craig F. Ehrnst Secretary-Treasurer