



**MINUTES OF A REGULAR MEETING OF
THE BOARD OF SUPERVISORS OF
LAKE WORTH DRAINAGE DISTRICT
HELD AT THE DELRAY BEACH OFFICE ON
MARCH 16, 2016 AT 8:30 A.M.**

Board Members Present:

Harry Raucher
John I. Whitworth, III

James M. Alderman
Jeffrey P. Phipps, Sr.

Steve Bedner

1. Call to Order

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

2. Pledge of Allegiance

Mr. Raucher led the Pledge of Allegiance.

Special Service Recognitions

30-Year Service Recognition: Mark A. Perry, General Counsel (1986)

Mr. Brown recognized Mark Perry's 30-year anniversary serving as the District's General Counsel and presented highlights of his tenure at the agency. On behalf of the Board and staff, President Alderman presented Mr. Perry with a plaque in recognition of his service with the District.

25-Year Service Recognition: John I. Whitworth, III, Board Supervisor (October 1990)

Mr. Brown presented Board Supervisor John I. Whitworth, III with a framed print of the District's commemorative centennial coin artwork in recognition of his 25 years of service on the Board of Supervisors. On behalf of all the Board members, President Alderman thanked Mr. Whitworth for his dedicated service to the District.

3. Florida Surveyors & Mappers Week Proclamation - Kelsey Smith, Project Surveyor

President Alderman presented the District's Project Surveyor, Kelsey Smith, with a proclamation recognizing March 20-26, 2016 as Florida Surveyors & Mappers Week.

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

Mr. Brown stated the date on Agenda Item #13 has been changed to March 16, 2017.

5. Abstentions by Board Members from items on the Agenda

There were no abstentions.

6. General Public Comment

There was no general public comment.

CONSENT

7. Board comment or request to pull items from Consent Agenda

8. Approval of February Board minutes, March Workshop minutes, check register and financial statement for the previous month

9. Approval of revised Employee Handbook - Melissa Wheelihan, Business Operations Specialist

10. Approval to extend contract with West Construction, Inc. for construction of Electrical/Storage Building at Control Structure 4 (Project No. 14-7147P.03) - Tommy Strowd, Director of Operations & Maintenance

11. Approval for authorization to issue a quit claim deed to Twin States Land Holdings, LLC to clear title. Location: North side of Boynton Beach Boulevard, west of State Road 7. (Project No. 16-9830P.01) - Nicole Smith, Right-of-Way Permit Coordinator

12. Approval for authorization to issue a quit claim deed to Lake Worth Senior Living Facility to clear title after right-of-way is conveyed to LWDD for the E-1 Canal. Location: North of Lantana Road, east side of State Road 7. (Project No. 15-9695P.01) - Nicole Smith, Right-of-Way Permit Coordinator

13. Approval to extend Piping, Paving & Parking Agreement with Nader Salour for a one-year period expiring March 16, 2017. Location: West of Military Trail, south of Glades Road. (Project No. 07-8306P.01) - Nicole Smith, Right-of-Way Permit Coordinator – REVISED

14. Approval for the installation of a sign over an existing permitted culvert for Phoenix at Delray Grande. Location: South side of Linton Boulevard, west of Military Trail. (Project No. 16-6855E.03) - Nicole Smith, Right-of-Way Permit Coordinator

15. Board Vote on Consent Agenda

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

DISCUSSION

16. Approval of negotiated purchase price for a 1.43 acre parcel owned by R.A. Bailey Trust located on the E-3 Canal adjacent to Control Structure 6 - Robert M. Brown, Executive Director (Project #16-9817P.01)

Mr. Brown stated the Board authorized staff at the February 2016 meeting to enter into negotiations with R.A. Bailey Trust for purchase of the 1.43 acre parcel adjacent to the E-3 Canal and Control Structure 6. A new appraisal was conducted and the property was valued at \$150,000. Staff requested Board approval to extend an offer to the property owner. Mr. Brown stated a final offer would be presented for approval at the April 2016 Board meeting.

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

17. Resolution 16-02 - Approval to transfer Extraordinary Income Funds for concrete paving project (Project No. 15-5947D.13) - Karen Hoyt, Director of Finance

Ms. Hoyt requested approval of Resolution 16-02 authorizing the transfer of Extraordinary Income Funds in the amount of \$930,600 to reimburse costs associated with the concrete storage yard project. She also requested approval of the amended contract expiration date from July 17, 2015 to March 31, 2016, as well as acceptance of the revised payment method throughout the project.

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

18. Approval for the installation of a 12-inch water main line within the S-4 Canal right-of-way by Shelby Homes for the Village Royale. Location: South of Southern Boulevard, west of State Road 7 on the west side of the S-4 Canal. (Project No. 07-7803U.05) - Nicole Smith, Right-of-Way Permit Coordinator

Ms. Smith stated the developer, Shelby Homes, requested approval to install a 12-inch water main within the S-4 Canal right-of-way for a distance of approximately 720 feet. The Village of Wellington is requiring Shelby Homes to install the line to complete the water main loop. The line will be placed within the west 6.5 feet of the S-4 Canal right-of-way. Ms. Smith stated that the Board has previously permitted this project and several extensions, and the developer has met all conditions. Staff recommended approval of the water main installation subject to permit fees, annual fees, approved plans and District operating policies.

Supervisor Whitworth expressed concerns regarding inadequate planning by the Village of Wellington and the developer.

A motion was made by Senior Vice President Raucher to approve the recommendation, seconded by Supervisor Bedner, with Supervisor Whitworth opposing, motion passes with a vote of four to one.

19. Approval of operating policy revisions for Access Gate Permits (Ch. 3. Sec. 3.7) - James Fandrey, Assistant Director of Right-of-Way

Mr. Fandrey presented revisions to the District's permitting policy for access gates (Ch. 3. Sec. 3.7). The changes include permitting of a 14' steel tubing gate constructed 35'

outside of the road right-of-way. Applicants would be provided an option to have the gates fabricated by the District or use an independent contractor. The proposed permit fees include: \$300 each gate; \$1500 each gate fabricated by the District; and \$125 for each adjacent bollard provided by the District. Once installed, the District will be responsible for maintenance of the gate and associated bollards. The permittee would be responsible for maintenance of any installed adjacent fences. Staff recommended approval of the modified "LWDD Operating Policies Chapter 3: Engineering & Permitting Requirements, Section 3.7 –Access Gates."

Supervisor Whitworth suggested using two gates on the larger canals instead of increasing the size of the gates.

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

STAFF REPORTS

20. Executive Director's Report

Mr. Brown stated that he and Mr. Strowd met with representatives of Delray Dunes Golf Course to discuss the reconfiguration of their golf course and renewal of the permit issued in 1982 for the fence along the L-27 Canal. Palm Beach County is also requiring Delray Dunes to remove all Australian Pine trees along Military Trail adjacent to the L-28 Canal. However, the community homeowner's association requires a vegetation barrier to buffer the golf course from Military Trail. Mr. Brown indicated that the L-28 Canal offers insignificant drainage benefits for the District and recommended that the Board consider surplus and sale of the District right-of-way in this area. Mr. Brown indicated he would provide a recommendation for the Board's consideration at a future Board meeting.

Mr. Brown stated the City of Delray Beach is submitting an application for the Palm Beach County Metropolitan Planning Organization Local Initiative and is requesting a letter from District indicating its willingness to work with the City on the design of the pedestrian/bike path greenway on the east side of the E-4 Canal between Lowson Boulevard and Atlantic Avenue. The District's right-of-way in this area varies between 25 and 45 feet. The proposed pedestrian/bike path is 12 feet wide and constructed of asphalt. John Morgan, Environmental Services Director from the City of Delray Beach, addressed the Board and explained the need for support from the District.

The Board members expressed concerns regarding residents that live along the canal and inquired if they were contacted and were supportive of a pathway behind their homes. Board members also expressed concerns regarding providing a letter indicating that the District would "work with" the City on the pathway design. Board members shared that they are not supportive of the pathway and do not want to give a false impression that they would condone a project that conflicts with the District's primary flood control mission.

Mr. Brown confirmed that a Board workshop will be held on Tuesday, April 5, 2016.

Director of Operations and Maintenance

Mr. Strowd stated that Mr. Las Casas met with James Swindle from D & J Machinery, Inc. regarding the status of gates being manufactured for Control Structures 11 and 12. They reviewed the shop drawings for both structures and Mr. Swindle committed to providing a work schedule.

Mr. Strowd shared photos illustrating canal clearing projects underway on the L-13, E-3 and L-40W Canals, and indicated that he would provide a more detailed project schedule at a future Board meeting.

Director of Administrative Services

Ms. Walker reminded the Board of surplus items posted for auction on GovDeals.com.

Director of Stormwater Permitting & Engineering

Mr. Martin stated the he and Mr. Raucher attended the Water Resources Task Force meeting on the C-51 Reservoir Project. He shared that there are four letters of intent to participate in Phase I, including letters from Broward County, City of Sunrise, City of Hallandale Beach and the City of Lauderdale Hill. Mr. Martin indicated the Task Force is discussing using water for Loxahatchee River Restoration and there has been discussion about state funding.

Mr. Martin stated that the Palm Beach County Board of County Commissioners is expected to authorize the joint funding agreement with the USGS for the LiDAR project on March 22, 2016. The District committed \$25,000 for the program.

Director of Finance

Ms. Hoyt stated the District is still waiting for information from the Florida Retirement System in order to complete the annual audit.

District Counsel

Mr. Perry stated he expects to receive a response soon from the Palm Beach County Planning, Zoning and Building Department regarding the District's use of the Transfer of Development Rights (TDRs).

21. Board Comment

President Alderman requested an update on the dock permitting policy. Mr. Brown indicated staff will present a revised policy at the April Board meeting.

22. Adjourn

There being no further business, the meeting adjourned at 10:10 A.M.

President - James M. Alderman

Recording Secretary - Joann M. Aylor