



**MINUTES OF A REGULAR MEETING OF
THE BOARD OF SUPERVISORS OF
LAKE WORTH DRAINAGE DISTRICT
HELD AT THE DELRAY BEACH OFFICE ON
JULY 13, 2016 AT 8:30 A.M.**

Board Members Present:

James M. Alderman
John I. Whitworth, III

Harry Raucher
Jeffrey P. Phipps, Sr.

Steve Bedner (via phone)

1. Call to Order

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

2. Pledge of Allegiance

Mr. Whitworth led the Pledge of Allegiance.

3. 30-Year Service Recognitions - Robert M. Brown, Executive Director

- **Charles Burn, Licensed Applicator, Aquatics Crew**
- **Scott Yowell, Equipment Operator III, Heavy Equipment Crew**

Mr. Brown recognized Charles Burn for 30 years of service with the District. The Board thanked Mr. Burn for his dedication and service to the District and presented his service pin. Scott Yowell was not in attendance.

4. Employee of the Quarter Presentation

- **Lupe Villegas, Equipment Operator III, Tree Crew**

Committee Member Nicole Smith announced Lupe Villegas as the Employee of the Quarter. Mr. Villegas was recognized for his hard work, dedication and positive attitude. The Board thanked Mr. Villegas for his service to the District.

5. Agenda Revisions - Robert M. Brown, Executive Director

There were no agenda revisions.

6. Abstentions by Board Members from Items on the Agenda

There were no abstentions.

7. General Public Comment

Mr. Brown shared there was one public comment card submitted for Item 13. He recommended presenting Item 13 directly after approval of the Consent Agenda.

CONSENT

- 8. Board comment or request to pull items from Consent Agenda**
- 9. Approval of Workshop and Board Meeting minutes, check register and financial statement for the previous month**
- 10. Authorization to release access easement at Manheim Auto Auction Site to Manheim Remarketing, Inc. Location: L-4 Canal, 600 Sansbury Way, West Palm Beach, FL (Project #01-1239P.02) - Kelsey Smith, Project Surveyor**
- 11. Board vote on Consent Agenda**

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

DISCUSSION

- 13. Denial of application to install a parallel fence within the L-47 Canal right-of-way. Location: Domingo residence, 2187 N. Conference Drive, Boca Raton, south side of the L-47 Canal, east of Military Trail, north of Palmetto Park Road (Project #16-9905F.01) - Nicole Smith, Right-of-Way Permit Coordinator**

Margaret Stewart, co-owner of 2187 North Conference Drive, Boca Raton, requested permission to install a fence one foot into the District's right-of-way to capture an existing mango tree and provide additional space for children to play.

Board members did not recognize a hardship or reasonable justification for the encroachment.

A motion was made by Supervisor Whitworth to approve staff's recommendation to deny the request, seconded by Vice President Phipps and approved unanimously.

- 14. Approval to declare 10 feet of the 20 foot abandoned road right-of-way surplus and eligible to sell for fair market value. Location: E-3 Canal, 2077, 2105 & 2185 54th Trail South, West Palm Beach (Project #16-7548P.02) - Kelsey Smith, Project Surveyor**

Mr. Smith provided background on the right-of-way ownership in this area, explaining that the previous property owner, Mr. Beckstrom, petitioned Palm Beach County in February 1984 to abandon the adjacent platted 20-foot road right-of-way. As a result, the District received the west 10 feet of the abandoned road right-of-way. In February 1987, the District denied Mr. Beckstrom's request to purchase the west 10 feet of the abandoned road right-of-way. In October 1993, an inspection and survey identified construction of concrete patios abutting the District's right-of-way. In April 2016, the District received a Chancery review request from a new property owner, Good Brother Properties, Inc. Research indicated Chancery interest in addition to the west 10 feet of the road right-of-way, as well as additional concrete encroachments. Mr. Smith stated that the new property owner requested to purchase the right-of-way and would provide an exclusive easement to the District.

Staff recommended to declare the west 10 feet of the 20-foot abandoned road right-of-way adjacent to tracts 18-20 surplus and eligible to sell for fair market value, subject to District operating policies.

Supervisor Whitworth inquired if it was standard practice for the District to accept an easement that was encumbered. Mr. Perry stated it is not standard.

Mr. Doak Campbell, representing Good Brother Properties, Inc., stated they will remove all encroachments and make adjustments to the patios as required.

A motion was made by Senior Vice President Raucher to approve the sale of the 10 foot section of the 20 foot abandoned road right-of-way adjacent to tracts 18-20 subject to an exclusive easement and removal of all encroachments within sixty (60) days, seconded by Supervisor Whitworth and approved unanimously.

12. Approval of Fiscal Year 2016-17 Preliminary Operating Budget and authorization to advertise - Karen Hoyt, Director of Finance

Ms. Hoyt recommended approval of the preliminary budget in the amount of \$17.5 million including an assessment increase of \$1.50 for a total annual assessment of \$46.50, and authorization to advertise the preliminary budget and public hearing to be held on August 17, 2016.

A motion was made by Senior Vice President Raucher to approve the recommendation, seconded by Supervisor Whitworth and approved with one opposing vote by President Alderman.

15. Approval to continue piggyback of South Florida Water Management District herbicide contracts (Project #16-8816L.10) - Tommy Strowd, Director of Operations & Maintenance and Jim Schultz, Aquatics Crew Leader

Mr. Strowd and Mr. Jim Schultz provided an update on treatment and removal of aquatic vegetation. Mr. Strowd recommended approval to continue piggybacking South Florida Water Management District's contracts for purchase of aquatic herbicides including:

- Crop Production, Inc. - Hydrothol 191, Glyphosate Aquatic
- Alligare, Inc. - Aquathol K, Reward or equal, Garlon 3A or equal

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

Mr. Strowd also recommended approval to continue the contract with Brewer Inc., the single source manufacturer of Lovert.

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

16. Approval to permit five (5) existing billboards. Location: Adjacent to E-2W Canal between Boynton Beach Boulevard and Atlantic Avenue (Project #15-488E.91) - Robert M. Brown, Executive Director

Mr. Brown stated that Boynton Beach Associates XXII Corp. is requesting authorization to allow five existing billboards to remain on the District's E-2W Canal right-of-way. He explained the signs were constructed prior to 1999 and encroach 14-21 feet within the canal right-of-way. Staff recommended approval to issue a Right-of-Way Permit to Boynton Beach Associates XXII Corp authorizing five (5) billboards on the E-2 Canal right-of-way subject to a \$2,500 application fee per sign, an annual usage fee of \$1,250 per sign to be adjusted every five (5) years based on the Consumer Price Index; \$2 million insurance coverage and the District named as additional insured; and District operating policies including removal at permittee's expense.

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

STAFF REPORTS

17. Executive Director's Report

Mr. Brown shared that the District provided initial comments on the Draft Environmental Impact Statement on the Herbert Hoover Dike. He stated that the District's comments were incorporated; however, he does not expect to see any relief from future Lake Okeechobee operations. He stated the South Florida Water Management District and the federal government are at odds over the operation of the Upper Chain of Lakes due to potential impacts to snail kites.

Director of Operations & Maintenance

Mr. Strowd stated he had nothing additional to report.

Director of Administrative Services

Ms. Walker stated she had nothing additional to report.

Director of Stormwater Permitting & Engineering

Mr. Martin stated the Request for Proposals for General Engineering Services was advertised and deadlines for responses is July 28, 2016. He stated the evaluation committee will provide a recommended ranking of top firms at the August 2016 Board meeting.

Mr. Martin stated that the District continues to participate in C-51 Reservoir Group meetings. He shared that the group is considering operation protocols and conveyance issues. and Mr. Strowd had been meeting with the C-51 Group and they are looking at the

Director of Finance

Ms. Hoyt stated she had nothing additional to report.

District Counsel

Mr. Perry stated the appeal on Palm Beach County Planning, Zoning and Building Department Director's opinion regarding the District's use of the Transfer of Development Rights (TDRs) is tentatively scheduled for July 22, 2016, and indicated it may be postponed.

8. Board Comment

There was no additional board comment.

10. Adjourn

There being no further business, the meeting adjourned at 9:45 A.M.

President - James M. Alderman

Recording Secretary - Joann M. Aylor