



**MINUTES OF A REGULAR MEETING OF
THE BOARD OF SUPERVISORS OF
LAKE WORTH DRAINAGE DISTRICT
HELD AT THE DELRAY BEACH OFFICE ON
DECEMBER 16, 2015 AT 8:30 A.M.**

Board Members Present:

Harry Raucher

James M. Alderman

Steven Bedner

John I. Whitworth, III

Jeffrey P. Phipps, Sr.

1. Call to Order

President Raucher called the meeting to order at 8:30 A.M.

2. Pledge of Allegiance

Mr. Phipps led the Pledge of Allegiance.

**3. LWDD Centennial Moment (Final Installment): 2015 and Beyond -
Rosemary Rayman, Outreach & Records Manager**

**4. Announcement of Annual Landowners' Meeting and Notice of Intent to
run by candidates seeking office of Supervisor - Robert M. Brown,
Executive Director**

Mr. Brown stated that the Landowners' meeting will be held on Wednesday, January 6, 2016. Candidates seeking the elected office of supervisor are required to submit notice of their intent to run before the close of the Board meeting.

5. Special Presentation in Memory of Murray R. Kalish

Mr. Raucher introduced Mr. Kalish's son, Jeff Kalish. On behalf of the Board and employees, Mr. Raucher read a Testimonial and Proclamation in Honor of Murray R. Kalish and presented the proclamation and a centennial coin to Jeff Kalish. Mr. Kalish thanked everyone for their kindness and stated that his father enjoyed his tenure at the District.

4. Agenda Revisions – Robert M. Brown, Executive Director

Mr. Brown stated Item 16 regarding the sale of District lands to Community Land Trust had been deleted. In addition, Dave Bends would present an item at the end of the discussion agenda requesting authorization to release Chancery Case 407 interest within several lots in the Lakewood – Section III Development.

5. Abstentions by Board Members from items on the Agenda

There were no abstentions or disclosures by the Board members.

6. General Public Comment

There were no public comments.

CONSENT

7. Board Comment or Request to Pull Items from Consent Agenda

8. Approval of minutes, check register and financial statement for the previous month

11. Approval of an amendment for a one-year extension of the Tri-Party Piping, Paving and Parking License Agreement with HUB Properties Trust, Fairway Commons Acquisition LLC and LWDD to complete installation of permitted facilities. Location: L-41 Canal right-of-way, southeast quadrant of Clint Moore Road and Military Trail (LWDD Project No. 06-8274P.01) - Anne Perry, Right-of-Way Coordinator

12. Approval to exchange 25 feet of right-of-way with Palm Beach County. Location: L-32 Canal, south side of Lake Ida Road, west of Sims Road (LWDD Project No. 13-9347P.01) - Nicole Smith, Right-of-Way Permit Coordinator

13. Board Vote on Consent Agenda

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

WORKSHOP

**14. Right-of-Way Management Program Update
Tommy B. Strowd, Director of Operations & Maintenance
James W. Fandrey, Assistant Director of Right-of-Way**

Mr. Strowd presented a brief update on the development of a comprehensive Right-of-way Management Program and indicated that staff will present a fully developed program to the Board for approval in coming months.

The program will consist of: revised permit application approval processes; revised fee structures; increased coordination and outreach with local building, permit and code enforcement departments; and status reports to the Board.

Senior Vice President Whitworth shared his concern with allowing encroachments in District rights-of-way.

DISCUSSION

15. Approval of top-ranked firms and authorization to enter into a contract for a GPS Fleet Management System (RFP No. 15-9779L.01) - Anthony LasCasas, Assistant Director of Facilities & Maintenance

Mr. LasCasas presented an overview of the GPS Fleet Management System and stated the goals are to improve scheduling and equipment utilization, automate daily work records, reduce paperwork and enhance driver safety. Mr. LasCasas stated that ten proposals were received in response to the Request for Proposals. The evaluation committee ranked the firms based on established criteria and oral presentations. The top-ranked firms were: 1) GPS Insight, 2) CalAmp, and 3) Fleetmatics.

Staff recommended approval of the top-ranked firms and authorization to negotiate and enter into a contract for a GPS Fleet Management System not to exceed a 36-month term and \$35,000 annual cost.

Senior Vice President Whitworth stated the contract should be reviewed after the three-year term to determine the need for renewal.

Mr. Brown stated that the Board would have to approve a contract extension and indicated that staff will provide periodic updates to the Board.

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

16. DELETED Approval to sell a portion of Chancery Case 407 to adjacent property owner, Community Land Trust of Palm Beach County. Location: L-14 Canal and Davis Road (Project No. 11-7029P.06) - Nicole Smith, Right-of-Way Permit Coordinator

17. Approval to issue a Right-of-Way Permit to Florida City Gas for installation of a 12-inch gas line, 8.5 feet into the E-2 Canal right-of-way for approximately 93 feet. Location: E-2 Canal right-of-way southeast quadrant of Benoist Farms Road and Southern Boulevard (Project No. 15-9767U.01) - Nicole Smith, Right-of-Way Permit Coordinator

Ms. Smith stated the proposed gas line will replace an existing gas line currently installed on the west side of Benoist Farms Road. Existing utilities prohibit the installation on the west side of Benoist Farms Road. The majority of the line will be installed within Palm Beach County's road right-of-way. Staff recommended approval for Florida City Gas to install the 12-inch natural gas line within the E-2 Canal right-of-way for a distance of approximately 86 feet subject to District Operating Policies, placement of the gas line at least 5 feet below existing ground, placement of notification flags and location tape to identify the gas line, applicable permit fees and an annual fee adjusted every five years based on the compounded CPI.

Supervisor Phipps inquired regarding the District's liability if something were to happen to the pipeline.

Ms. Smith stated there is no liability from the District as the permit includes a condition holding the District harmless.

Ms. Karen Brandon, P.E., AECOM, representing the applicant addressed the Board and stated they would be installing a 12-inch, 975 PSIG maximum load operating pressure steel pipe.

A motion was made by Supervisor Phipps to approve the recommendation, seconded by Supervisor Bedner and passed with a 4 to 1 vote, with Senior Vice President Whitworth opposing.

- 18. Approval to declare the south 28.13 feet of the north 52.80 feet of Chancery Case 407 right-of-way eligible, and to sell for fair market value to the adjacent property owner, Bank of America. Location: L-17 Canal West of Congress Avenue; Lot 7, Block 21, unrecorded plat of Hypoluxo Village (Project No. 09-7121P.06) - Dave Bends, Project Surveyor**

Mr. Bends stated that Chancery Case 407 on adjacent Lots 5 and 6 was previously sold for fair market value. Mr. Bends stated that as a condition of the approval, the existing chain-link fence within the remaining 80 feet of right-of-way would be relocated within the lot prior to recording of the deed. The District then have approximately 8 feet of dry ground on the light maintenance side after the fence is removed. Staff recommended approval to declare the portion of Chancery Case 407 right-of-way within Lot 7, Block 21, unrecorded plat of Hypoluxo Village, eligible for sale based on the fair market value appraisal of \$5.32 per square foot, and subject to District Operating Policies, removal of the chain-link fence, granting the District a 90-day temporary hold harmless access agreement to remove vegetation from the right-of-way, legal and recording fees, sketch of description and certificate of title.

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

- ADDED - Approval to declare the underlying Chancery Case 407 interest within Lots 6 and 7 eligible, and authorization to issue quit claim deed to adjacent property owners. Location: Lots 6 and 7 of the Plat of Lakewood - Section III, Plat Book 34, Page 99, L-34 Canal east of Military Trail. (Project No. 15-1744P.20) - Dave Bends, Project Surveyor**

Mr. Bends stated the lots are located south of Atlantic Avenue on the south side of the L-34 Canal east of Military Trail. The District previously issued a quit-claim deed to clear title on Lot 5 in June 2002. Staff recommended declaring the underlying Chancery Case 407 interest within Lots 6 and 7 eligible under the Marketable Record Title Act of 1963, and authorization to issue quit-claim deeds to adjacent property owners as requests are submitted, subject to legal and recording fees and certificate of title.

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

STAFF REPORTS

19. Executive Director's Report

Mr. Brown announced the District's Landowners' meeting will be held on January 6, 2016 at 9:00 AM. Elections for the Board of Supervisors will be held at the meeting. The District received notices of intent to run for office from James Alderman in Sub-District 1, Harry Raucher in Sub-District 4 and Steve Bedner in Sub-District 2.

Mr. Brown invited the Board members to the District's holiday luncheon Thursday, December 17, 2016.

Mr. Brown thanked Margie Illsley for her hard work in decorating the District offices for the holidays.

Mr. Brown provided a summary of the proposed statewide water policy bills (SB 552 and HB 7005).

Director of Operations and Maintenance

Mr. Strowd presented an update on the rainfall event in December 2015. Due to a stalled cold front, the District received between 6 to 8 inches of rainfall in the first week of December.

Director of Administrative Services

Ms. Walker thanked Rosemary Rayman, Megan Hanney and retiree Tom Barry, for their work on the District's Centennial Videos.

Director of Engineering & Right-of-Way

Mr. Martin stated Palm Beach County has not received a response from the United States Geological Survey (USGS) regarding the LiDAR grant for aerial topography.

Mr. Martin stated the C-51 Project received its consumptive water use permit issued by the Florida Department of Environmental Protection. The permit duration is for 50-years, which is the first one issued in the State of Florida.

Director of Finance

Ms. Hoyt stated the auditors began the audit and are awaiting information from the Florida Retirement System so they can move forward and present the report to the Board in March or April.

District Counsel

Mr. Perry had nothing to report.

20. Board Comment

There were no additional comments from the Board.

21. Adjourn

There being no further business, the meeting adjourned at 9:55 A.M.

President – Harry Raucher

Recording Secretary – Joann M. Aylor