



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

Board Members Present:

James M. Alderman
John I. Whitworth, III

Harry Raucher
Steve Bedner

Jeffrey P. Phipps, Sr.

1. Call to Order

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

2. Pledge of Allegiance

Mr. Whitworth led the Pledge of Allegiance.

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

Mr. Brown announced that the parties were not present for Agenda Item #11 and the item may need to be postponed.

A motion was made by Supervisor Whitworth to postpone item #11, seconded by Vice President Phipps and approved unanimously.

4. Abstentions by Board Members from items on the Agenda

There were no abstentions.

5. General Public Comment

Barbara Blais, resident in Andover on the L-37 Canal, requested to install a vegetation barrier or fence behind her home on the right-of-way following a recent canal rehabilitation project. She stated a barrier would help obscure the unsightly residential area behind her home. Mr. Brown stated that a buffer could be installed on her property outside of the District's right-of-way. Mr. LasCasas stated the right-of-way could be sodded but no other plantings would be approved.

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. Approval to renew contract with Toler Enterprise, Inc. for annual mowing services (RFB 17-9886P.06 & 17-9886P.07) – Anthony LasCasas, Assistant Director, Facilities and Maintenance

9. **Approval of CC Controls as the sole source provider for the SCADA system components for Control Structures 19 & 20 – Anthony LasCasas, Assistant Director, Facilities & Maintenance**
10. **Board vote on Consent Agenda**

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

DISCUSSION

11. **Conceptual approval of the surplus and sale of ~11.2 acres of District right-of-way. Location: E-2 ½ Canal; SFRTA Tri-Rail station at Yamato Road and I-95 (RI-18-0108) – Robert M. Brown, Executive Director**

Mr. Gromann from The Related Group arrived late to present his item.

A motion was made by Supervisor Raucher to add Agenda Item #11 back to the agenda, seconded by Senior Vice President Bedner with a vote of 4-1. Supervisor Whitworth was the dissenting vote.

Mr. Brown stated that The Related Group requested the District's consideration to surplus and sale a portion of the E-3½-2 Canal right-of-way as may be necessary for a proposal that they submitted to the South Florida Regional Transportation Authority (SFRTA) to develop the Yamato Tri-Rail Station. The requested surplus area is approximately 11 acres from the El Rio Canal/Yamato Road to south of Spanish River Boulevard.

Mr. Brown stated that the District's policy on the surplus and sale of right-of-way requires Board approval of an appraisal based on fair market value, and proof of notification to adjacent landowners to determine if there are other interested parties. If there are other interested parties, a public bid process is required. Mr. Brown also stated that conditions of any future sale would include conveyance of an exclusive easement to the District and a right-of-way permit for any proposed activities subject to all permit policies, application fees and annual fees. The Board's approval to surplus property is valid for one (1) year.

Mr. Brown stated there was an existing piping agreement issued to the SFRTA in October 2004 for approximately 750 feet of canal. He also requested that Mr. Gromann provide a clear exhibit illustrating the right-of-way acreage requested.

Mr. Gromann acknowledged the District's policies and conditions and requested the Board's consideration to surplus the property.

Staff recommended approval to consider surplus of approximately 11.5 acres of right-of-way on the E-3½ -2 Canal, from the El Rio Canal/Yamato Road to south of Spanish River Boulevard, subject to District policies and procedures.

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

12. **Approval to award bid to the lowest responsive and responsible bidder, Arbor Tree & Land (ATL Diversified) for vegetation and tree removal**

services for Consolidated Canal Rehabilitation Project No. 1. Location: L-7, L-8, L-9 and L-10 Canals (4.40 miles) (RFB 18-10166P.01) – Megan Hoffman, Project Manager

Ms. Hoffman stated the Board authorized staff to solicit a Request for Bids for vegetation and tree removal services for the CCRP #1 in September 2018. The solicitation was advertised on October 28, 2018 and the subsequent bid opening was held on November 29, 2018. Three (3) bids were submitted:

- Tetro Land Development & Construction, LLC - \$386,185.62
- Arbor Tree & Land (ATL Diversified) - \$389,500.00
- Treecycle Land Clearing, Inc. - \$583,175.00

Ms. Hoffman stated the bid submitted by Tetro Land Development & Construction, LLC was deemed non-responsive.

Staff recommended approval to award the bid to Arbor Tree & Land (ATL Diversified) in the amount of \$389,500.00.

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

STAFF REPORTS

13. Executive Director's Report

Mr. Brown stated that Mr. James M. Alderman submitted a letter of intent to run for the Board of Supervisors' Sub-District 1 seat at the Annual Landowner's Meeting on January 9, 2019. There were no other letters of intent received to run for the seat.

Director of Operations & Maintenance

Ms. Hoffman updated the Board on the progress of the Canal Rehabilitation Program. Over the past 12 months, the District cleared a total of 28.35 miles of vegetation on canal rights-of-way (69.05 miles from October 2015 to current): LWDD – 16.75 miles; Contractor – 9.35 miles; Developer – 2.25 miles.

Mr. Strowd stated that he attended a pre-application meeting with South Florida Water Management District to discuss renewal of LWDD's water use permit and stated that he expects the permit application will be submitted by year end.

Mr. Strowd also stated that Lake Okeechobee water levels is at 12.8' and continues to drop.

Director of Administrative Services

Ms. Walker reminded the Board that District offices will be closed on Monday, December 31, 2018 for a discretionary holiday and Tuesday, January 1, 2019 for the New Year holiday.

Ms. Walker announced that the Annual Landowners' Meeting is on Wednesday, January 9, 2019 at 9:00 AM and the regular monthly board meeting will be held on the same day and begin immediately following the Landowners' Meeting.

Director of Finance

Ms. Hoyt stated that the District has received approximately 20% of its non-ad valorem revenue to date.

District Counsel

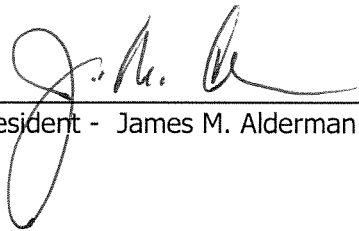
Mr. Perry stated that the lawsuit was against Kelly Tractor and Caterpillar was filed on December 3, 2018. Mr. Perry stated that the attorney representing Kelly Tractor requested a meeting to discuss a settlement.

14. Board Comment

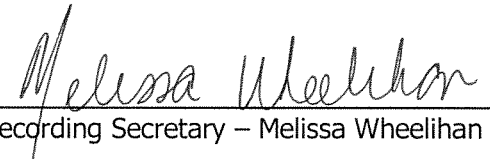
Mr. Bedner requested an update on applicants for the Executive Director position. Mr. Brown stated any resumes received will be provided to the Board members for discussion in January.

15. Adjourn

There being no further business, the meeting adjourned at 9:40 A.M.



President - James M. Alderman



Recording Secretary – Melissa Wheelihan