



**MINUTES OF A REGULAR MEETING OF
THE BOARD OF SUPERVISORS OF
LAKE WORTH DRAINAGE DISTRICT
HELD AT THE DELRAY BEACH OFFICE ON
MAY 16, 2018 AT 8:30 A.M.**

Board Members Present:

John I. Whitworth, III
Steve Bedner

Harry Raucher
Jeffrey P. Phipps, Sr.

James M. Alderman

1. Call to Order

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

2. Pledge of Allegiance

Mr. Raucher led the Pledge of Allegiance.

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

Mr. Brown announced that Agenda Item 11 is postponed.

4. Abstentions by Board Members from items on the Agenda

Related to Agenda Item 12, Mr. Bedner and Mr. Alderman disclosed that they have conducted business with GL Homes, but it is not related to the specific agenda item. District Counsel, Mark Perry, confirmed that there was no voting conflict.

5. General Public Comment

There were no public comments.

CONSENT

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

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

8. Board Vote on Consent Agenda

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

DISCUSSION

9. Approval of 2017 Audited Financial Statements – Karen Hoyt, Director of Finance

Ms. Hoyt introduced Dana McDonald from the District's auditing firm, Morrison, Brown, Argiz & Farra. Ms. McDonald presented the governance letter and the audited financial report and stated that there were no corrections or disagreements with the District's financial statements. She further indicated that the statements were fairly presented in all aspects and in accordance with governmental accounting and financial standards.

Ms. McDonald indicated that auditors reviewed internal controls for payroll and purchasing and did not find any deficiencies. She also confirmed that the District is compliant with the state auditor general's reporting requirements and is in great financial position.

Ms. McDonald noted the differences with this year's audit and Statement of Net Position were due to an increase in capital assets that have not depreciated, open contracts for SCADA project construction, and two new leases for heavy equipment.

Ms. McDonald introduced Richard Rampell, managing partner of the firm's Palm Beach office. Mr. Rampell introduced himself and thanked the District for their business over the years. Ms. Hoyt stated that Debbie Diaz is retiring at the end of this year and the firm will no longer be servicing the District's account. The District will be advertising a Request for Proposals for future auditing services.

Staff recommended approval to accept the 2017 audited annual financial statements.

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

10. Approval to revoke a Temporary Fencing Permit (Project #83-4277F.01). Location: North side of the L-49 Canal, south of Camino Real and east of Southwest 12th Avenue, Boca Raton – Nicole Smith, Right-of-Way Permit Coordinator

Ms. Smith stated that the Miller Residence is located at 1150 SW 7th Street, which is south of Palmetto Park Road, east of I-95, on the north side of the L-49 Canal. On September 30, 1983, the District issued a permit to the Miller's to install a fence. On January 9, 1990, the District issued a permit for a dock.

On March 1, 2018, the District notified adjacent property owners of the upcoming canal rehabilitation project along the L-49 canal. In May 2018, Steve Sherman corresponded with the Miller's attorney and advised that staff will be requesting board approval to revoke the fence permit. The District received correspondence from the Miller's attorney requesting the addition of gates to the existing fence, allowance for the dock to remain, and clear title regarding Chancery Case 407.

In response, the District notified Mr. Miller and his attorney that the fence must be removed to provide unimpeded access, and the permitted dock may remain with the exception of the floating portion which should be removed by June 8, 2018. District staff also provided information on procedures to clear title.

Ms. Smith stated that City of Boca Raton staff have indicated that they will issue permits to property owners, affected by LWDD clearing projects, at no cost to relocate structures outside of the District's right-of-way.

Mr. William (Bill) Miller was in attendance and requested approval to keep the fence. He also requested that if the fence is removed, the District install a fence at the east and west end of the right-of-way to discourage trespassers. Mr. Brown indicated that the District could install vehicle gates to alleviate vehicle and pedestrian traffic.

Staff recommended approval to revoke the Temporary Fencing Permit (Project #83-4277F.01).

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

- 11. Approval to modify the existing encroachment license agreement with Palm Beach County Palm Tran and transfer to a Right-of-Way Permit (Project #97-2632P.03). Location: East side of the E-4 Canal, west of Congress Avenue and north of Atlantic Avenue – Nicole Smith, Right-of-Way Permit Coordinator**

This item was postponed.

- 12. Approval to surplus and sale approximately 2.15 acres of L-44 Canal right-of-way. Location: South 40 feet of the south side of the L-44 canal right-of-way, immediately west of the E-2W Canal (Project #RI-18-0028) – David Bends, Project Surveyor**

Mr. Bends stated that GL Homes entered into a contract with the City of Boca Raton to purchase the City's municipal golf course with the intention of redeveloping the parcel into a subdivision for single-family homes. The proposed surplus easement is entirely within the development parcel and not contiguous to adjacent property owners; therefore, there is no requirement to advertise the sale of surplus lands.

Mr. Bends stated that the District acquired a canal reservation interest within a 40' strip on the north side of the L-44 Canal from the Central & Southern Florida Flood Control District recorded in ORB 1994, Page 1615 on March 27, 1972.

On November 24, 1987, the District conveyed a quit-claim deed to The Engle Group for the development parcel located on the north side of the L-44 Canal that included the 40' canal reservation in ORB 5492, Page 26. Historically, the 40' strip on the north side has been recognized by the public as the District's L-44 Canal right-of-way and is currently being used for maintenance and access. The District recognizes the lack of real estate interest in the 40' strip on the north side and the need to address the issue in the future.

Mr. Perry stated that he needs to communicate with the heirs of Engle Homes to obtain quiet title to clear ownership. Mr. Brown stated that staff will present a recommendation for board approval at the next board meeting.

Staff recommended the approval to declare surplus a portion of the variable width L-44 Canal Easement (~2.15 acres) recorded in ORB 5395, Page 1809 and to sell at Fair Market Value subject to: board approval of an appraisal based on Fair Market Value; the property owner conveying an exclusive easement deed to the District over the south 10 feet of north 50 feet of NE ¼ of Section 12/47/42, lying west of the Turnpike; together with the south 10 feet of the north 40 feet of Tracts 1 through 3 for the L-44 Canal; property owner realigning the L-44 Canal to the new design section and providing a new culvert into the E-2W Canal; property owner conveying an exclusive easement deed to the District over the east 10 feet of the development parcel for the E-2W Canal; sketch of descriptions; certification of title; legal and recording fees; approval of all plans by District staff; and District operating policies.

A motion was made by Supervisor Whitworth to approve staff recommendation, seconded by Supervisor Raucher and approved unanimously.

STAFF REPORTS

13. Executive Director's Report

Mr. Brown had nothing additional to report.

Director of Operations and Maintenance

Mr. Strowd presented an update on the SCADA system and indicated that the system is fully operational and worked extremely well during a recent rainfall event.

Ms. Megan Hoffman, Planner/Scheduler, updated the Board on the progress of the Canal Rehabilitation Program. Over the past 12 months, the District has cleared a total of 26.36 miles of vegetation on canal rights-of-way (52.40 miles from October 2015 to current): LWDD – 13.88 miles; Contractor – 9.06 miles; Developer – 3.42 miles

Mr. Anthony LasCasas, Assistant Director, Facilities & Maintenance, stated that 84% of the FY18 dedicated canal rehabilitation funds had been expended and/or encumbered as of May 2018. There are five additional projects planned for completion in 2018 at an estimated cost of \$372,000. Since those five additional projects will be more than the amount budgeted, staff will reallocate approximately \$210,000 of Operations & Maintenance budgeted funds from the canal dredging/maintenance to the canal rehabilitation projects for contracted tree clearing and surveying costs.

Director of Administrative Services

Ms. Walker stated that Joann Aylor is retiring in June 2018 after more than 35 years of service.

Director of Finance

Ms. Hoyt stated the District will soon solicit a Request for Proposals for a new auditing firm. She stated that a minimum three-member selection committee must review proposals and recommend a new auditing firm for board approval. In addition to herself, Ms. Hoyt recommended that one Board member and one outside member of the public with financial experience serve on the committee.

District Counsel


Mr. Perry had nothing additional to report.

14. Board Comment

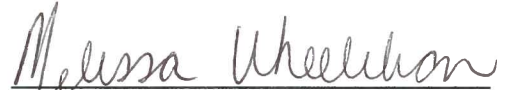
There were no additional board comments.

15. Adjourn

There being no further business, the meeting adjourned at 10:08 A.M.



President – James M. Alderman



Recording Secretary –Melissa Wheelihan