



**MINUTES OF A REGULAR MEETING OF
THE BOARD OF SUPERVISORS OF
LAKE WORTH DRAINAGE DISTRICT
HELD AT THE DELRAY BEACH OFFICE ON
November 16, 2022 AT 8:30 A.M.**

Board Members Present:

John I. Whitworth, III
Carrie P. Hill

James M. Alderman
Jeffrey Phipps, Sr.

Stephen Bedner

1. Call to Order

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

2. Pledge of Allegiance

Ms. Hill led the Pledge of Allegiance.

**3. Oath of Office for Appointed Board Supervisor – Carrie Parker Hill,
Sub-District 4**

District Counsel Mark Perry issued the oath of office to appointed interim Board Supervisor Carrie P. Hill (Sub-District 4).

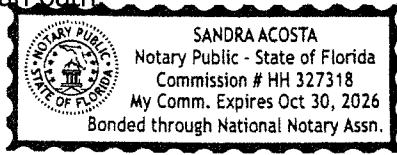
Carrie P. Hill, having been duly appointed to the Board of Supervisors as an interim board member at the Board of Supervisors' Meeting held October 12, 2022 to serve the remainder of the term for the Sub-District 4 seat which expires January 2023, took the oath of office in the form and manner required by law, after which she took her seat as the newly appointed Supervisor of the Board of Supervisors of the Lake Worth Drainage District for Sub-District 4.

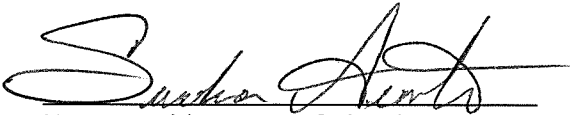
OATH OF CARRIE P. HILL

State of Florida
County of Palm Beach

Before me, the undersigned, a Notary Public, personally appeared Carrie P. Hill, who being duly sworn, did depose and say that "she will honestly, faithfully and impartially perform the duties devolved upon her in the office of Supervisor of the Lake Worth Drainage District, to which office she has been duly appointed, and that she will not neglect any of the duties imposed upon her by the laws of the State of Florida."

The foregoing instrument was acknowledged before me this the 16th day of November 2022, by Carrie P. Hill, who is personally known to me and who did take an oath




Notary Public State of Florida

Ms. Hill has submitted her letter of intent to run for the January 2023 Election of Board Supervisors of Lake Worth Drainage District Election Sub-District 4.

4. Agenda Revisions – Tommy Strowd, Executive Director

Mr. Strowd announced that Agenda Item #8 is postponed.

5. Abstentions by Board Members from Items on the Agenda

There were no abstentions.

6. General Public Comment

There were no public comments.

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

A motion was made by Supervisor Whitworth to approve the minutes, check register and financial statement for the previous month, seconded by Supervisor Phipps and approved unanimously.

DISCUSSION

8. Denial of Palm Beach County petition for installation of a 6,700' guardrail encroachment within the L-42 Canal right-of-way adjacent to Yamato Road. Location: North side of the L-42 Canal between Lakeridge Boulevard to west of the Florida Turnpike. (Project #RW-0195) – Tommy Strowd, Executive Director – ITEM POSTPONED

9. Approval to convey fee simple title to Florida Department of Transportation for area required for turn lane associated with The Fount Multiple Planned Use Development in exchange for an Exclusive Easement on the south side of LWDD's 50' Easement. Location: E-3 Canal & L-1 Canal, south side of Okeechobee Blvd and south side of L-1 Canal (Project #RI-19-0144) – David Bends, Right-of-Way Interest Supervisor

Mr. Bends stated The Fount MUPD is seeking approval to convey fee simple title for the area required for a turn lane in exchange for exclusive easement on the south side of LWDD's existing 50' easement. He stated the development parcels are located on the north end of the District, on the south side of Okeechobee Boulevard and on the east side of the E-3 Canal.

Mr. Bends stated the stakeholders and development team remain the same -- the long-term lessee - AHS Residential; LLC, property owner - The Town of Palm Beach; and planner - Schmidt Nichols. The Fount, MUPD is a proposed high-density development containing 708 dwelling units with retail sales and a restaurant, containing 27.66 acres, consisting of two (2) seven-story buildings, three (3) residential buildings, a three (3) story parking structure, two (2) retail buildings and a restaurant w/ a drive-through along Okeechobee Blvd.

Mr. Bends provided a map of the site. He stated on November 17, 2021, the Board approved piping of the north-south portion of the L-1 Canal and transfer of LWDD maintenance obligations of the existing 84" reinforced concrete pipe to the long-term lessee and the Town of Palm Beach. He stated the property owner is currently seeking Board approval to exchange the right-of-way for a required turn lane into the proposed development and approval to install a Signal Mast Arm in the L-1 Canal right-of-way.

Mr. Bends provided a map demonstrating the proposed right-of-way exchange. He explained the Mast Arm is for the intersection on the north side of Okeechobee Boulevard hanging over in an east-west direction. He stated that the District sought an engineer's structural analysis, in which the report stated canal excavations can be performed safely without impacting the mast arm structure.

Staff recommended approval to convey fee simple title to FDOT for the area required for the turn lane, containing 2,210 SQ. FT., in exchange for an Exclusive Easement on the south side of LWDD's existing 50' Easement, containing 4,230 SQ. FT. subject to: property owner coordinating and completing the turn lane donation process with FDOT prior to plat recordation; approval of all plans by staff; sketch and descriptions, certification of title, and LWDD operating policies.

Mr. Phipps inquired about traffic issues associated with Okeechobee Boulevard and this project. Mr. Strowd stated that the turn lane required by the County would assist with alleviating traffic issues.

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

10. Approval to convey 0.26 acres of fee simple right-of-way on the L-14 Canal to property owner Sean Casey in exchange for 0.26 acres of fee simple title on the E-2W Canal. Location: 5019 80th Terrace South, Lake Worth; southwest corner of the L-14 Canal and E-2W Canal. (Project #RI-21-0026) – David Bends, Right-of-Way Interest Supervisor

Mr. Bends stated in December 30, 2014, Mr. Sean Casey acquired title to the subject property which included LWDD's ownership interest of the north 84.48-ft of the L-14 Canal acquired through Chancery Case 407. Mr. Casey has multiple unresolved compliance issues associated with the property including an unpermitted dock and structural encroachments. Mr. Casey also has multiple compliance issues with the County. Mr. Casey met with staff requesting resolution of the LWDD compliance issues. Staff recommended a right-of-way exchange to benefit both LWDD and Mr. Casey.

Mr. Bends provided an exhibit demonstrating the parcel exchange between Mr. Casey and LWDD.

Staff recommended approval to convey the South 54.48' of the North 84.48' of the West 211.28' of Tract 2, containing 11,510 SQ FT, in exchange for conveyance of the east 20' of Tract 2, less the North 84.48' thereof, containing 11,510 SQ FT subject to: property owner removing all encroachments within proposed right-of-ways on the L-14 and E-2W Canals prior to conveyances including but not limited to dock, concrete pad and all vegetation; LWDD completion of canal bank refurbishment on the south side of the L-14 Canal to be scheduled following removal of encroachments by property owner; sketch of descriptions; certification of title; and LWDD operating policies.

President Bedner inquired about the timeframe for the property owner to remove the trees. Assistant Executive Director Reagan Walker stated conveyances would not be finalized until all encumbrances would be removed.

Supervisor Whitworth inquired about the existing FPL easement adjacent to the E-2W Canal. Sr. Vice President Alderman requested staff to follow up to ensure the FPL easement was extinguished.

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

11. Approval to release remaining Chancery and Reservation interest to clear title on abandoned portion of L-37 Canal. Location: 2400 Palm Drive, Delray Beach; southwest corner of Old Germantown Road and Congress Ave (Project #RI-22-0085) – Dave Bends, Right-of-Way Interest Supervisor

Mr. Bends stated that in June 1915, the south 34.98' of the SW ¼ of the NE ¼; together with the north 86.46' of the NW ¼ of the SE ¼ of Section 30/46/43 was taken for canal right-of-way per Chancery Case 407, which includes those portions within the subject property. He stated in February 1968, LWDD quit-claimed a portion of LWDD's chancery interest per ORB 1639, PG 373. He stated in October 2022, LWDD received a request to clear title by conveyance of a quit-claim deed to the property owner to release the remainder of LWDD's chancery interest and reservations. There is no LWDD canal within or adjacent to the parcel.

Staff recommended approval to release LWDD's chancery and reservation interest in the property subject to: certification of title; \$250.00 fee; and LWDD operating policies.

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

12. Approval of list of qualified contractors to provide Aquatic Vegetation Control Services for Fiscal Year 2023 (RFQ #22-10352L.12) – Anthony LasCasas, Director of Operations & Maintenance

Mr. LasCasas stated to effectively treat and control aquatic vegetation while actively maintaining the low maintenance rights-of-way, LWDD may request contractor assistance to supplement District staff and spot treat designated areas, as needed. He stated that he is currently fully staffed; therefore, the amount of work that will be requested from outside vendors will be less than last year.

He stated there are no specific projects currently defined. Once a project is identified and if supplemental services are needed, staff will define a specific scope and go out to the selected contractors and award to the lowest bid.

Mr. LasCasas provided a list of qualified contractors that submitted responses to the Request for Qualifications:

1. Aquatic Vegetation Control, Inc.
2. Bio- Tech Consulting, Inc.
3. DeAngelo Contracting Services, LLC (DBA: Aquagenix)
4. EarthBalance Corporation
5. Wetlands Management SF, LLC

He stated a total of seven (7) packages were received, in which five (5) were considered responsive, and two (2) were non-responsive due to missing material information.

Staff recommended approval of the list of qualified contractors to perform Aquatic Vegetation Control Services, as needed, during a one-year period for Fiscal Year 2023, from November 2022 to September 2023.

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

13. Approval to award bid and enter into a contract with MaintenX International, the lowest responsive and responsible bidder, for the LWDD Building A roofing project (RFB #22-5947L.17) – Anthony LasCasas, Director of Operations & Maintenance

Mr. LasCasas stated the roof on the second story of LWDD Building A needs re-roofing. He stated it was originally constructed in 1989 and replaced in 2005 after suffering damage from Hurricane Frances (September 2004). The roof has had several repairs and remediation within the past several years. Mr. LasCasas stated the roof has reached its useful life and feels that continuing to patch and repair it would not be effective any longer.

Mr. LasCasas stated the District solicited a Request for Bids. Three (3) bids were submitted; only two (2) were responsive. He provided a list of the responding roofing companies:

Company	Lump Sum Bid Amount
1. MaintenX International	\$117,000
2. Triple M Roofing Corporation	\$198,500
3. Perkins Roofing Corporation	Non-responsive

Staff recommended approval to award the bid and enter into a contract with MaintenX International in the amount of \$117,000 for the re-roofing of LWDD Building A.

Supervisor Phipps inquired if we are requesting any additional services with replacement of the roof. Mr. LasCasas stated that the contractor will be installing a hatch to access the roof from the interior of the building.

Supervisor Whitworth requested that any contract add-ons be approved by the Board.

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

14. Approval to enter into a contract with SUEZ Smart & Environmental Solutions for development and implementation of a Stormwater Management Dashboard (RFP #22-10355L.01) – Tommy Strowd, Executive Director

Mr. Strowd stated in May 2022, LWDD solicited a Request for Proposals for development and implementation of a Stormwater Management Dashboard to integrate data sources into one operational dashboard to facilitate efficient operational decision making. In September 2022, the Board approved to enter into contract negotiations with the top ranked firm, Suez Smart & Environmental Solutions (SES North America , Inc). Mr. Strowd stated Suez has a proposed project schedule of six (6) months with anticipated completion in the summer of 2023.

Mr. Strowd provided the proposed project cost including:

- One-time fees: \$107,500 - \$122,500
 - eRIS Enterprise License Fee - \$47,500
 - Development & Implementation – \$60K-\$75K (*final cost determined by # of dashboard & reports*)
- Annual subscription fees: \$12,950
 - Software maintenance & partner benefits - \$10,450
 - Web data subscription - \$1,000
 - Mobile app subscription - \$1,500

Staff recommended approval to enter into a contract and license agreement with SES North America, Inc. for development and implementation of a Stormwater Management Dashboard; license and implementation not to exceed the amount of \$122,500. The annual subscription is \$12,950 for 5 years; 2% max annual escalation

for subsequent of three (3) years. Beyond the eighth (8th) year, Suez may renegotiate fee increase, not to exceed the current annual CPI.

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

STAFF REPORTS

15. Executive Director's Report

Mr. Strowd provided a water conditions update. He stated that the District has received 51.57 inches of rainfall this year which is approximately 4 inches below average. He stated during the wet season we experienced below average rainfall; however, we caught up due to tropical systems Ian and Nicole. Lake Okeechobee is currently at 16.22 ft which puts the District in a good position for the dry season.

Mr. LasCasas stated work is ongoing for refurbishment of Control Structure 9. He also shared that Megan Hoffman has been promoted to Vegetation Management Section Leader, and Michelle Sinclair has been promoted to Operations & Maintenance Specialist.

Director of Regulation Brian Tilles announced that Margie Illsley was promoted to Right-of-Way Specialist.

Director of Finance & Administration Karen Hoyt stated staff is currently working on the annual audit and we expect the annual audit to be presented in April 2023.

Supervisor Phipps requested quarterly reports of the District's investment portfolio. Ms. Hoyt stated quarterly reports will be provided when funds are invested following the Board approval.

Ms. Walker stated that staff will present investment portfolio options at the workshop on December 6, 2022.

Ms. Walker stated that the Sub-District 2 and Sub-District 4 Board seats are up for election at the January 2023 Landowners Meeting. Currently, Supervisor Hill has submitted her intent to run for Sub-District 4, and President Bedner has submitted his intent to run for Sub-District 2. Ms. Walker stated the deadline for other interested parties to submit their intent to run is at the end of the December board meeting.

16. District Counsel's Report

Mr. Perry indicated that he would provide an update on the Delray Lakes Estates encroachment issue at a future Board meeting.

17. Board Reports & Comment

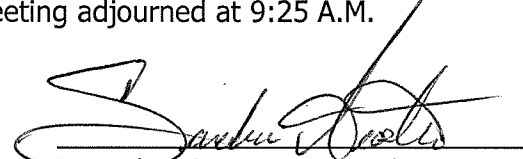
Ms. Hill stated she looked forward to serving on the LWDD Board of Supervisors.

18. Adjourn

There being no further business, the meeting adjourned at 9:25 A.M.

A handwritten signature in black ink, appearing to be 'Stephen Bedner', written over a horizontal line.

President – Stephen Bedner

A handwritten signature in black ink, appearing to be 'Sandra Acosta', written over a horizontal line.

Recording Secretary – Sandra Acosta