

**MINUTES OF A REGULAR MEETING OF
THE BOARD OF SUPERVISORS OF
LAKE WORTH DRAINAGE DISTRICT
HELD AT THE DELRAY BEACH OFFICE ON
April 12, 2023 AT 8:30 A.M.**

Board Members Present:

John I. Whitworth, III
Jeffrey Phipps, Sr.

James M. Alderman
Carrie P. Hill

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. Service Award Recognition - Tim Smith, Canal Maintenance Section Lead - 25 Years

Mr. Strowd recognized Tim Smith for 25 years of service at the District. His supervisor, Anthony LasCasas, and the Board thanked Mr. Smith for his service and presented him with a service pin and certificate in recognition of his service.

4. Agenda Revisions – Tommy Strowd, Executive Director

There were no agenda revisions.

5. Abstentions by Board Members from Items on the Agenda

There were no abstentions.

6. 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 Sr. Vice President Alderman and approved unanimously.

7. General Public Comment (limited to 5 minutes)

There was no general public comment.

DISCUSSION

8. Approval to enter into a purchase and sale agreement with Boca Station, LLC for ~2 acres of E-3½-2 Canal right-of-way adjacent to the Yamato Road Tri-Rail Station (Project #RI-18-0108) – Reagan Walker, Assistant Executive Director

Ms. Walker presented aerial pictures of the site reflecting the Districts current ownership. She stated in December 2020, South Florida Regional Transportation Authority (SFRTA) solicited a Request for Proposals for development of several Tri-Rail sites, including the Boca Raton site at Yamato Road. In early 2022, SFRTA selected 13th Floor (also known as Boca Station) as the preferred proposal subject to negotiations. Subsequently, 13th Floor contacted LWDD to request purchasing LWDD's fee simple right-of-way adjacent to the site. In April 2022, the Board approved the surplus and sale of the referenced right-of-way to the adjacent property owner, SFRTA, subject to approval of an updated fair market value appraisal. An updated appraisal was conducted by Anderson Carr in April 2022. The market value for the two-acre site was appraised at \$3.5 million (87,120 S.F. @ \$40 per S.F. or \$1,742,400 per acre). In May 2022, the Board approved to sell to SFRTA (adjacent property owner) ~2 acres of E-3 ½-2 Canal right-of-way adjacent to Yamato Road Tri-Rail Station subject to fair market appraised value of \$40 per S.F./ \$1,742,400 per acre; an exclusive easement over LWDD property; and permitting policies for the existing piping agreement issued to SFRTA in October 2004 (~750 feet).

Ms. Walker stated the Board approval to surplus and sell was effective for one year and expires in May 2023. She expressed that staff have been working with Boca Station to draft a sale and purchase agreement for the right-of-way. Ms. Walker indicated staff is seeking Board approval to enter into a sales agreement for purchase of the right-of-way for \$40 per SQ FT/ \$1,742,400 per acre. Boca Station is currently proposing to purchase .65 acres for \$1,129,400, with an option to increase acreage as needed. The proposed closing date is 18 months after the contract effective date with an option to extend for up to 9 months. She stated the appraised value is effective for one year from the contract effective date, and Boca Station has the right to terminate up until the closing date. Ms. Walker indicated that this is pending on SFRTA, as the adjacent landowner, agreeing to be the grantee of the property, and conveying an exclusive easement over the property and be named as a co-permittee on the piping agreement.

Supervisor Phipps inquired regarding the appraised value.

Counsel Perry noted that over the past year similar property values have remained relatively constant and he stated that the appraisal conducted by Anderson Carr is still acceptable.

Staff recommended approval to enter into a purchase and sale agreement with Boca Station, LLC for all or a portion of the LWDD E-3 ½-2 Canal fee simple right-of-way directly adjacent to SFRTA Yamato Road Tri-Rail Station.

President Bender inquired about the expected closing date.

Senior Vice President Alderman and Supervisor Whitworth inquired whether there was a deposit required for the purchase.

Counsel Perry stated that while a deposit is indeed required, it is not required to be paid upfront.

Vice president Hill inquired on the amount of the proposed deposit.

Ms. Walker stated the amount of the proposed deposit is \$75,000 after 12 months.

Vice president Hill inquired on the cost of the Anderson Carr appraisal.

Ms. Walker stated that the cost of the appraisal was approximately \$4,000.

President Bedner requested that a representative from Boca Station provide some insight into the deposit of \$75,000.

Mr. Jonathan Raiffée, representing Boca Station on behalf of Adler Development, introduced himself as one of the partners of the project. Mr. Raiffée pointed out that this presented an excellent opportunity for the District to monetize the property. He then provided an update on their efforts to secure site plan approval from the City of Boca Raton and the SFRTA for Tri Rail.

Vice President Hill proposed that an initial non-refundable payment of \$10,000 be made from the deposit to cover the costs of appraisal and staff time, with the remaining \$65,000 to be paid within 6 months.

A motion was made by Vice President Hill to approve staff recommendation to enter into the purchase agreement subject to an initial \$10,000 non-refundable deposit with the remaining deposit to be paid within 6 months. The motion was seconded by Senior Vice President Alderman and approved unanimously.

9. Approval to enter into a contract with Gehring Group for Health Insurance and Employee Benefits Brokerage Services (RFP #23-9584L.02) – Karen Hoyt, Director of Finance & Administration

Ms. Hoyt stated in January 2023, the District solicited a Request for Proposals for brokerage services for health insurance and employee benefits, in March 2023 the Board approved the ranking of the firms and authorized staff to enter into contract negotiations with the top ranked firm Gehring Group. The negotiated contract spans a duration of two years, with the option for three one-year renewals. She stated staff has negotiated the rates for medical insurance at 4.5% and other plans at 8%, an overall decrease in fees by approximately 13% or \$10,000 based on the 2023 premiums.

Ms. Hoyt noted that the transition plan will be put into motion as soon the contract is executed; she indicated that there will be no lapse in service.

Staff recommended approval to enter into a contract with Gehring Group for Brokerage Services, Health Insurance and Employee Benefits.

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

STAFF REPORTS

10. Canal Rehabilitation Program Update – Megan Hoffman, Vegetation Management Section Leader

Ms. Hoffman provided an update on the progress of the Canal Rehabilitation Program. Since October 2015, the District has cleared more than 162.3 miles of vegetation on its canal rights-of-way: LWDD – 82.5 miles; contractor – 74.1 miles; developer – 5.7 miles. There are 12.4 miles remaining of 174.7 miles; 8.23 miles have been completed within the past 12 months.

Ms. Hoffman shared a list of remaining projects and briefed the board on their status.

Ms. Hoffman stated because of the unanticipated delays of some CRP Projects, staff will need to post another RFQ to requalify contractors for tree removal services in the month of April. She stated that the current contract is due to expire in May 2023. She anticipates bringing a list of qualified contractors to the Board for approval in the upcoming meeting in May.

Mr. LasCasas delivered a briefing regarding Canal Bank Restoration projects (CRP Phase II), outlining the comprehensive scope of work needed to establish a sustainable right-of-way.

President Bedner made an inquiry on behalf of Mr. LasCasas regarding the approval to purchase a mini excavator.

Mr. LasCasas has identified a need for an additional mini excavator, which he estimates will cost \$34,219. He expressed that this acquisition would aid in CRP Phase II and low maintenance bank mowing.

Supervisor Whitworth inquired on the make/brand of the mini excavator. Mr. LasCasas stated it is a Yanmar.

A motion was made by Supervisor Phipps to approve the purchase of a mini excavator, seconded by Supervisor Whitworth and approved unanimously.

11. Executive Director's Report

Mr. Strowd provided an update on the status of the proposed new Lake Okeechobee Operating Schedule (LOSOM). He reported that the Army Corps of Engineers (Corps) initiated the development of a new schedule now that the Herbert Hoover Dike has been refurbished. He stated that it was anticipated to have the final Environmental Impact Statement published by next month. However, the National Marine Fisheries Service is requiring the Corps to enter a formal consultation with the Department of Interior over endangered species specifically the Greenback Turtle in the gulf, and its associated impacts from the

Red Tide. He indicated this will result in a six-month delay, the time frame was originally set for April- May 2023 and now it has been scheduled for December 2023 -January 2024. Mr. Strowd indicated that the Corps of Engineers will continue to operate under the existing schedule for the time being.

Mr. Strowd reported he recently gave a presentation about LOSOM to the Palm Beach County Water Resources Task Force, addressing the impact to southeastern Palm Beach County because of the implementation of the new schedule. Mr. Strowd indicated that the presentation was well received and anticipates the positive reception of the presentation will help to emphasize to the commission the importance of the county's engagement in the issue.

Mr. Strowd reported that he has been collaborating with Ernie Cox on the implementation of the operating plan for C-51. He then explained the District's involvement in the project, noting that a few years ago, the District entered into an agreement with the Palm Beach Aggregates. Under this agreement, when water is released from the reservoir, the District collects the water from the C-51 Canal and delivers it downstream to the Hillsboro Canal, covering the associated operating expenses.

According to Mr. Strowd, Mr. Cox has developed a formal operations plan for both the reservoir and the process of delivering the water to Broward County. He added that they will be meeting with the Water Management District over the next month to finalize the plan.

Mr. Strowd, on behalf of Mr. Cox, asked the Board members if they would be interested in touring the C-51 Reservoir. He noted that now would be the perfect time for a visit, as the reservoir is currently empty and the members would have the opportunity to see its full capacity.

Ms. Hoyt reported Sean Gannon from PFM will be attending the upcoming May Workshop to provide an update on the District's current investments and returns.

Ms. Walker announced that a Workshop will be held May 9; she anticipates there will be a discussion on ASR Feasibility Study during that time.

12. District Counsel's Report

No additional items to report.

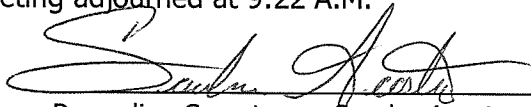
13. Board Reports & Comment

No additional reports or comments.

14. Adjourn

There being no further business, the meeting adjourned at 9:22 A.M.


President – Stephen Bedner


Recording Secretary – Sandra Acosta