



**MINUTES OF A REGULAR MEETING OF
THE BOARD OF SUPERVISORS OF
LAKE WORTH DRAINAGE DISTRICT
HELD AT THE DELRAY BEACH OFFICE ON
OCTOBER 11, 2017 AT 8:30 A.M.**

Board Members Present:

James M. Alderman Steve Bedner Harry Raucher
John I. Whitworth, III Jeffrey P. Phipps, Sr.

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. Team of the Quarter Presentation – Mower Crew

Committee Member Kelsey Smith announced the Mower Crew as the Team of the Quarter. The mower crew was nominated for their exemplary safety record. The team includes Thomas Bosier, Zachary Braswell, Reggie Luke, Melody Maldonado, Gerome McCellion, Jesus Perez, Robert Reese, Vernon Richardson, Dominick Vaccaro and Lany Altman. Each team member was awarded a half-day of annual leave.

4. 25-Year Service Recognition - Wesley McCrae, Equipment Operator III

Mr. Brown and the Board of Supervisors recognized Mr. McCrae for his service to the District and presented him with a 25-year service pin and one day off.

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

Mr. Brown stated the advertised Item #13 was deleted indefinitely. A new Item #13 was added to provide timely approval of a SCADA contract addendum.

6. Abstentions by Board Members from Items on the Agenda

There were no abstentions.

7. General Public Comment

There were no public comments.

CONSENT

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

9. Approval of minutes, check registers and financial statements for August and September 2017

10. Approval of addendum to legal services contract – Robert Brown, Executive Director

11. Board vote on Consent Agenda

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

DISCUSSION

12. Consideration of requests to retain unauthorized encroachments on the E-4 Canal right-of-way. Location: E-4 Canal south of Germantown Road, Hampton Circle East (CM-17-0015 & CM-17-0016) – Tommy Strowd, Director of Operations & Maintenance

Mr. Strowd explained that the District began a canal rehabilitation project on the E-4 Canal (west bank) from L-38 to Old Germantown Road. He stated that the District removed the vegetation outside of current fencing along the canal, and removal of remaining encroachments would be scheduled for removal in the future. The residents at 2855 and 2895 Hampton Circle East requested Board approval to retain the existing encroachments. Mr. Strowd shared a right-of-way map and photos of the remaining encroachments.

Staff recommended to continue with the canal rehabilitation project, requiring removal of all remaining encroachments within the District's right-of-way.

Residents, Mr. John Boleno and Mr. Ken Taranto, provided public comment and requested the boards consideration to allow the fencing and landscape improvements to remain.

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

~~**13. DELETED: Approval to surplus a portion of the L-11 Canal. Location: South side of the L-11 Canal, west of Kirk Road, 4177 Narcissus Avenue, West Palm Beach (CH-17-1676) – Kelsey Smith, Project Surveyor**~~

13. ADDED: Approval of 4th amendment to the CH2MHill SCADA (Supervisory Control and Data Acquisition) Engineering Design Contract – Tommy Strowd, Director of Operations & Maintenance

Mr. Strowd explained that CH2MHill is requesting a contract amendment to adjust hourly rates for the SCADA engineering contract. Due to Hurricane Irma, the schedule for construction was delayed approximately one month thus extending project completion and the engineering contract past the original scheduled end date. The adjustments in rates will include an additional \$3,108 for contracted hourly rates for engineering services.

Staff recommended approval of the 4th amendment to the CH2MHill SCADA Engineering Design contract to authorize a change in contracted hourly rates totaling \$3,108.

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

**14. Approval to exchange quit claim deeds with Village of Palm Springs.
Location: L-11 Canal, a/k/a Canal 11 Road (Project #03-5145R.03) – Dave Bends, Project Surveyor**

Mr. Bends stated that the District and the Village of Palm Springs have been working to resolve road encroachments issues on the L-11 Canal right-of-way from Kirk Road to Davis Road. At the board meeting on February 15, 2017, the District agreed to relocate the canal north approximately 10 feet and provide the necessary fill and stabilize where needed with rip-rap rubble. The Village will relocate all utilities, extend or trim any existing drainage outfalls and provide outreach to the adjacent property owners. The District will deed its interest within the road right-of-way on the south side of the canal to the Village and in exchange the Village will deed its interest within the canal right-of-way on the north side to the District.

Staff recommended approval for authorization to exchange quit claim deeds with the Village of Palm Springs.

District Counsel, Mark Perry, stated there are two utility lines located in the area that will be deeded to the District and those will need to be permitted; however, the District will not charge permit fees to the Village. He also stated that the Village and Palm Beach County would have to abandon this right-of-way and once complete, the Village will be able to quit claim this area to the District.

President Alderman inquired about project costs to relocate the canal.

Mr. Strowd stated that outside the District's staff and equipment utilization, the other potential cost is associated with purchase of fill material.

Mr. Brown stated it benefits the District to eliminate the road from the right-of-way and reduce the liability.

Mr. Perry indicated that both parties have worked together over the past several years to agree on this mutually beneficial solution.

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

President Alderman called for a brief recess and called the meeting back to order.

WORKSHOP

15. Permit application process for existing encroachments – James Fandrey, Assistant Director of Right-of-Way

Mr. Fandrey stated that currently the District does not permit right-of-way encroachments, unless specifically defined by the current policy manual. If a request is received, staff informs the property owner of District policy and explains that

encroachments are not permitted. However, current policy provides the opportunity for property owners to petition the Board for approval via a variance. Under the new policy, the property owners have to complete an application and submit a non-refundable \$500 application fee before staff reviews the request and prepares a presentation to the Board.

With the canal rehabilitation program, requests to permit existing encroachments have increased and can significantly delay projects while awaiting board consideration at a future meeting. Often, residents provide public comment and request the board's approval to retain encroachments. In turn, the Board requests staff to meet with the resident, review and survey the site and present a recommendation to the Board at a future meeting.

In order to facilitate timely consideration of requests in the future, staff recommended applying the current policy and process when considering requests for existing encroachments prior to appearing before the Board. The requesting party must complete an application and submit a non-refundable \$500 application review fee. Staff will then review the application and present a recommendation for the Board's consideration. If the variance is approved, the application fee will be applied to any other required permit fees.

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

16. Hurricane Irma Recovery Update – Tommy Strowd, Director of Operations & Maintenance

Mr. Strowd presented an update on Hurricane Irma recovery efforts and provided an illustration of the GIS dashboard used by staff to capture and report storm damage immediately following the storm event. He explained that once recorded, projects were prioritized and field crews were dispatched accordingly. Mr. Strowd stated that all off the debris has been removed from within the canals and staff continues to remove vegetation on the rights-of-way.

17. Canal Rehabilitation Update and Equipment Usage Quarterly Report – Anthony LasCasas, Assistant Director of Facilitates & Maintenance

Mr. Strowd stated that due to the recent storm event, the canal rehabilitation program was delayed while staff efforts focused on debris removal.

Mr. LasCasas stated that the crew supervisors did a phenomenal job reorganizing their staff and helping with the hurricane debris removal. He provided a progress update on the Canal Rehabilitation Program, stating that over the past 12 months the District has cleared a total of 26.06 miles of vegetation on canal rights-of-way (36.43 miles from October 2015 to current): LWDD – 15.55 miles; Contractor – 9.62 miles; Developer – 0.89 mile

Mr. LasCasas stated that with the start of the new fiscal year the District is scheduled to receive bids for tree/vegetation removal services at the end of October. He indicated that contractors are currently busy with debris removal projects and the bid schedule may need to be adjusted accordingly.

Mr. LasCasas presented an update on equipment utilization stating that the utilization rates do not appear favorable due to impacts from Hurricane Irma. Mower utilization

was down because mowing crew staff were redirected to assist the tree crew. He also stated that the utilization for heavy equipment still has room for improvement to identify undefined time.

18. Executive Director's Annual Performance Evaluation – James M. Alderman, President

The board discussed key performance categories and rated Mr. Brown overall highly effective. The board recommended a one-time merit payment representing 5% of Mr. Brown's annual salary. The board also recommended approval of two additional days of annual leave each year for the executive director consistent with leave accrual for senior managers at state agencies.

Supervisor Bedner made a motion to approve the recommendations, seconded by Supervisor Raucher and approved unanimously.

STAFF REPORTS

19. Executive Director's Report

Mr. Brown stated the 2018 legislative session starts in January and indicated that Chris Coker of Coker Consulting would be attending an upcoming meeting to provide a pre-session update.

Mr. Brown recommended presenting the District's requests to use Transfer of Development Rights within the Agricultural Reserve to the Palm Beach County Commission in early Spring 2018.

Director of Operations & Maintenance

Mr. Strowd stated that Lake Okeechobee's water level is 17.2 feet and the U.S. Army Corps of Engineers is projecting that it will crest at 17.5 feet later this week. He stated there is twice as much water coming into the lake than going out and anticipates significant water releases within the week.

Director of Administrative Services

Ms. Walker shared a list of proposed dates for the 2018 board meetings and workshops and indicated that dates would be finalized and advertised after the November board meeting.

Ms. Walker stated that staff performance reviews are complete and merit awards will be effective with the next payroll.

Director of Finance

Ms. Hoyt stated the fiscal year ended on September 30, 2017 and the District's audit will begin. The District's auditing firm, Morrison, Brown, Argiz & Farra, LLC, will be mailing out correspondence and is on track to finish in March subject to information received from the state regarding the Florida Retirement System. The deadline to file is June 30, 2018.

District Counsel

Mr. Perry stated that he has been in contact with the Tuttle Land Development Company and will be required an updated appraisal for their requested purchase of a portion of the S-4E Canal right-of-way. The updated appraisal will be presented to the Board for approval at an upcoming meeting.

20. Board Comment

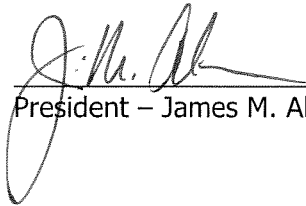
Supervisor Raucher inquired about a recent article on boatlifts and boat traffic in the chain of lakes (E-4 Canal) and if this would affect the District.

Mr. Strowd stated it could have a potential effect; however, the dock policy was revised and should mitigate for future impacts.

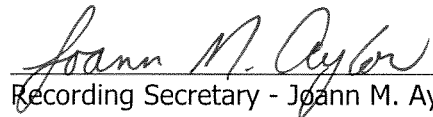
Mr. Brown stated that the District's enabling legislation provides the ability to consider a special assessment for a defined improvement project and he will be looking into options to present to the Board.

21. Adjourn

There being no further business, the meeting adjourned at 10:50 A.M.



President – James M. Alderman



Recording Secretary - Joann M. Aylor