



**MINUTES OF A REGULAR MEETING OF
THE BOARD OF SUPERVISORS OF
LAKE WORTH DRAINAGE DISTRICT
HELD AT THE DELRAY BEACH OFFICE ON
SEPTEMBER 12, 2018 AT 8:30 A.M.**

Board Members Present:

James M. Alderman
John I. Whitworth, III

Steve Bedner
Jeffrey P. Phipps, Sr.

Harry Raucher

1. Call to Order

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

2. Pledge of Allegiance

Mr. Bedner led the Pledge of Allegiance.

3. Employee of the Quarter Presentation – Kelsey Smith, Employee Committee

- **Linda McCafferty, Sr. Geospatial Analyst/Programmer**

The Employee Recognition Committee announced Linda McCafferty as the Employee of the 2nd quarter for April through June 2018. Ms. McCafferty is a Senior Geospatial Analyst and has been with the District for two years. She has played a major part in the implementation of several new GIS applications being used throughout the District.

4. 25-Year Service Recognition - Robert M. Brown, Executive Director

- **Armando Pereda, Tree Crew Leader**
- **Jim Schultz, Aquatics Crew Leader**

Mr. Brown and the Governing Board recognized Jim Schultz and Armando Pereda for 25 years of distinguished service at the District. Mr. Schultz and Mr. Pereda both started their career at the District on September 13, 1993.

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

Mr. Brown announced that Agenda Item #12 was added to the agenda.

6. Abstentions by Board Members from Items on the Agenda

There were no abstentions.

7. General Public Comment (limited to 5 minutes)

Sherry Croyle, resident adjacent to the L-50 Canal, requested the District begin work on the L-50 Canal prior to November 2018. Mr. Strowd stated the District agreed with the City of Boca Raton that work would not begin until after the District's October 2018 Board meeting.

Jeff Goldman, Assistant City Manager at City of Delray Beach, requested to meet with the District regarding rehabilitation on the L-35 and L-37 Canals. Mr. Brown stated the District will meet with adjacent property owners and City code enforcement staff to discuss encroachments on these canals.

Nicholas Capolla, Delray Beach resident, requested to meet to discuss which trees will be removed. Mr. Brown stated the District will remove nuisance and exotic trees, and encroachments will be removed at a later date.

CONSENT

- 8. Board comment or request to pull items from Consent Agenda**
- 9. Approval of minutes, check register and financial statement for the previous month**
- 10. Approval to surplus and dispose of designated items - Karen Hoyt, Director of Finance**
- 11. Board vote on Consent Agenda**

A motion was made by Senior Vice President Bedner to approve the consent agenda, seconded by Supervisor Whitworth.

DISCUSSION

- 12. Resolution 18-04 – Authorization to establish a new bank account for a higher rate of return – Karen Hoyt, Director of Finance (ADDED)**

Ms. Hoyt stated on August 16, 2018, the District received an offer from Florida Association of Special Districts with an advertisement from Florida Community Bank regarding a promotional 12-month CD rate of 2.4%. She stated that currently the District has a CD of \$3.11 million with BB&T earning a rate of 0.02%. In addition to the better rate for the CD, Florida Community Bank is also offering a money market rate of 1.45%. With regard to the offered CD, the District's interest rate would increase from 0.02% to 2.4% with a difference of \$74,029. With regard to the money market account, the District's interest rate would increase from 0.34% to 1.45% with a difference of \$55,500. Ms. Hoyt requested approval to establish a new bank with Florida Community Bank to take advantage of the higher rate of return. She stated that the bank provided required information on requested financial assurances.

Staff recommend approval to authorize the Executive Director and designated staff to transfer funds from BB&T and SunTrust and open two new accounts with Florida Community Bank to take advantage of rates currently being offered.

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

13. Approval to clear title and to issue a quit claim deed to Mainstreet CV North 40, LLC and receive an exclusive 80' easement for the L-42 Canal. Location: North side of Yamato Road, west of Congress Avenue (Project #17-71P.116) – Nicole Smith, Right-of-Way Permit Coordinator

Ms. Smith stated in November 1977, Mr. Wheelihan of LWDD requested an 80' easement for the L-42 Canal from IBM. On December 1977, the District conveyed a Non-Exclusive Easement for the L-42 Canal over the existing Chancery Case 407 to IBM. In July 2018, the District received a request to clear title by issuing a quit-claim deed for the Chancery Case 407 land.

Staff recommend approval to issue a quit-claim deed for the entire site, subject to the property owner conveying an exclusive 80' easement to the District for the L-42 Canal, legal and recording fees, and LWDD Operating Policies

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

14. Approval of ranking of qualified firms for Financial Auditing Services and authorization to enter into contract negotiations with the top ranked-firm (RFP #18-10162L.01) – Karen Hoyt, Director of Finance

Ms. Walker stated the District's current auditor, Morrison, Brown, Argiz & Farra (MBAF), is no longer providing governmental auditing services. On July 29, 2018, the District advertised a Request for Proposals for Financial Auditing Services. The District received five (5) responsive proposals from: Caler, Donten, Levine; Grau & Associates; Mauldin & Jenkins; Nowlen, Holt & Miner, PA; and Templeton & Company. Ms. Walker stated the selection committee included Jeffrey P. Phipps, Sr. (Board Supervisor), Debbie Diaz (Principal, MBAF) and Karen Hoyt (Director of Finance). The ranking criteria was based on General Government Audit Experience (0-10 pts), Special District Audit Experience (0-25 pts), Qualifications of Individuals Assigned to Audit (0-20 pts), Demonstrated Understanding of Requirements (0-10 pts) and Audit Approach (0-15 pts). The firms were ranked in order as follows:

1. Grau & Associates (232 pts)
2. Nowlen, Holt & Miner (224 pts)
3. Caler, Donten, Levine (209 pts)
3. Mauldin & Jenkins (209 pts)
4. Templeton & Company (194 pts)

Staff recommended approval of the ranked firms and authorization to enter into contract negotiations with the top-ranked firm, Grau & Associates.

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

15. Overview of enhanced aquatic inventory processes – Jim Schultz, Aquatics Crew Leader

Mr. Schultz stated that the aquatics crew is required to keep track of the inventory and application of herbicides for State and federal requirements, work schedules and planning, public inquiries, budget forecasting and financial auditing. Over the past several years, staff worked to automate the herbicide inventory and tracking processes. Staff previously tracked the herbicide inventory via paper reporting, hand drawn maps, and manual entry of data into spreadsheets and a Microsoft Access database. The process generated more than 4,100 pieces of paper per year. Mr. Schultz stated that in 2017, staff selected Chemical Safety's EMS (Environmental Management Systems) software solution to track inventory. The IT department extended the network, installed WiFi in the Chemical Building, and purchased a printer, bar code scanner and tablets for the Aquatics Crew to be able to use the software remotely. The improvements have resulted in automation of the herbicide inventory and spray application tracking, improved and simplified access to information, more accurate reconciliation of inventory, automated map production and a significant reduction in paper.

Mr. Alderman inquired if the District's boats have GPS tracking. Mr. Schultz stated that the boats are tracked through the GPS Insight software program which records where the herbicides are applied. The Chemical Safety software tracks the amount used and containers have a measuring tool on them to assist with checking the chemical back into inventory.

16. Approval to solicit a Request for Proposals for IT Managed Services (RFP #18-10165L.01) – Juan Tobar, Information Technology Manager

Mr. Tobar stated that IT Managed Services includes a service level agreement for network, server, switch, and desktop support with a guaranteed number of hours for monthly remote and on-site support, as well as backup and disaster recovery (BDR) solutions. He stated that the District has contracted with PC LanTech since 2013. With the recent implementation of SCADA, the network and support services has nearly doubled requiring an increase in contracted rates. To ensure competitive rates, staff recommended approval to advertise a Request for Proposals for IT Managed Services.

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

17. Approval to solicit Requests for Bids for tree removal services for Consolidated Canal Rehabilitation Projects - Anthony LasCasas, Assistant Director of Facilities and Maintenance

- CCRP 1 - L-7, L-8, L-9 & L-10 – East of Military Trail (4.40 miles)
- CCRP 2 - L-48 & L-49 from FL Turnpike to Military Trail (3.40 miles)
- CCRP 3 - L-45 & L-46 from SR-7 to FL Turnpike (3.42 miles)
- CCRP 4 - L-15 & L-16 – East of Military Trail (2.36 miles)

Ms. Hoffman stated that the District is planning to combine regional canal rehabilitation projects into several larger consolidated projects to take advantage of better rates based on economy of scale. The projects will be bid and awarded separately. The District will provide the right-of-way mapping and the contractor will provide all other services. The projects include mostly residential areas and will be completed by the order and size of the project. Each of the contracts will be paid with 2% retainage held until completion.

Staff recommend approval to advertise four separate Request for Bids for the 2019 Consolidated Canal Rehabilitation Projects (CCRP). The solicitations are projected to be advertised monthly beginning in October 2018. The CCRP #1 award is scheduled for Board approval in December 2018 with work commencing in January 2019.

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

18. Approval of FY2019 legal services contract with Mark A. Perry, P.A. – Robert M. Brown, Executive Director

Mr. Brown recommended approval of the revised Legal Services Agreement with the Law Firm of Mark A. Perry for \$80,400 annually, representing 50 weeks of service for 8 hours per week. As requested by the District, additional legal services are billable at a rate of \$200 per hour. The contract is renewable annually with a 30-day termination clause.

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

STAFF REPORTS

19. Executive Director's Report

Director of Operations & Maintenance

Ms. Hoffman updated the Board on the progress of the Canal Rehabilitation Program. Over the past 12 months, the District has cleared a total of 26.34 miles of vegetation on canal rights-of-way (62.47 miles from October 2015 to current): LWDD – 12.85 miles; Contractor – 9.35 miles; Developer – 4.14 miles. Ms. Hoffman also stated that the rehabilitation project on the E-4 Canal at Leisureville has been successfully completed.

Director of Administrative Services

Nothing additional to report.

Director of Finance

Nothing additional to report.

District Counsel

Mr. Perry stated that TOUSA Homes, Inc., owners of a 40' strip of land on the north side of the L-44 Canal right-of-way at Brentwood of Boca, agreed to release their property interest. Therefore, the District will not need to file a suit for quiet title.

Mr. Perry stated that prior to filing a lawsuit, he will be drafting a final letter to Kelly Tractor demanding settlement of payment for faulty equipment resulting in a damaged track loader. Mr. Brown stated the District has exposure of more than \$75,000 due to rental and repair costs associated with the damaged track loader. The District had to pay a rental fee of \$4,000 a month for a replacement track loader during repairs. President Alderman instructed Mr. Perry to complete the letter and conclude the issue as soon as possible.

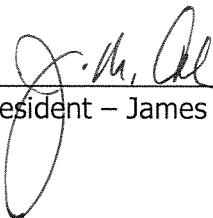
Mr. Perry stated he will be meeting with the acting Director of Palm Beach County Planning and Zoning, Ramsey Blakely, within the next two weeks to discuss the District's letter requesting clarification on canal right-of-way being recognized as a legal lot of record by County staff to prevent future misinterpretations during the conveyance or sale of District lands.

20. Board Comment

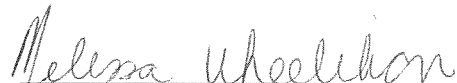
The Board discussed Mr. Brown's upcoming retirement in March 2019, as well as options for recruitment and transition. The Board will continue discussions at a future meeting to plan for future recruitment.

21. Adjourn

There being no further business, the meeting adjourned at 10:00 A.M.



President – James M. Alderman



Recording Secretary– Melissa Wheelihan