



**MINUTES OF A REGULAR MEETING OF  
THE BOARD OF SUPERVISORS OF  
LAKE WORTH DRAINAGE DISTRICT  
HELD AT THE DELRAY BEACH OFFICE ON  
NOVEMBER 14, 2018 AT 8:30 A.M.**

**Board Members Present:**

James M. Alderman  
John I. Whitworth, III

Harry Raucher  
Jeffrey P. Phipps, Sr.

Steve Bedner

**1. Call to Order**

President James M. 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**  
• **Steve Sherman, Right-of-Way Compliance Coordinator**

Mr. Smith for the Employee Recognition Committee announced Steve Sherman, Right-of-Way Compliance Coordinator, as the Employee of the 3rd quarter for July through September 2018. Mr. Sherman has been the main point of contact for residents during the canal rehabilitation program.

**4. Agenda Revisions - Robert M. Brown, Executive Director**

There were no agenda revisions.

**5. Abstentions by Board Members from Items on the Agenda**

There were no abstentions.

**6. General Public Comment**

There were no public comments.

**CONSENT**

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

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

**9. Board vote on Consent Agenda**

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

## **DISCUSSION**

**10. Approval to issue a Right-of-Way Permit to pipe a portion of the L-20 Canal for paving and parking. Location: L-20 Canal, east of Jog Road (Project #RW-18-0195) – Nicole Smith, Permit Coordinator**

Ms. Smith stated that in May 2002 and in April 2006, the Board initially approved piping a portion of the L-20 Canal under a Piping, Paving and Parking License Agreement between LWDD and Mr. Pribell. In September 2007, the Board approved Mr. Pribell's subsequent request to purchase a portion of the L-20 Canal right-of-way subject to conveyance of an 80' exclusive easement to LWDD. The Piping, Paving, and Parking License Agreement was also reapproved at the September 2007 meeting. In March 2008, Mr. Pribell paid LWDD \$130,500 fair market value for a portion of the L-20 Canal. A quit claim deed and easement deed were recorded in the Public Records. In November 2008 and September 2009, the Board reapproved authorization for a Piping, Paving and Parking License Agreement. In November 2009, the Board denied Mr. Pribell's request to receive the permit for the Piping, Paving, and Parking License Agreement prior to paying all associated fees.

In November 2018, Mr. Pribell once again requested re-approval of the Piping, Paving and Parking License Agreement as he was seeking to sell the property. Ms. Smith stated that LWDD policy does not support issuance of a permit to pipe a canal unless there is a hardship. Due to previous board approvals, purchase of the property with the exclusive easement, and the configuration of the L-20 Canal through the subject parcel, staff recommended to issue a Right-of-Way Permit for the Piping and Paving of a portion of the L-20 Canal, subject to permit fees which include an application fee of \$2,745.00, one time use fee of \$6,100.00 and annual fee of \$1,220.00 adjusted every five years by the compounded Consumer Price Index.

*A motion was made by Supervisor Raucher to approve staff's recommendation, seconded by Vice President Phipps with a vote of 4-1. Supervisor Whitworth was the dissenting vote.*

**11. Approval to enter into a Memorandum of Agreement with Florida's Turnpike Enterprise for roadway improvements. Location: E-2W Canal, adjacent to the Florida Turnpike, between Boynton Beach Boulevard and Lake Worth Road (Project #SW-17-0007) – Jim Fandrey, Assistant Director of Right-of-Way**

Mr. Fandrey stated at the April 2016 Board meeting, conceptual approval was given to the proposed design by Florida's Turnpike Enterprise for widening of Florida's Turnpike to eight lanes from Boynton Beach Boulevard to Lake Worth Road. Part of proposed design included constructing a bulkhead wall within the eastern most 20 feet of the LWDD E-2W Canal to provide enough room for the road widening. The proposed bulkhead wall will not only address proposed widening requirements, but will also alleviate the existing erosion and maintenance concerns of LWDD. Mr. Fandrey stated that upon completion of construction and final inspection, LWDD will transfer to Florida's Turnpike Enterprise fee simple ownership of the right-of-way between the current west right-of-way line of Florida's Turnpike (east right-of-way line of E-2W Canal) and the westerly side of the newly constructed bulkhead wall. Florida's

Turnpike Enterprise submitted a permit application and associated fees. LWDD staff will review the design plans for future permit issuance. LWDD and Florida's Turnpike Enterprise proposed entering into a Memorandum of Agreement (MOA) to further define ownership and maintenance obligations during and after construction.

Staff recommended approval to enter into a Memorandum of Agreement (MOA) with Florida's Turnpike Enterprise.

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

**12. Approval to enter into contracts with top-ranked firms for surveying services (RFP #18-9854L.04) – Kelsey Smith, Project Surveyor**

Mr. Smith provided background regarding the Canal Rehabilitation Program and the need for the support of contracted surveying services. He stated that due to the number of expedited projects, the need for surveying services will exceed the workload capacities of District survey staff. The contracts will be for a two-year period with two (2) one-year options to renew (maximum of 4 years). Mr. Smith stated that at the October 2019 Board meeting, the top-ranked firms were approved, and staff subsequently negotiated an acceptable rate schedule with the firms.

Staff recommended to approval to enter into contracts with Wantman Group, DRMP and Bowman Consulting for annual surveying services subject to the negotiated rate schedules.

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

**13. Approval to enter into a contract with the top-ranked firm, PC Lan Techs, for IT Managed Services (RFP #18-10165L.01) – Juan Tobar, IT Manager**

Ms. Walker stated LWDD requires the support of IT Managed Services to provide IT support services for the District's network, servers, and switches, as well as desktop support, backup and disaster recovery services for all servers, technical expertise for advanced-level computer and server configuration/installation, network security, server management/migration, etc. Ms. Walker also stated that these services also provide 24/7 support and security and predictable monthly costs. Ms. Walker stated that the District advertised a Request for Proposals for Managed Services and received three responses. The firms were ranked by a staff committee as follows:

1. PC Lan Techs
2. CSPi Technology Solutions
3. The Scarlett Group

Ms. Walker stated PC Lan Techs is LWDD's current provider. Staff recommended to approve the ranked firms and authorization to enter into a three-year contract with PC Lan Techs for IT Managed Services not to exceed \$90,000 annually, with the option to renew annually for three additional one-year terms.

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

**14. Control Structure No. 9 Relocation Update – Tommy Strowd, Director of Operations & Maintenance**

Mr. Strowd provided an update on the Control Structure 9 relocation project and stated that the 30% design review deliverable has been completed, which includes the site layout, facilities configuration, geotech sampling and analysis, and the basic mechanical and electrical layout and design. The groundwater modeling is not yet complete. Mr. Strowd stated that the residential areas adjacent to the proposed new site are on city water and sewer except for the northeast quadrant which is on septic tanks. He stated there are three flood control gates proposed which will not increase capacity, but allows for flexible operations. SCADA will be installed similar to that of the other control structures. Automated trash rakes for vegetation clean-up will be installed to keep the gates operational. The contractor's schedule indicates the 60% design review deliverable will be completed before the end of 2018, and the project bid should be awarded in June with an estimated construction start date in August 2019. Construction is expected to take 12-16 months for completion. Mr. Brown stated that the project should be complete by early 2021.

**STAFF REPORTS**

**15. Executive Director's Report**

Mr. Brown stated that the Sub-District 1 seat on the Board of Supervisors is up for election at the January 2019 Landowners' meeting. Interested candidates must submit their letter of intent to run before the end of the December 12, 2018 board meeting. Mr. Alderman indicated his intent to run again for the seat.

**Director of Operations & Maintenance**

Mr. Strowd stated that the District has been pumping water into the system over the last month and is likely to continue to do so with the lack of rainfall. Mr. Brown stated that Lake Okeechobee is at 13.5' which is approximately 3' lower than it was last year at the same time.

Ms. Hoffman updated the Board on the progress of the Canal Rehabilitation Program. Over the past 12 months, the District cleared a total of 30.66 miles of vegetation on canal rights-of-way (68.05 miles from October 2015 to current): LWDD – 17.62 miles; Contractor – 9.35 miles; Developer – 3.69 miles.

**Director of Administrative Services**

Ms. Walker had nothing additional to report.

**Director of Finance**

Ms. Hoyt had nothing additional to support.

## District Counsel

Mr. Perry stated that John McClusky, attorney for Kelly Tractor sent a letter requesting a meeting be set up to discuss a resolution prior to a lawsuit being filed for faulty equipment. As of the Board meeting, a meeting with Kelly Tractor had not been scheduled. The Board directed Mr. Perry to move forward with filing a lawsuit to recover its losses due to the faulty equipment.

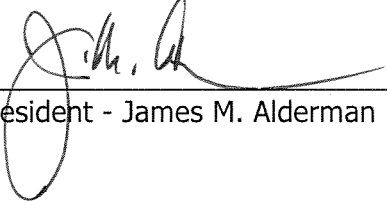
*A motion by Supervisor Whitworth to approve Mr. Perry to file a lawsuit to recover losses, seconded by Senior Vice President Bedner and approved unanimously.*

## 16. Board Comment

Mr. Alderman asked Mr. Brown to provide an update on his succession plan when he retires in March 2019. Mr. Brown stated that the Board agreed to recruit internally for his replacement and interested candidates were to convey their interest by the December Board meeting. In January 2019, interviews will be scheduled as needed to meet with applicants.

## 17. Adjourn

There being no further business, the meeting adjourned at 9:50 A.M.

  
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President - James M. Alderman

  
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Recording Secretary – Melissa Wheelihan