

6. Abstentions by Board Members from items on the Agenda

There were no abstentions from the Board members.

7. General Public Comment

There was no general public comment.

CONSENT

- 8. Approval of Minutes, Check Register, Financial Statement and Documents for the previous month**
- 9. Authorize amendment of Chapter 2, LWDD Operating Policies to adjust fees and recover costs for LWDD services to issue quit-claim deeds for release of LWDD interests in real estate, canal reservations, oil/mineral reservations or exploration rights, effective July 1, 2014. (James Fandrey, Assistant Director of Engineering & Right-of-Way)**
- 10. Approve corrected ranking of qualified firms for Professional Engineering and GIS Centric Computerized Asset Management Software Integration Services for the Supervisory Control and Data Acquisition (SCADA) System Development (LWDD Project No. 13-9381D.01). (Patrick A. Martin, P.E., Director of Engineering & Right-of-Way)**
- 11. GL Homes (LWDD Project No. 14-118E.36) – Approve request to construct two proposed mast arms within LWDD L-34 Canal north right-of-way adjacent to Lexington Club Drive. (Michael Brady, Plan Reviewer)**
- 12. Approve entering into a 36-month lease agreement with Nortrax for one (1) John Deere 220DW Excavator. (Tommy Strowd, Director of Operations & Maintenance)**
- 13. Resolution No. 14-05 – Authorization of banking signatures. (Karen Hoyt, Director of Finance)**
- 14. Board Vote on Consent Agenda**

A motion was made by Vice President Whitworth to approve the Consent Agenda, seconded by Supervisor Alderman and approved unanimously.

WORKSHOP

- 15. Capital Improvement Plan - Robert M. Brown, Executive Director and Tommy Strowd, Director of Operations & Maintenance**

Mr. Brown stated as a follow up to the Conceptual Spend-Down Plan that was presented to the Board in October 2013, he asked Mr. Strowd to develop a comprehensive 5 to 10 year Capital Improvement Plan.

Mr. Strowd stated the Capital Improvement Plan (CIP) facilitates the construction, maintenance, and renovation of the public infrastructure over the next 5 to 10 years. Projects identified in the CIP are prioritized and budgeted through a formal process overseen by management and approved by the Board as part of the annual budget process. Mr. Strowd reviewed the benefits and components of the CIP, as well as the potential future projects.

Mr. Brown discussed future regulatory and operational uncertainties, as well as budgetary considerations. Mr. Brown presented historic annual revenues, extraordinary income balances, and potential revenues from the sale of Transfer of Development Rights (TDRs).

Mr. Brown also presented the Consumer Price Index projections in relation to the District's assessment rates and discussed incremental increases to assessments versus more significant increases every few years.

Mr. Strowd discussed the timeline for FY15 budget development, CIP project analysis and potential TDR revenues.

DISCUSSION

16. Florida Power & Light (LWDD Project No. 14-9542U.01) – Approve relocation of an existing lateral installation of feeder cable (distribution) within the E-3-1/2-2 east right-of-way at I-95 corridor and Northwest Spanish Boulevard. (Joseph Walsh, Plan Reviewer)

Mr. Walsh stated FPL is requesting approval for the installation of a new underground facility 20 feet west of the east right-of-way line of the E-3-1/2-2 Canal for approximately 427 feet. FPL will remove existing facilities from the District's right-of-way. Mr. Walsh explained that this request is in connection with FDOT's construction of the bridge overpass at Spanish River Boulevard and I-95 corridor. The bridge construction will require the E-3-1/2-2 Canal to be relocated, as well as relocation of the existing underground facility. Staff recommended approval of FPL's request to install the underground facility within the east right-of-way of the E-3-1/2-2 Canal and a waiver of the utility permit/installation fee subject to the removal of the existing underground facility, District operating policies and approval of all plans by staff.

A motion was made by Vice President Whitworth to approve the recommendation, seconded by Supervisor Alderman and approved unanimously.

17. Joseph & Ann Godin Property (LWDD Project No. 14-9501E.01) – Encroachments within the E-4 and L-37 Canal rights-of-way. (Patrick A. Martin, Director of Engineering & Right-of-Way)

Mr. Martin indicated this project is located on the northwest quad of the E-4 and L-37 Canals, south of Germantown Road. Encroachments identified are within both canal rights-of-ways and range from approximately 21 feet to 27 feet within the E-4 Canal right-of-way and approximately 11 feet within the L-37 Canal right-of-way. Staff recommended approval to enter into an encroachment agreement with the Godin's to authorize 1) relocation of the fence along the E-4 Canal allowing a three-foot encroachment at the north end and a six-foot encroachment at the south end, and 2) removal of the Ficus hedge along the L-37 Canal allowing the existing two-foot encroachment of the fence and pool deck to remain. The encroachment agreement would be subject to District operating polices and applicable fees.

Vice President Whitworth inquired about the existing Gumbo Limbo tree located in the encroachment area. Mr. Martin stated that the tree will be allowed to remain, and Mr. Godin agreed to keep it trimmed.

Supervisor Alderman indicated that encroachment agreements are contrary to what the District has done in past years and requested Mr. Perry to comment. Mr. Perry stated that he is not personally in favor of encroachment agreements; however, the Board is seeing a different direction by management and willingness to work more with the public to resolve issues. Mr. Perry further stated that he will ensure the encroachment agreement will protect the rights of the District.

Mr. Brown expressed his concern that local governments are not requiring permits for these types of structures to be constructed, and indicated the District will seek to work more closely with local governments to educate them on District right-of-way encroachments, and the importance of residents and businesses obtaining a permit prior to constructing additional structures. Mr. and Mrs. Godin's did not obtain a permit from the city of Delray Beach for the fence.

Supervisor Alderman indicated that the Board is not typically supportive of encroachment agreements, and he would not be in favor of staff bringing an abundance of encroachment agreements to the Board.

Mr. Martin commented that the Godin's lot is the only property in this area with an encroachment and the District will maintain a minimum of 44 feet of right-of-way after permitting of the encroachments. Any property north of this would be denied any encroachments.

Vice President Whitworth inquired regarding a timeline for the Godin's to remove and relocate their encroachments. Mr. Martin stated they will be required to remove the fence immediately and the Godin's are agreeable.

A motion was made by Vice President Whitworth to approve the recommendation, seconded by Supervisor Alderman and approved unanimously.

18. Kids College (LWDD Project No. 04-7543P.01) – Approve updated appraisal for purchase of L-6 Canal right-of-way located on the southwest quad of Dillman Road & Jog Road. (Nicole Smith, Right-of-Way Coordinator & Mark Perry, District Counsel)

Ms. Smith explained that the appraisal has expired for the Kids College purchase of District rights-of-way on the L-6 Canal. Staff recommends approval of the updated appraisal and rental value.

Mr. Perry stated he has reviewed and is agreeable with the updated appraisal for \$2.45 per square foot along with the fair market rental fee of \$1,365 per year.

Vice President Whitworth inquired if there were escalations in the agreement. Mr. Perry confirmed.

A motion was made by Supervisor Alderman to approve the recommendation, seconded by Vice President Whitworth and approved unanimously.

STAFF REPORTS

19. Executive Director's Report

Mr. Brown stated that he recently participated in the Muscular Dystrophy Association (MDA) Lock-Up and thanked the staff and Board members who contributed donations to his release for this very worthy cause. Mr. Perry also participated in the MDA Lock-Up.

Mr. Brown stated the District will take a more proactive approach with tree removal on canals within the city of Boca Raton, and indicated large exotic trees are a major concern in this area. The District will be selectively removing problematic trees. He and Mr. Martin have met with Daniel Grippo with the city of Boca Raton to provide information and coordinate in advance of tree removals.

Director of Operations and Maintenance

Mr. Baker stated Control Structure No. 9 is expected to be complete by the end of June 2014.

Director of Administrative Services

Ms. Walker shared that the Palm Beach County Sherriff's office recently completed a comprehensive security assessment of District facilities. A copy of the report and executive summary was provided to Board members. Many of the recommendations are already being addressed with current and planned facility improvements.

Director of Engineering & Right-of-Way

Mr. Martin provided an update on the ongoing contract negotiations with CH2M Hill, the top candidate for the SCADA RFQ. Staff will continue to negotiate and present the final contract to the Board in the coming months.

Mr. Martin indicated he will be provide a presentation on the cost analysis on the C-51 Reservoir Project to July Board meeting.

Director of Finance

ADDED ITEM: Equipment Surplus

Ms. Hoyt explained that the District recently replaced the hand scanners for time keeping purposes with biometric (facial recognition) readers. The District has received an offer from Microix, Inc. to purchase the used hand scanners for \$200 each. Staff requested approval to surplus and sell three (3) hand scanners to Microix, Inc.

A motion was made by Supervisor Alderman to approve the recommendation, seconded by Vice President Whitworth and approved unanimously.

District Counsel

Mr. Perry, Mr. Brown, Mr. Gunther will be attending mediation regarding Donovan & Brenda Holmes on Friday, June 20, 2014.

Mr. Perry stated that Tom Barry is working on a project to identify roads located within the District's rights-of-way. Once all roadways have been identified and researched, he will report back to the Board to address any potential issues.

20. Board Comment

There was no additional Board comment.

21. Adjourn

There being no further business, the meeting adjourned at 9:40 A.M.



President - Harry Raucher



Recording Secretary - Joann M. Aylor