

**MINUTES OF A REGULAR MEETING OF
THE BOARD OF SUPERVISORS OF
LAKE WORTH DRAINAGE DISTRICT
HELD AT THE DELRAY BEACH OFFICE ON
APRIL 16, 2014 AT 8:30 A.M.**

Board Members Present:

James M. Alderman	C. David Goodlett
John I. Whitworth, III	Harry Raucher

Board Member Absent:

Joyce D. Haley

1. Call to Order

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

2. Pledge of Allegiance

3. Agenda Revisions

There were no agenda revisions.

4. Abstentions by Board Members from items on the Agenda

Related to Agenda Item 13, Attorney Mark Perry stated that G.L. Homes of Florida II Corporation was the only responsive bidder for the Phase II Sale of Transfer of Development Rights (TDRs) for Lake Worth Drainage District. Mr. Perry explained that there were no board members or their family members with any financial interest in this entity. Based on Sections 112.3143(3)(a) and 112.3143(3)(b) Florida Statutes, Mr. Perry provided a legal opinion that current board members did not have a conflict of interest and indicated that all board members, including Mr. Alderman and Mr. Whitworth, could vote on Agenda Item 13. He further indicated it was not necessary for any board member to complete Form 8B, Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers.

5. Florida Power & Light – Melissa Roettger, Governmental Account Manager

Patrick Martin introduced Melissa Roettger and Jerry Soteloo, Account Managers for Florida Power & Light (FPL). Mr. Soteloo will be the primary FPL liaison for the District. Mr. Soteloo indicated his willingness to work with the District in the future.

6. General Public Comment

There was no general public comment.

CONSENT AGENDA

- 7. Approval of Minutes, Check Register, Financial Statement and Documents for the previous month**
- 8. Patios Del Mar (LWDD Project No. 14-9041P.01 and 14-9041P.02) –** Declare eligible the South 13.2 feet of Lots 16 and 18; issue a quit-claim deed upon receipt of \$180 fee and certificate of title. Authorize staff to issue additional quit-claim deeds for Patios Del Mar as requests are submitted. Location: L-49 Canal, Lot 16 and Lot 18, PATIOS DEL MAR, PB 31, Pg 221. Witte and Craig, P.A. and Grand and Grand, P.A. (Thomas Barry, Surveyor)
- 9. Wind Drift (LWDD Project No. 14-7770P.04) –** Declare eligible the South 13.2 feet of Lot 33, et al; issue a quit-claim deed upon receipt of \$180 fee and certificate of title. Authorize staff to issue additional quit-claim deeds for Wind Drift as requests are submitted. Location: L-49 Canal, Lot 33, et al, Wind Drift PUD PB 30, Pg 186. Princeton Title and Escrow, LLC (Thomas Barry, Surveyor)
- 10. Board Vote on Consent Agenda**

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

WORKSHOP

- 11. Sea Level Rise and Water Management in South Florida – Jayantha Obeysekera, PhD. P.E., Chief Modeler, Hydrologic & Environmental System Modeling, South Florida Water Management District**

Dr. Obeysekera provided background information on rising sea levels and explained potential impacts on water resource management in South Florida.

DISCUSSION AGENDA

- 12. Presentation of Fiscal Year 2013 Financial Highlights – Karen Hoyt, Director of Finance**

Ms. Hoyt provided to the board copies of the final Governance Letter and Financial Statements for the Fiscal Year 2013, and presented the Fiscal Year 2013 Financial Highlights including revenues, expenditures and fund balances.

Ms. Hoyt recommended that the board accept and receive the financial statements as presented for fiscal year ended September 30, 2013.

A motion was made by Vice President Whitworth to approve the recommendation, seconded by Supervisor Alderman and approved unanimously.

Supervisor Alderman commented on the exemplary state of the canal system and commended staff on a job well done.

13. Award of Bid for Phase II Sale of Transfer of Development Rights (TDRs) for LWDD canal rights-of-way located within the Ag Reserve – Mark A. Perry, General Counsel

President Raucher restated Mr. Perry's legal opinion that board members did not have a voting conflict with this agenda item.

Mr. Perry stated that on March 12, 2014, the board approved the sale of 113.84 acres of Lake Worth Drainage District Rights-of-Way for the Phase II Sale of Transfer of Development Rights with a minimum bid of \$75,000 per TDR. The Request for Bids was published on March 23, 2014, and a mandatory pre-bid meeting was held on April 2, 2014. The bid opening was held on April 15, 2014. G.L. Homes of Florida II Corporation was the sole bidder.

Mr. Perry recommended award of the Bid to G.L. Homes of Florida II Corporation for 113.84 TDRs at \$75,000 per TDR.

Supervisor Goodlett expressed his support in the opportunity to build District revenue.

A motion was made by Supervisor Goodlett to approve the recommendation, seconded by Supervisor Alderman and approved unanimously.

14. Phase III Sale of Transfer of Development Rights (TDRs) for LWDD canal rights-of-way located within the Ag Reserve – Mark A. Perry, General Counsel

Vice President Whitworth abstained from all discussion and voting on this item and completed Form 8B, Memorandum of Voting Conflict for County, Municipal and Other Local Public Officers.

Mr. Perry stated that staff is discussing a final phase of sale for TDRs and preliminary research indicates there may be an additional 100+ TDRs for Phase III. Staff requested authorization to continue researching District Rights-of-Way for potential TDRs remaining for sale, obtain an updated appraisal, and bring any recommendations back to the board for further direction.

Supervisor Goodlett commented that staff should consider the best time to sell based on market strength.

Supervisor Alderman indicated his preference for TDR revenues to be used for capital improvements rather than equipment purchases, and requested staff to provide recommendations for the use of the TDR revenues for capital expenditures.

A motion was made by Supervisor Goodlett to approve the recommendation, seconded by Supervisor Alderman and approved with three votes. Vice President Whitworth abstained from voting and completed Form 8B, Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers.

- 15. Boca West 1 Tower (LWDD Project No. 11-55P.37) - Request approval for a Temporary Access Agreement along the LWDD E-2E Canal for six months in order to construct a 125 foot flagpole type tower. Location: Southeast Quad of E-2E Canal and Yamato Road (installation of tower) Northeast Quad of E-2E and Glades Road (access) – Nicole Smith, Right-of-Way Coordinator II**

Patrick Martin explained that Vertex Development is requesting temporary access for six months to use the District's E-2E Canal right-of-way in order to install a 125-foot cell tower. Access will not be used for routine maintenance. Staff recommended approval for Vertex Development to use approximately 2,518 feet of the E-2E Canal right-of-way for six months for the construction of the cell tower. Staff will prepare and record the Temporary Access Agreement, including language confirming that the temporary use is for the construction of the tower only and not to be used for routine maintenance. The applicant will meet all District Operating Policies and pay all applicable fees.

Mr. Perry inquired if Boca West has identified a regular maintenance route. Mr. Martin confirmed that a regular maintenance route has been established.

A motion was made by Vice President Whitworth to approve the recommendation, seconded by Supervisor Alderman and approved unanimously.

- 16. Authorize surplus and disposal of designated equipment and vehicles – Michael D. Baker, Director of Operations and Maintenance**

Mr. Baker presented equipment requested for surplus pursuant to Chapter 274, Florida Statutes. Staff requested approval to surplus and dispose of listed equipment through direct trade-in or auction, and authorization to use Extraordinary Income Funds to supplement use of Fiscal Year 2014 budgeted funds and trade-in allowance to purchase four dump trucks.

Vice President Whitworth inquired if the revenue from the sale of surplus equipment would be used to purchase new equipment. Mr. Baker confirmed that proceeds would be used to purchase new equipment.

Robert Brown indicated that there are funds currently budgeted to purchase one new dump truck. Mr. Baker and Mr. Brown further discussed the justification for replacement of three (3) District dump trucks.

Supervisor Alderman expressed concern about replacing the dump trucks with smaller models and requested that staff investigate fuel mileage prior to purchasing.

A motion was made by Vice President Whitworth to approve the recommendation, seconded by Supervisor Goodlett and approved unanimously.

STAFF REPORTS

17. Executive Director's Report

Mr. Brown welcomed Tommy Strowd to the District. Mr. Strowd will be replacing Mr. Baker upon his retirement in June.

Mr. Brown indicated that he and Mr. Strowd will be working on a conceptual spend-down plan for future board discussion.

Supervisor Alderman inquired about the possibility of estimating the costs for recovery after a storm event. Mr. Brown confirmed that information would be shared with the board as part of the conceptual spend-down plan recommendations.

Mr. Brown shared that he and Mr. Raucher attended the Water Resources Advisory Commission meeting on April 3, 2014 in Sunrise. The main topic of discussion was the Central Everglades Planning Project.

Mr. Brown also shared that since we were unable to purchase Farm Bureau's adjacent building for additional office space, he would like to move forward in securing an architectural firm to design a new on-site building.

Mr. Brown invited board members to attend the staff luncheon and meeting held on April 17, 2014.

Director of Operations and Maintenance

Mr. Baker provided an update on Control Structure No. 4 and proposed to construct a new building on the existing concrete slab located on the east side of the canal. Mr. Brown stated that Control Structure No. 4 is one of the structures included in the RFQ for automation. Mr. Baker indicated that he will be soliciting bids for construction once he receives final plans.

Director of Administrative Services

Ms. Walker stated that employee mid-year performance reviews were completed and that end-of-year reviews will be completed in September.

Ms. Walker also stated that the District's website will be redesigned over the next several months. Supervisor Goodlett inquired about the cost for redesign and

selection of the vendor. Ms. Walker confirmed redesign of the website was the best use of funds rather than incurring ongoing additional costs for edits to the current website. The District is using a media firm recommended by a neighboring local district.

Ms. Walker reminded the board that April is Water Conservation Month and discussed staff efforts to promote water conservation.

Ms. Walker provided updates on facility improvements, including replacement of the fence on the District's west property line and resurfacing of the two-story office building. Future improvements will include installation of security badge readers, painting of all office buildings, and replacement of the hurricane shutters.

Director of Engineering & Right-of-Way

Mr. Martin provided an update on the Request for Qualifications for structure automation and SCADA Systems. The RFQ was advertised, packages were made available, and a mandatory pre-evaluation and selection meeting was held. Submittals will be evaluated by the committee and recommendations will be brought to the board for approval.

Mr. Martin stated that a draft water quality report has been completed, reflecting District data as well as Palm Beach and Broward County data. There are some outstanding issues to be addressed prior to finalizing the report.

Mr. Martin shared that staff is currently reviewing the final draft water control plan for distribution to the South Florida Water Management District and local municipalities.

Mr. Martin shared that a spill prevention plan was completed to contain any spill that occurs on the District's main campus or rights-of-ways.

Mr. Martin stated the L-23W culvert replacements were completed. He also shared that work is underway for the installation of two new doors and extension of the overhang in the shop area to expand the fabricators workspace.

Director of Finance

Ms. Hoyt stated that staff will begin meeting to discuss the FY2015 budget, and the preliminary budget will be presented to the board in July.

District Counsel

Mr. Perry shared a list of proposed legislation that may impact the District, including House Bill 1237/Senate Bill 1632 related to special districts and House Bill 985/Senate Bill 718 related to public meetings.

18. Board Comment

There was no additional board comment.

19. Adjourn

There being no further business a motion was made by Vice President Whitworth, seconded by Supervisor Alderman and approved unanimously to adjourn the meeting at 10:10 A.M.

President – Harry Raucher

Recording Secretary – Joann M. Aylor