

Surplus and Disposal

Governing Board Meeting

August 16, 2023

Agenda Item #8

Karen Hoyt, Director of Finance

Surplus and Disposal

- Pursuant to Chapter 274, Florida Statutes, the District has the discretion to surplus property that is obsolete or the continued use of which is uneconomical, unsafe, inefficient, or which serves no useful function
- Staff has identified items that meets this criteria and requests that they be declared surplus, and disposed of through the recommended disposal method

Listing of Items

	<u>Asset ID</u>	<u>Description</u>	<u>Original Cost</u>	<u>Acquisition Date</u>	<u>Recommended Disposal Method</u>
Buildings & Improvements					
1	B141A	A/C Unit - Lennox 2.0 Ton (Condenser)	2,310.00	12/19/2016	Garbage / Recycling Program
2	B190B	Security Cameras	1,782.33	1/14/2021	Garbage / Recycling Program
Controls & Pumps					
3	CS11	Automation - CS #9	148,879.00	9/30/1997	Garbage / Recycling Program
4	CS33	Lift Pump - 48 inch, Used - CS #9	34,087.11	10/1/2013	Used for Spare / Parts
5	CS34	Refurbishment of Pump - CS #9	67,143.00	6/17/2014	Garbage / Recycling Program
6	CS35	Pump Houses - CS #9	19,125.00	6/25/2014	Garbage / Recycling Program
7	CS64	Ultrasonic Level Transmitter - CS #9	2,900.00	7/31/2019	Garbage / Recycling Program
Machinery & Equipment					
8	07277	Center Console & Controls, Boat 17	2,219.78	8/22/2011	Online Auction Website/Employee Sale/Recycling Program
9	M-062	Excavator, 2007 Volvo <i>Hours - 14,387</i>	187,370.00	11/1/2007	Online Auction Website/Employee Sale/Recycling Program
10	T-096	2007 Ford F450 XL 4 X 4 <i>Mileage - 206,872</i>	33,832.52	2/5/2007	Online Auction Website/Employee Sale/Recycling Program
11	T-096A	Customization - Dual Wheel Crane	11,630.00	2/22/2007	Online Auction Website/Employee Sale/Recycling Program
12	T-096B	Hydraulic Truck Crane	9,650.00	4/16/2007	Online Auction Website/Employee Sale/Recycling Program
13	T-107	2008 Ford F250 4X4 <i>Mileage - 72,504</i>	27,183.00	2/6/2008	Online Auction Website/Employee Sale/Recycling Program
14	T-114	2008 Sterling Terra Truck <i>Hours - 7,960 / Mileage - 72,504</i>	160,931.00	7/3/2008	Online Auction Website/Employee Sale/Recycling Program
15	T-122	2011 Ford F150 4X4 <i>Mileage - 138,638</i>	28,534.00	5/13/2011	Online Auction Website/Employee Sale/Recycling Program
16	T-123	2011 Ford F150 4X4 <i>Mileage - 101,775</i>	28,534.00	5/13/2011	Online Auction Website/Employee Sale/Recycling Program

Listing of Items (Continued)

Asset ID Description		Original Cost	Acquisition Date	Recommended Disposal Method
Office Furniture, Fixtures & Equipment				
17	01113 Right-Of-Way Records	24,829.00	9/30/1983	Garbage / Recycling Program
18	7016 Desk	1,236.00	8/31/2005	Garbage / Recycling Program
19	7034 Desk	1,006.00	8/31/2005	Garbage / Recycling Program
20	07124 Mica Work Table	799.00	2/6/2007	Garbage / Recycling Program
21	07188 Desk	1,794.00	10/22/2007	Garbage / Recycling Program
22	07395 Wireless Access Points System	8,623.04	6/18/2014	Garbage / Recycling Program
23	07534 Dual Frequency Echocsounder	10,000.00	9/16/2016	Online Auction Website/Employee Sale/Recycling Program
24	07535 Software - ArcGIS for Server	10,000.00	3/21/2016	Garbage / Recycling Program
25	07536 Software - ArcGIS for Desktop	9,900.00	5/2/2016	Garbage / Recycling Program
26	07562 Rack Station 4-Bay Network	1,785.99	5/2/2017	IT Asset Disposition Provider/Employee Sale/Recycling Program
27	07573 Computer Laptop - Dell	2,796.19	2/1/2018	Online Auction Website/Employee Sale/Recycling Program
28	07574 Computer Tower - Dell	2,750.00	2/1/2018	Online Auction Website/Employee Sale/Recycling Program
29	07575 Computer Tower - Dell	2,750.00	2/1/2018	Online Auction Website/Employee Sale/Recycling Program
30	07577 Computer Tower - Dell	2,750.00	2/1/2018	Online Auction Website/Employee Sale/Recycling Program
31	07578 Computer Tower - Dell	2,750.00	2/1/2018	Online Auction Website/Employee Sale/Recycling Program
32	07579 Computer Tower - Dell	2,750.00	2/1/2018	Online Auction Website/Employee Sale/Recycling Program
33	07594 Computer Workstation - Dell	1,187.88	2/1/2018	Online Auction Website/Employee Sale/Recycling Program
34	07595 Computer Workstation - Dell	1,187.88	2/1/2018	Online Auction Website/Employee Sale/Recycling Program
35	07601 Computer Workstation - Dell	1,187.88	2/1/2018	Online Auction Website/Employee Sale/Recycling Program
36	07607 Computer Workstation - Dell	1,187.88	2/1/2018	Online Auction Website/Employee Sale/Recycling Program
37	07620 Computer Laptop- Dell Latitude	2,052.14	4/12/2018	Online Auction Website/Employee Sale/Recycling Program
38	07643 Computer Laptop- Dell Latitude	2,270.00	3/27/2019	Online Auction Website/Employee Sale/Recycling Program

861,703.62

Vehicle/Equipment Surplus Criteria

- For Vehicles of 1.5 tons or less – 12 years or 200,000 miles, or maintenance exceeds reasonable value
- For Vehicles more than 1.5 tons – 10 years or 200,000 miles, or maintenance exceeds reasonable value
- Current vehicles requesting to be surplused/ disposed of meet criteria for age requirement, and have reached useful life
- T-114 2008 Sterling 65” Bucket Truck, 15 years w/ 7,960 hours/ 59,614 miles – *Fleet reduction; not being replaced*

Staff Recommendation

Declare listed items surplus and authorize disposal of items through the recommended disposal method.

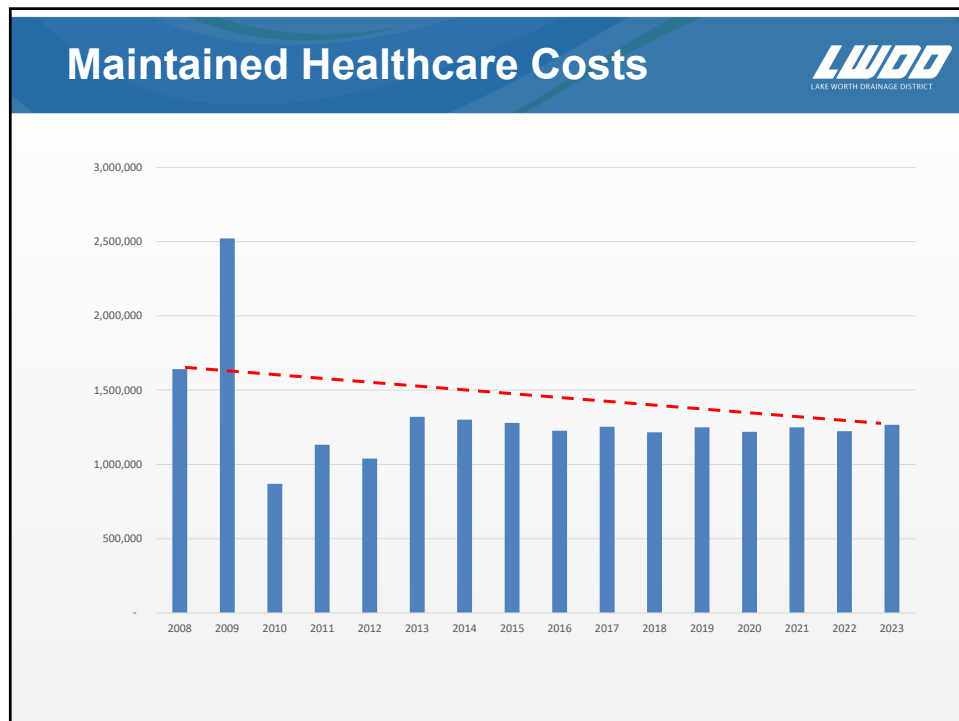


Insurance Renewals

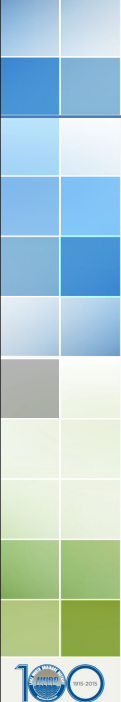
Melissa Skora, HR Administrator
Board Meeting – August 16, 2023
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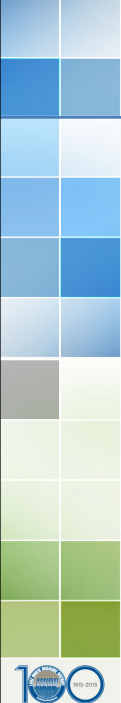


Mitigating Health Care Costs

- Benchmarking with public entities
- Regular dependent eligibility auditing
- Plan designs and employee education to incentivize smart health care choices
- Wellness incentives
- Elective vision and dental plans with separate contribution structures
- Surcharges for tobacco users and dependents




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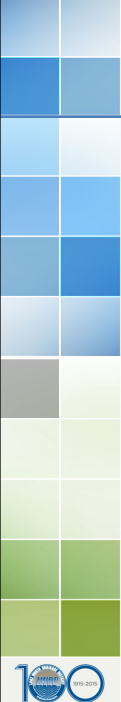


Medical Plan Renewals

- Cigna's initial quote for renewal of medical benefits reflected an 15% increase
- Through negotiations, Cigna reduced rates to a 5% increase
- Enhancements
 - \$4,500 from Cigna to use towards wellness incentives




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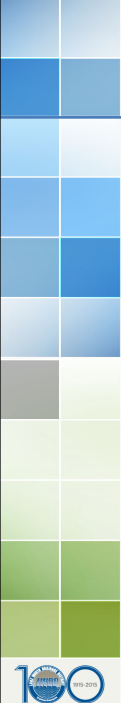


Medical Plan Renewals

- Current trend for medical plans are 11%
- Comparable agencies are experiencing 15-30% increases
- Several 'catastrophic' claims; claims exceeded premiums




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Dental and Vision Plan Renewals

- Guardian quoted a flat renewal with the same dental and vision coverage



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Life and Disability Renewals

- No increase in life and disability plan with Guardian due to being in a rate guarantee

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Benefit Summary

Type	Current		Proposed		Difference
Medical	Cigna	\$1,348,348	Cigna	\$1,415,928	\$67,580
Dental	Guardian	\$74,684	Guardian	\$74,684	\$0
Vision	Guardian	\$14,349	Guardian	\$14,349	\$0
Life	Guardian	\$10,974	Guardian	\$10,974	\$0
Disability	Guardian	\$19,926	Guardian	\$19,926	\$0
Totals		\$1,468,281		\$1,535,861	\$67,580 5.0%

*Rates based on 84 participating members; not inclusive of employee/retiree contributions.
Quotes within FY24 budgeted funds*

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Staff Recommendation

- Approval for continuation of insurance
 - Medical - Cigna Health Care
 - Vision, Dental, Life and Disability – Guardian



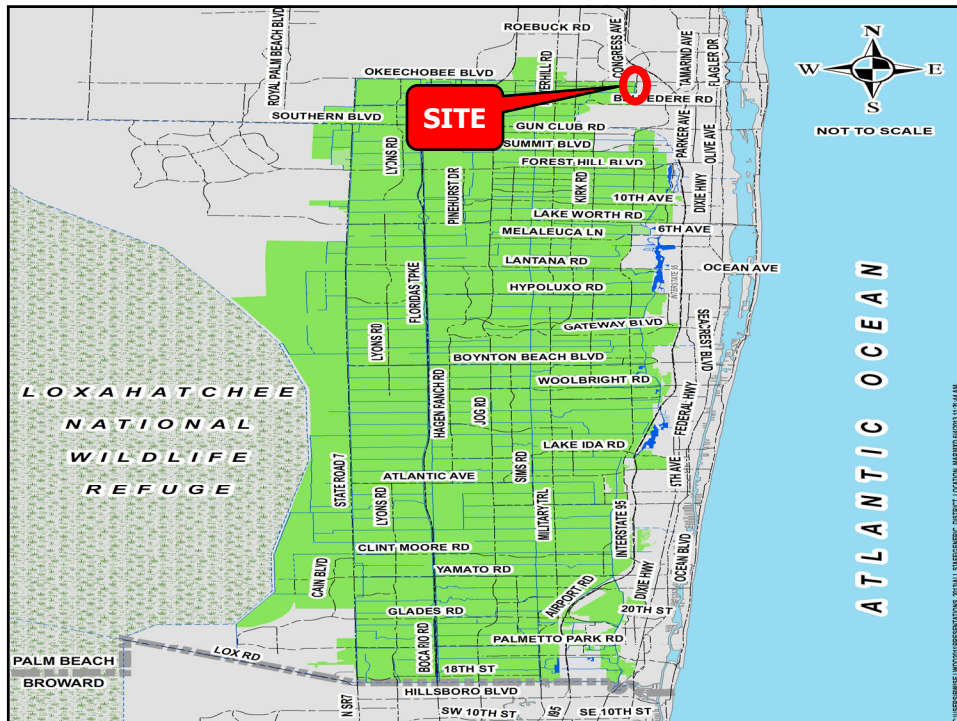
Aero Village
Approval to Release Chancery
in Exchange for an Exclusive Easement
E&M Realty Corporation (Owner)
1699-1705 N. Congress Ave
Project # RI-23-0021 -

Governing Board Workshop
 August 16, 2023
 Agenda Item #10

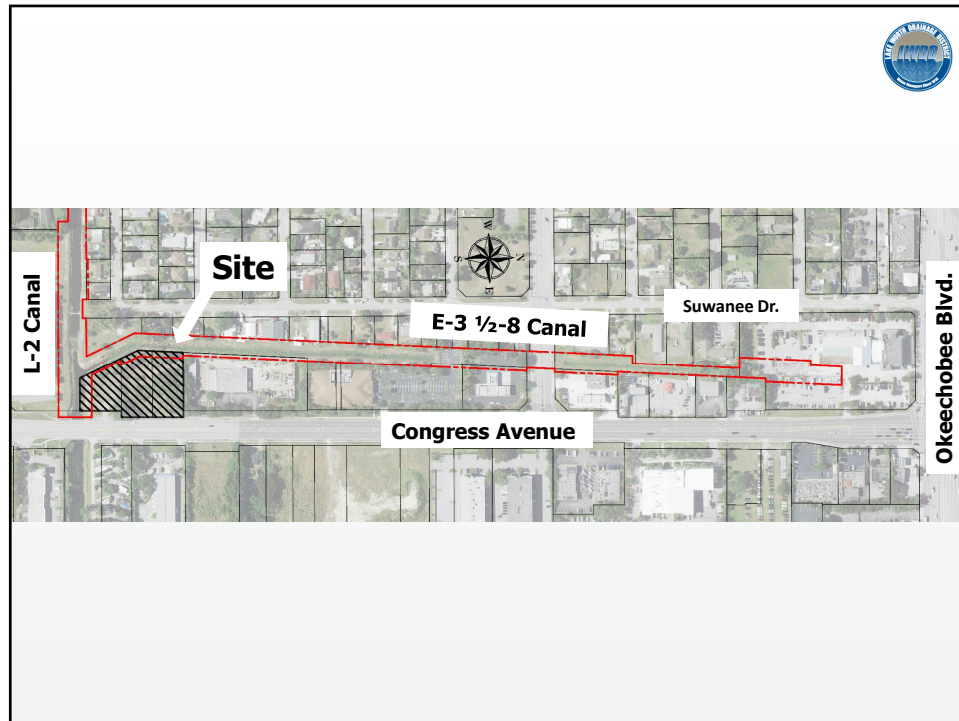
Dave Bends, P.S.M.
 Right-of-Way Interest Supervisor



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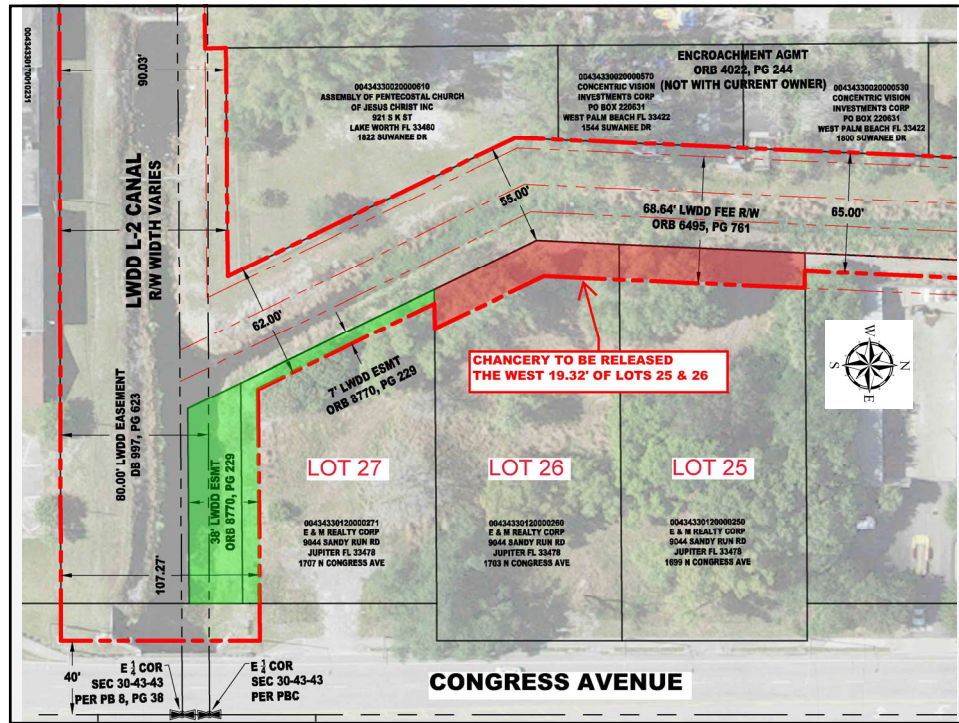


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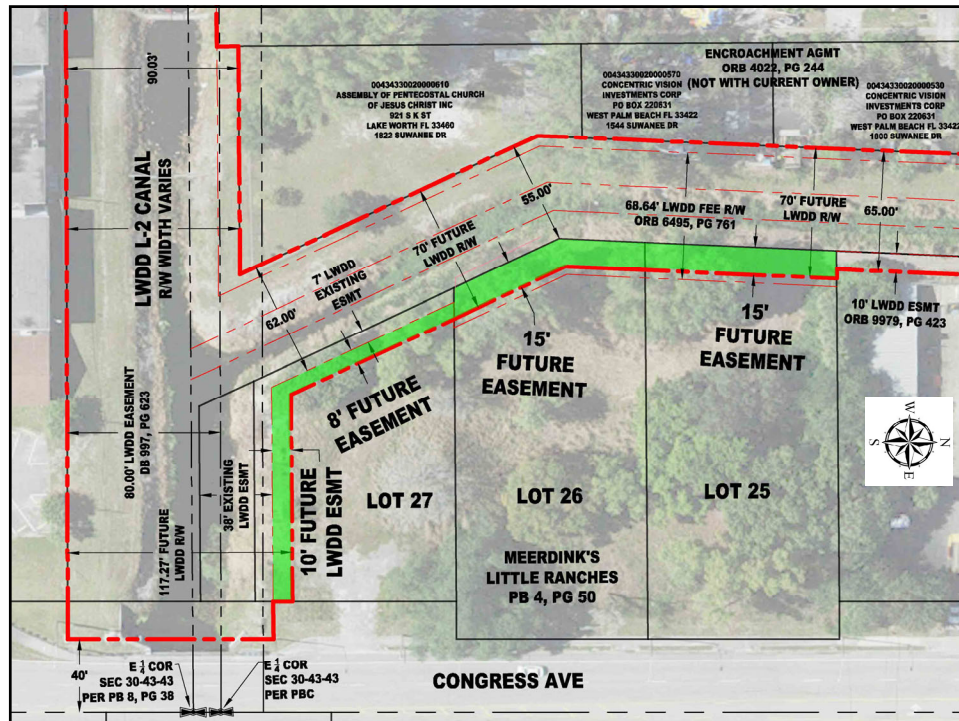
Background

- June 1915—a strip of land 68.64 feet in width of was taken in the SE¼ of the NE¼ of Section 30/43/43 for canal right-of-way per Chancery Case 407, which includes the west 19.32' of Lots 25, 26 and 27, Meerdinks' Little Ranches, recorded in 1926, in PB 4, PG. 50
- June 1995—LWDD released chancery on Lot 27 in exchange for an exclusive easement over the south 38' and west 7' of Lot 27
- May 2023—LWDD received a request from property owner's counsel Bennett Cohn, Esq. to appear before the board for consideration to approve the release of chancery on Lots 25 and 26 in exchange for an exclusive easement over the west 15.00' of Lots 25 & 26; together with an exclusive easement over the east 8' of the west 15' and the north 10' of the south 48' of Lot 27, containing 5,419 Sq. Ft.

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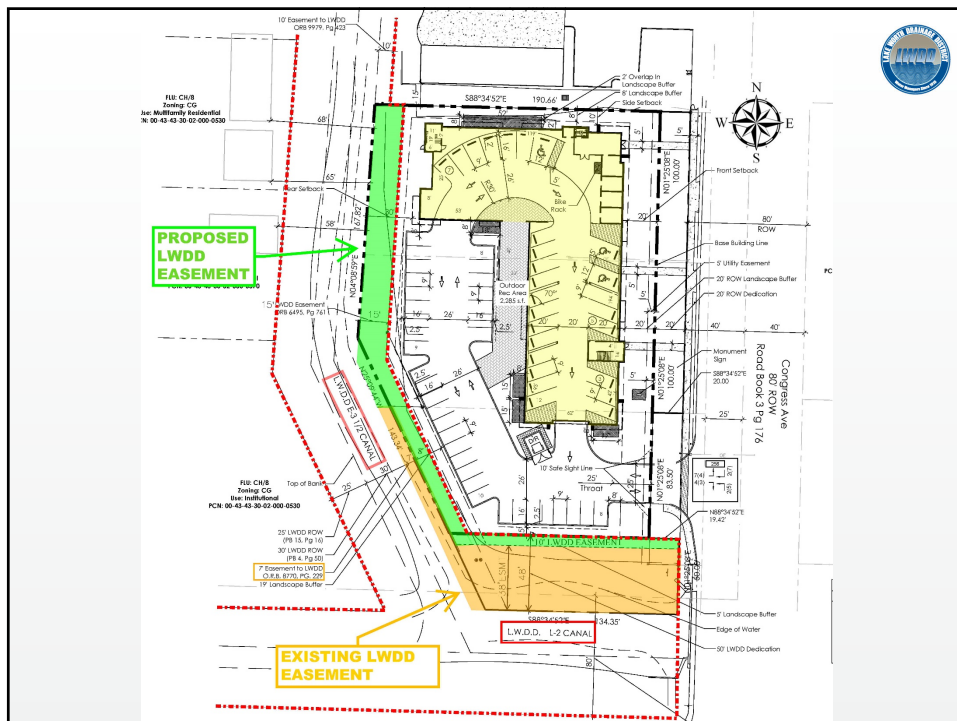
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Proposed Aero Village Development

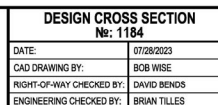
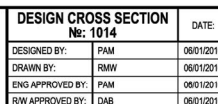


- Four-story building containing 38 total multifamily dwelling units with a first-floor parking garage is being proposed on the 1.4-acre site

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Staff Recommendation



- Approval to release chancery interest over the west 19.32' of Lots 25 & 26, containing 3,974 Sq. Ft., in exchange for an exclusive easement over the west 15.00' of Lots 25 & 26; together with an exclusive easement over the east 8' of the west 15' and the north 10' of the south 48' of Lot 27, containing 5,419 Sq. Ft.
- Subject to:
 - Certification of Title
 - Sketch & legals for conveyances
 - Site Plan approval
 - LWDD Operating Policies

Fiscal Year 2024 Final Operating Budget

Governing Board Meeting – August 16, 2023

Karen Hoyt, Director of Finance

Agenda Item #11



Budget Timeline

- June 2023 – Proposed budget workshop
- July 2023 – Preliminary Budget presented to Board; Board approval to advertise Preliminary Budget and public hearing
- August 8, 2023 – Public Hearing
- August 16, 2023 – Final Budget Adoption and approval of Resolution 23-01

Analysis of Net Change



		<u>Revenues</u>	<u>Expenditures</u>
Preliminary - Total Budget Dollars		16,914,000	16,914,000
Increases (Decreases) :			
Administrative - Insurance, Property Casualty	(\$420,000 to \$450,000)		30,000
Capital - Heavy Equipment - Off Road End Dump (25 Ton)	(\$450,000 to \$0)		(450,000)
Prior Year Carryforward - Operations	(\$719,900 to \$299,900)	(420,000)	
<hr/>			
NET CHANGE		(420,000)	(420,000)
Final - Total Budget Dollars		16,494,000	16,494,000

Estimated Revenues



BUDGET WORKSHEET - FINAL
FISCAL 2024 10/01/23 - 09/30/24

						Increase (decrease) %	Increase (decrease) %
						Forecast	Budget
						2022/23 to Budget 2023/24	2022/23 to Budget 2023/24
		ACTUAL 2021/22	BUDGET 2022/23	FORECAST 2022/23	BUDGET 2023/24	NOTES	
REVENUES							
NON-AD VALOREM ASSESSMENTS							
Assessments - Current	31910	16,120,593	16,159,000	16,100,000	16,205,000	327,381 Parcels @\$49.50	0.7%
Discount on assessments	31920	(570,508)	(646,400)	(570,000)	(648,200)	4% of Assessments	13.7%
Commissions - PBC Tax Collector	31930	(152,317)	(161,500)	(152,000)	(162,000)	1% of Assessments	6.6%
Tax Roll Preparation - PBC Property Appraiser	31940		(200)	(200)	(200)		0.0%
Tax Roll Processing - PBC Information Systems Services (ISS)	31945	(3,850)	(4,000)	(3,850)	(4,000)		3.9%
Total NON-AD VALOREM ASSESSMENTS		15,393,918	15,346,900	15,373,950	15,390,600		0.1%
OTHER REVENUE							
Delinquent assessments	31950	15,083	10,000	10,000	10,000		0.0%
Tax Collector - Reimbursement of expenses	31960	80,048	50,000	88,673	50,000		-43.6%
Releases - Quit Claim/Chancery	32910	2,250	2,500	2,500	2,500		0.0%
Permit fees	32920	885,674	250,000	600,000	250,000		-58.3%
Sales of Surplus Equipment	36010	165,910	10,000	40,000	10,000		-75.0%
Miscellaneous	36020	1,166	1,000	5,000	1,000		-80.0%
Right-of-way Agreements	36030	198,978	120,000	120,000	120,000		0.0%
Sales of Surplus Real Estate	36100	18,438,906	0	0	0		0.0%
Interest - Maintenance	36110	27,031	10,000	15,000	10,000		-33.3%
Interest - Hazard Mitigation Funds	36120	36,185	0	0	0		0.0%
Interest - Capital Projects	36126	34,594	0	0	0		0.0%
Interest - Self-Insurance	36130	1,385	0	0	0		0.0%
Prior year carryforward - Operations	36900	0	1,330,600	95,833	299,900		0.0%
Prior year carryforward - Capital Improvement	36900	0	1,350,000	1,250,000	350,000		0.0%
Total OTHER REVENUE		19,887,210	3,134,100	2,227,006	1,103,400		-50.5%
TOTAL REVENUES		35,281,128	18,481,000	17,600,956	16,494,000		-6.3%

Proposed Expenditures



EXPENDITURES

SALARIES & BENEFITS

Salaries	51010	5,270,898	5,800,000	5,500,000	6,000,000	90 employees	9.1%	3.4%
Social Security	51020	309,334	360,000	341,000	372,000	6.2% Rate	9.1%	3.3%
Medicare	51025	73,501	84,000	79,800	87,000	1.45% Rate	9.0%	3.6%
Retirement	51030	749,574	838,000	838,000	1,000,000	FRS Employer Contribution Rate - Blended (Reg/Sr Mgmt/DROP) ~ 16%	19.3%	19.3%
Health Insurance	51040	1,223,914	1,400,000	1,266,000	1,500,000	90 employees	18.5%	7.1%
Uniforms	51050	14,519	15,000	15,000	15,000		0.0%	0.0%
Total SALARIES & BENEFITS		7,641,740	8,497,000	8,039,800	8,974,000		11.6%	5.6%

ADMINISTRATIVE

Board of Supervisors	52010	8,700	20,000	13,000	20,000		53.8%	0.0%
Travel, Education, Memberships & Publications	52020	33,780	75,000	50,000	75,000		50.0%	0.0%
Advertising	52040	27,728	15,000	15,000	15,000		0.0%	0.0%
Permit & other fees	52050	1,853	10,000	5,000	10,000		100.0%	0.0%
Recording fees	52060	3,282	5,000	4,000	5,000		25.0%	0.0%
Taxes	52070	5,222	5,000	5,156	5,000		-3.0%	0.0%
Insurance	52080	297,798	390,000	350,000	450,000	General Liability - \$300K; Worker's Compensation - \$125K, Settlements - \$25K	28.6%	15.4%
Miscellaneous	52090	11,021	10,000	10,000	10,000		0.0%	0.0%
Settlements	63000	42,507						
Total ADMINISTRATIVE		431,891	530,000	452,156	590,000		30.5%	11.3%

UTILITIES

Utilities	53010	113,430	113,000	119,000	121,000	Telephone & fax service - \$38K; Garbage & recycling - \$11K; Water - \$15K; Electricity - \$28K; Cable & internet - \$8K; Cell and tablets service - \$21K	1.7%	7.1%
Electricity - Pumps	53020	82,522	175,000	70,000	175,000	Control structures #1, 2, 3, 4, 9, 11, 12, 17W, 19, 20	150.0%	0.0%
Waste Disposal	53030	9,366	38,000	25,000	38,000	Govt assessment - \$3K; Dump fees - \$35K	52.0%	0.0%
Total UTILITIES		205,318	326,000	214,000	334,000		56.1%	2.5%

Proposed Expenditures



FIELD OPERATIONS & MAINTENANCE

Repairs & maintenance - Heavy Equipment	54010	99,939	79,000	110,000	95,000		-13.6%	20.3%
Repairs & maintenance - Heavy Equipment, Overhaul & Retro-fit	54011	0	79,000	0	0		0.0%	-100.0%
Repairs & maintenance - Tractors & mowers	54012	117,004	95,000	115,000	125,000		8.7%	31.6%
Repairs & maintenance - Vehicles	54020	101,515	84,000	120,000	120,000		0.0%	42.9%
Repairs & maintenance - Heavy Trucks	54025	64,284	53,000	50,000	53,000		6.0%	0.0%
Repairs & maintenance - Aquatic Equipment	54030	17,746	21,000	20,000	21,000		5.0%	0.0%
Repairs & maintenance - Chipper Equipment	54032	16,761	42,000	10,000	20,000		100.0%	-52.4%
Repairs & maintenance - Other Equipment	54040	14,654	27,000	10,000	15,000		50.0%	-44.4%
Repairs & maintenance - Buildings & improvements	54050	71,997	105,000	70,000	85,000		21.4%	-19.0%
Repairs & maintenance - Right-of-ways	54060	575,890	870,000	700,000	675,000	RipRap/Stabilization \$100K, Mowing \$350K, Culverts \$100K, Miscellaneous \$100K and Iquana Control \$25K	-3.6%	-22.4%
Repairs & maintenance - Right-of-ways, Contracted Services	54061	865,096	1,025,000	1,400,000	1,300,000	Contracted services for: Clearing \$450K, Slope Stabilization \$500K, Structural improvements \$150K, Mapping, staking and surveying \$100K and Fencing \$100K	-7.1%	26.8%
Repairs & maintenance - Controls & pumps	54070	40,722	75,000	50,000	75,000		50.0%	0.0%
Repairs & maintenance - Canals	54090	893,093	950,000	845,000	850,000	Herbicides and aquatic maintenance	0.6%	-10.5%
Total FIELD OPS & MAINTENANCE		2,878,701	3,505,000	3,500,000	3,434,000		-1.9%	-2.0%

EXPENDABLES

Supplies - Shop	55030	66,146	79,000	60,000	79,000	Welding - \$11K; Paper goods and cleaning supplies - \$5K; Safety and spill items - \$20K; Facilities - \$20K; Automotive items - \$15K; Miscellaneous - \$8K	31.7%	0.0%
Supplies - Tools	55050	19,363	21,000	21,000	21,000		0.0%	0.0%
Supplies - Fuels & Lubricants	55060	441,578	565,000	425,000	452,000	25K UL @ \$3.51 + 35K Diesel(On-Road) @ \$4.06 +50K Diesel(Off-Road) @ \$3.74, Current + 10%, Other products and service - \$35K	6.4%	-20.0%
Supplies - Office	55080	77,080	70,000	70,000	75,000	Postage \$4K; Copiers \$19K; District stationery \$3K; Toner \$5K; Copy paper \$2K; Resource materials \$3K; Meeting supplies \$5K; Employee recognition \$15K; First aid \$5K; Miscellaneous office products \$14K	7.1%	7.1%
Supplies - Technology	55090	16,872	30,000	20,000	30,000		50.0%	0.0%
Total EXPENDABLES		621,039	765,000	596,000	657,000		10.2%	-14.1%

Proposed Expenditures



CONTRACT WORK

						Water Supply - \$40K, Drug Testing - \$3K, Appraisals & surveys - \$24K, Elevator - \$4K, Public Relations - \$5K, Permit Compliance - \$15K & Investment Advisory - \$25K		
Contract work - General	56030	236,249	79,000	170,000	116,000		-31.8%	46.8%
Legal - In house	56040	86,004	86,000	90,000	90,000	Mark Perry, P.A.	0.0%	4.7%
Legal - Outside	56042	62,109	150,000	60,000	90,000	Title Lawsuits, Employment Matters	50.0%	-40.0%
Engineering	56050	225,282	250,000	310,000	200,000	Modeling - Year 3 of 4	-35.5%	-20.0%
Microfilming	56070	1,632	10,000	10,000	10,000	Document scanning / archival microfilm	0.0%	0.0%
Financial Services	56080	49,500	50,000	47,000	55,000	Annual Financial Audit, Actuary	17.0%	10.0%
Technology Services	56090	358,796	463,000	450,000	535,000	Cloud Services - \$184K, IT Support - \$106K, Contract Services - \$153K, Software - \$92K	18.9%	15.6%
Total CONTRACT WORK		1,019,572	1,088,000	1,137,000	1,096,000		-3.6%	0.7%

CAPITAL EXPENDITURES

Property Acquisition	57010	0	0	0	0			
Buildings & Improvements	57020	211,170	170,000	170,000	255,000	See attached schedule	50.0%	50.0%
Controls / Pumps	57030	414,581	2,450,000	2,350,000	200,000	See attached schedule	-91.5%	-91.8%
Erosion control	57035	0	0	0	0		0.0%	0.0%
Equipment - Light	57050	15,941	0	0	120,000		0.0%	0.0%
Equipment - Heavy	57060	735,736	580,000	647,000	545,000	See attached schedule	-15.8%	-6.0%
Equipment - Accessories	57070	18,869	95,000	90,000	45,000	See attached schedule	-50.0%	-52.6%
Equipment - Aquatics	57080	24,829	0	0	0		0.0%	0.0%
Equipment - Vehicles	57090	166,446	335,000	305,000	80,000	See attached schedule	-73.8%	-76.1%
Office furniture, fixtures & equipment	57100	142,564	140,000	100,000	164,000	See attached schedule	64.0%	17.1%
Total CAPITAL EXPENDITURES		1,730,136	3,770,000	3,662,000	1,409,000		-61.5%	-62.6%

Total EXPENDITURES

NET SURPLUS/DEFICIT

		14,528,397	18,481,000	17,600,956	16,494,000		-6.3%	-10.8%
		20,752,731	0	0	0			

Detailed Capital Expenditures



BUILDINGS & IMPROVEMENTS:

DEPARTMENT	DESCRIPTION	QTY	COST	TOTAL
Management	Strength/harden front entrance - Reception area (Level 3)			65,000
	Pre-fab Office (Chemical Building)			70,000
	Pole Barn including fencing (Replace the Miner Building)			40,000
	Impact Windows (West Wing of Administrative Building)			80,000
				<u>255,000</u>

CONTROL STRUCTURES / PUMPS:

DEPARTMENT	DESCRIPTION	QTY	COST	TOTAL
Fleet / Structures	Control Structure No. 2 - Radial gate replacement	2	100,000	200,000
				<u>200,000</u>

LIGHT EQUIPMENT:

DEPARTMENT	DESCRIPTION	QTY	COST	TOTAL
Canal Maintenance	Fork Lift (Replace M-34)	1	50,000	50,000
	Mini Skid Steer	1	30,000	30,000
	Mini Excavator	1	40,000	40,000
				<u>120,000</u>

HEAVY EQUIPMENT:

DEPARTMENT	DESCRIPTION	QTY	COST	TOTAL
Canal Maintenance	Flat Mowers (Replace M-86)	1	175,000	175,000
	Boom Mower (Replace M-76 and Additional)	2	185,000	370,000
				<u>545,000</u>

Detailed Capital Expenditures



ACCESSORIES:

DEPARTMENT	DESCRIPTION	QTY	COST	TOTAL
Canal Maintenance				
	Tilt buckets	3	10,000	30,000
	Equipment Trailer	1	15,000	15,000
				<u>45,000</u>

VEHICLES:

DEPARTMENT	DESCRIPTION	QTY	COST	TOTAL
Fleet / Structures				
	Truck - Ford F150 (Replaces T-124)	1	40,000	40,000
Carryforward from 2023	Truck - Ford Ranger (Replaces T-138)	1	40,000	40,000
		<u>2</u>		<u>80,000</u>

OFFICE FURNITURE, FIXTURES & EQUIPMENT:

DEPARTMENT	DESCRIPTION	QTY	COST	TOTAL
IT	Survey Equipment			35,000
	Servers - SCADA			50,000
	Computers - Desktops / Tablets			34,000
	Miscellaneous Hardware and Software			45,000
				<u>164,000</u>

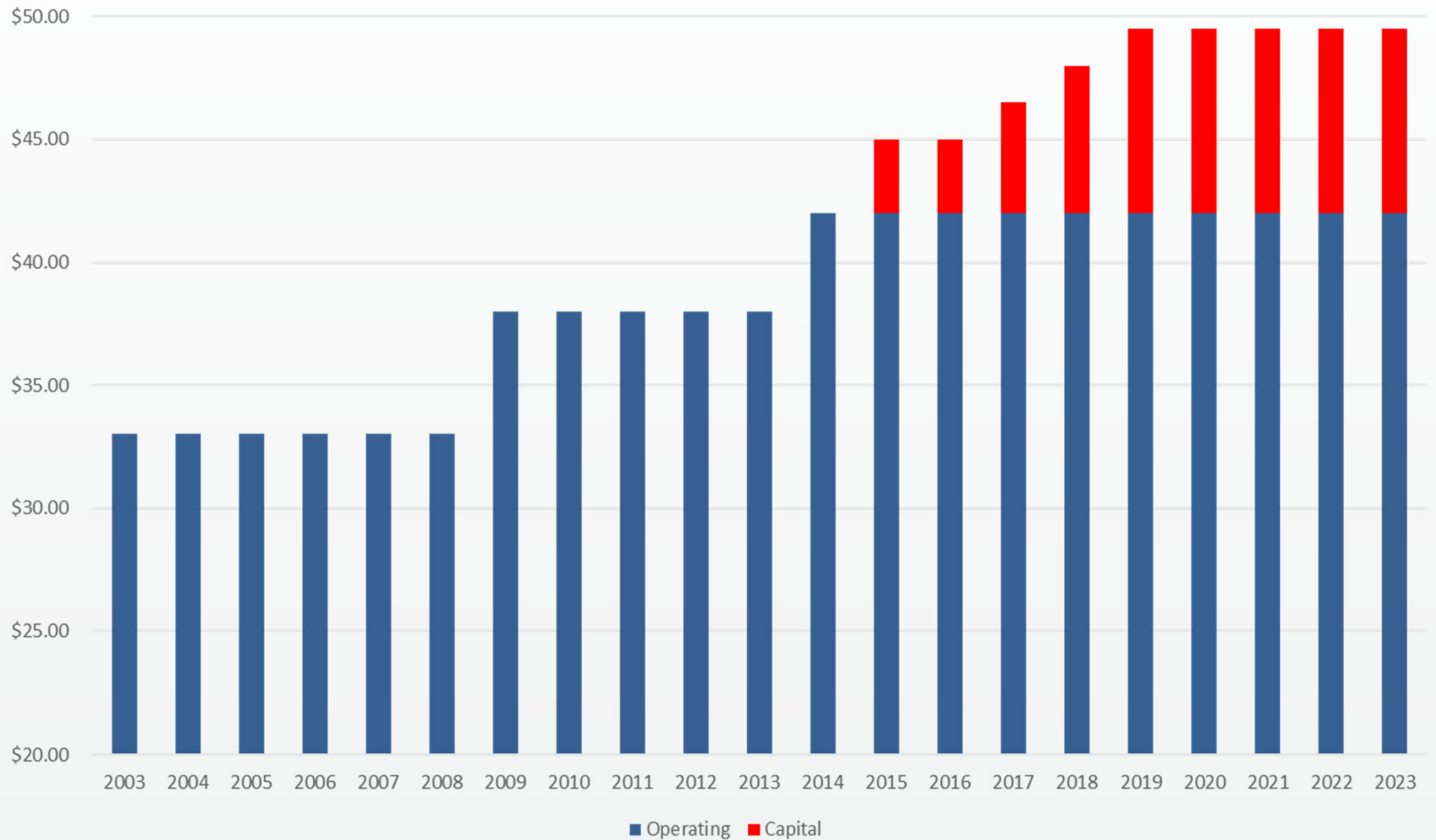
- **Approval of Resolution 23-01** adopting the budget for the Fiscal Year Ending September 30, 2024 totaling \$16,494,000 with a non-ad valorem assessment rate of \$49.50
- Reallocation of the \$3.50 from capital improvements to operations to fund additional costs associated with maintaining 180 miles of cleared canal right-of ways; increasing \$42.00 (no change since 2014) to \$45.50 and reducing capital from \$7.50 to \$4.00

Discussion

LWDD Assessment History



Assessment Rate History



**LAKE WORTH DRAINAGE DISTRICT
RESOLUTION NO. 23-01**

**A RESOLUTION OF THE GOVERNING BOARD OF LAKE WORTH DRAINAGE
DISTRICT ADOPTING THE BUDGET FOR THE FISCAL YEAR ENDING
SEPTEMBER 30, 2024**

WHEREAS, LAKE WORTH DRAINAGE DISTRICT presented a final budget on August 16, 2023 with an assessment rate of \$49.50/acre or portion thereof, for the fiscal year ending September 30, 2024; and,

WHEREAS, in accordance with the Florida Special District Handbook prepared by the State of Florida Department of Economic Opportunity all special districts must comply with the following:

- Must adopt a budget by resolution each fiscal year
- The total amount available from taxation and other sources, including balances brought forward from prior fiscal years, must equal the total of appropriations for expenditures and reserves
- At a minimum, the adopted budget must show for each fund, as required by law and sound financial practices, budgeted revenues and expenditures by organizational unit that are at least at the level of detail required for the Annual Financial report
- The adopted budget must regulate expenditures of the special district
- An officer of a special district may not expend or contract for expenditures in any fiscal year except pursuant to the adopted budget
- The tentative budget must be posted on the special district's official website at least two days before the budget hearing, and the final adopted budget must be posted on the special district's official web site within 30 days after adoption

REVENUES

NON - AD VALOREM ASSESSMENTS	\$	16,205,000
DISCOUNT ON TAXES		(648,200)
COMMISSIONS - TAX COLLECTOR		(162,000)
TAX ROLL PREPARATION - PROPERTY APPRAISER		(200)
TAX ROLL PROCESSING - INFORMATION SYSTEMS SERVICES		(4,000)
DELINQUENT ASSESSMENTS, COMMISSION REFUNDS		60,000
		<hr/> 15,450,600
FEES		252,500
OTHER		141,000
CARRYFORWARD OF PRIOR YEAR SURPLUS		649,900

TOTAL REVENUES

\$ 16,494,000

EXPENDITURES

SALARIES AND BENEFITS	\$	8,974,000
ADMINISTRATIVE		590,000
UTILITIES		334,000
FIELD OPERATIONS & MAINTENANCE		3,434,000
EXPENDABLES		657,000
CONTRACT WORK		1,096,000
CAPITAL EXPENDITURES		1,409,000

TOTAL EXPENDITURES

\$ 16,494,000

NOW, THEREFORE, be it resolved by the Board of Supervisors of the LAKE WORTH DRAINAGE DISTRICT that the following budget for the fiscal year ending September 30, 2024 is hereby approved and adopted:

This Resolution adopted at the regular monthly meeting of the Board of Supervisors of the LAKE WORTH DRAINAGE DISTRICT this 16TH day of August 2023.


Stephen Bedner, President

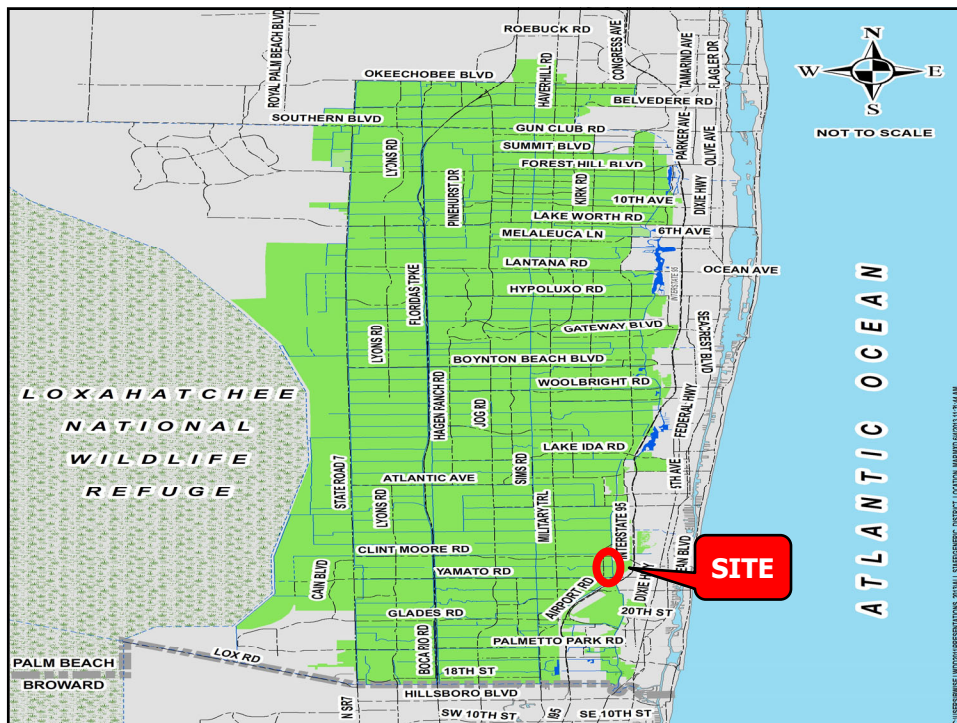

Sandra Acosta, Recording Secretary

Sabal Pine Condominium – Asphalt Pathway South of Old Germantown Road; E-4 Canal Project #RW-23-0227/CM-22-0203

Nicole Smith, Permit Supervisor
Board Meeting – August 16, 2023
Agenda Item #12



1



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Background



- February 2022 – Notice of Violation Letters mailed regarding encroachments (CM-22-0203)
- April 2022 – April 2023 – Correspondences between LWDD, Sabal Pine HOA, and attorney
- April 2023 – Staff met with representatives from Delray Associates, LLC (Lessor) and Sabal Pine Condos, Inc (Lessee) via Teams regarding the encroachments and variance process
- June 2022 – Application submitted to repair Irrigation Connection; Encroachments need to be addressed prior to permit issuance
- June 2023 – Variance application received for pathway to remain
- August 2023 –
 - AC Valves have been removed from the right-of-way
 - Light pole relocation is pending a survey required by the City of Boca
 - Trench to rewire and relocate the light poles has been completed

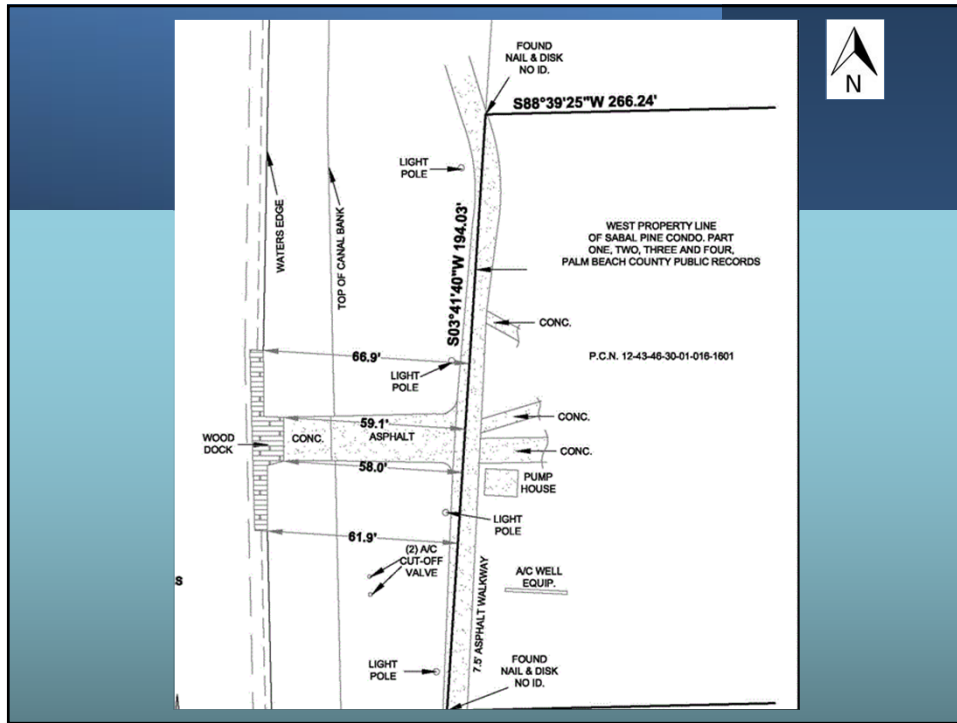
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[illegible]

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Staff Recommendation



- Approval to issue a right-of-way permit to Sabal Pine Condominium for ~390' of the existing Asphalt Pathway within the east right-of-way of the E-4 Canal
- Approval to issue a right-of-way permit to the condo association on the south side of Sabal Pine Condominium for the existing Asphalt Pathway within the east right-of-way of the E-4 Canal
- Subject to:
 - Removal of all Light Poles and Above Ground Structures (HOA is working with Staff)
 - Removal of existing Asphalt Pathway and appurtenances at time of replacement
 - Right-of-Way Permit for Irrigation Connection
 - COI listing LWDD as an Additional Insured (min. liability coverage of \$1,000,000.00)
 - LWDD Operating Policies
 - **Application Fee** - \$500.00 (Paid)
 - **Use Fee** – Waive
 - **Annual Fee** – Commencing 1yr from Permit Issuance
 - \$500.00 (Minimum per Policy)
 - Adjusted every five (5) years by the compounded CPI


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Attorneys at Law

Integrity•Intelligence•Diligence

MEMORANDUM

TO: Lake Worth Drainage District (LWDD) Executive Director, Asst. Executive Director, & Board of Supervisors¹

FROM: Manson Bolves Donaldson Tanner, PA 

RE: ATTORNEY WORK PRODUCT Amicus Brief – *United States Sugar Corporation, et. al v. United States Army Corps of Engineers, et. al.*, 23-11683, United States Court of Appeals for the Eleventh Circuit

DATE: August 4, 2023

I. Briefing Schedule and Timeline

- a. On May 16, May 19, May 22, respectively, US Sugar, Okeelanta, and Sugar Cane Growers Cooperative (collectively, Parties) filed a notice of appeal seeking review of Judge Middlebrooks' Order on Cross-Motion for Summary Judgment.
- b. The Parties principal brief was originally due on July 3, 2023. The Parties sought unopposed extensions and the briefs are now due on August 21, 2023. In accordance with the Federal Rules of Appellate Procedure, amicus briefs (i.e., friend of the court briefs) are due 7 days after the Parties' principal brief is filed and are currently due on August 30, 2023.

II. Filing an Amicus Brief in Support of the Parties

- a. A party interested in filing an amicus brief must explain to the appellate court its interest in the proceeding. Such a request is made by motion and is subject to approval by the appellate court. Amicus briefs offering the same arguments as the parties are disfavored and may not be accepted.
- b. Amicus briefs can be valuable when they:
 - i. Offer different analytical approach to the issue;
 - ii. Highlight factual, historical, or legal nuance;

¹ This communication is intended for the named recipients only and may contain attorney work product, attorney-client communication, or both, which are exempt from public disclosure pursuant to section 119.07(3), Florida Statutes. This document was prepared by an agency attorney and may reflect a mental impression, conclusion, litigation strategy or legal theory of the attorney or agency and was prepared exclusively for, or in anticipation of, civil litigation or adversarial administrative proceedings.

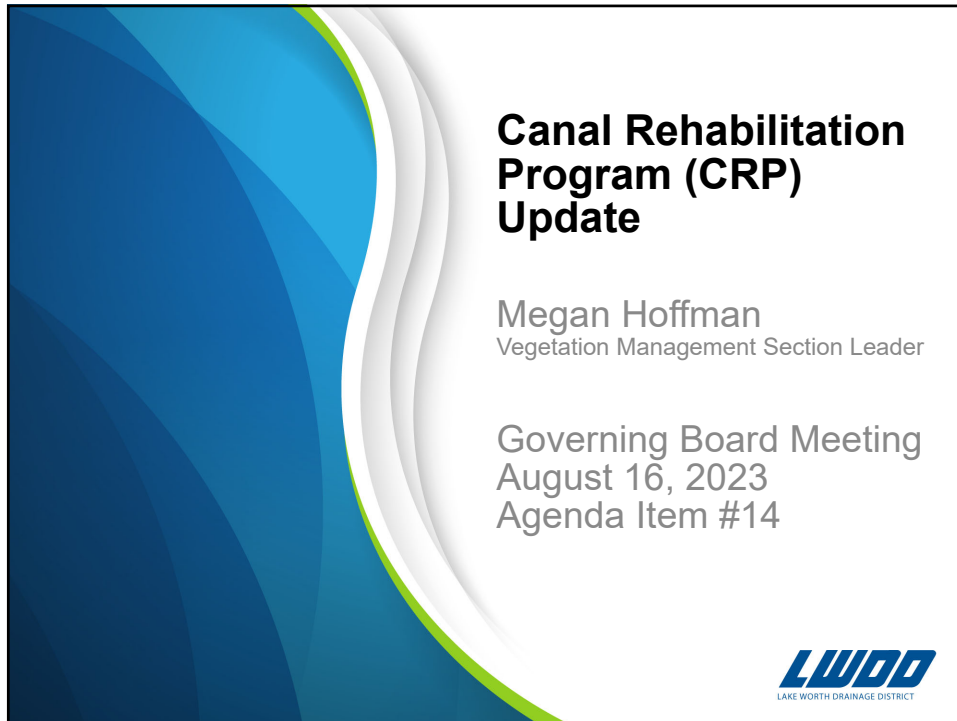
- iii. Explain the broader regulatory or commercial context;
 - iv. Provide practical prospective on the consequences of the potential outcomes;
 - v. Relay views on legal questions by employing the tools of social science;
 - vi. Supply empirical data regarding a question to be answered by the court;
 - vii. Convey instruction on highly technical, scientific, or specialized subjects; or
 - viii. Identify how other jurisdictions, i.e., city, states, or foreign countries, have approached one or another aspect of the legal question or regulatory challenge in front of the court.
- c. An amicus brief shall be no more than 15 pages. An amicus brief and its related motion must comply with the Federal Rules of Appellate Procedure.

III. LWDD Amicus Arguments

- a. LWDD meets the requirements of an interested party if it proceeds in filing an amicus brief in support of the Parties. Through such a brief, LWDD is poised to provide a unique perspective to the appellate court about the interplay between WRDA 2000, CERP, and state regulations for the following reasons:
- i. LWDD is a long time CERP stakeholder who can speak to the protections for agricultural, municipal, and tribal water supplies that are encompassed within WRDA's Savings Clause.
 - 1. As a long-time CERP stakeholder, LWDD can also speak to the challenges of implementing CERP and the reality that the A2-STA may not operate in conjunction with the envisioned reservoir for an undetermined period of time.
 - ii. LWDD is a consumptive use permit holder located in the Lower East Coast Service Area and supports both municipal and agricultural water supplies.
 - iii. In operating and maintaining its extensive canal network, LWDD protects and recharges groundwater sources for municipal consumptive users as well as bolsters the salinity envelope to protect the Lower East Coast from further saltwater intrusion.
 - iv. LWDD can provide a much-needed perspective on the state's complex regulatory framework and what happens when water use allocations cannot be met during times of drought, low lake levels, and water shortage.
 - v. LWDD can speak to operational considerations and coordination with the South Florida Water Management District to receive excess flows from Lake Okeechobee to protect the native flora and fauna within the Refuge.

Overall, LWDD can speak to the past, present, and future realities of the federal project, the promises and protections that were included in WRDA and its Savings Clause, and highlight the significant consequences that may occur if the federal government, through the US Army


Corps, is allowed to disregard and not perform a proper Savings Clause analysis and NEPA review. While most of the developed areas along the Lower East Coast (LEC) do not benefit directly from water in Lake Okeechobee, the Lake has long been identified as a "back-up" water supply source that could be relied upon to recharge LEC canals during major droughts. And this source of water is also used to offset water supply demands on WCA-1 from LWDD, thus minimizing impacts to hydro-patterns, flora and fauna within the Conservation Area. Accordingly, the LWDD has a vested interest in the current and future Lake Okeechobee operation schedules and associated regional water storage facilities, specifically including the EAA Reservoir and STA project, to ensure protection of water supply for its constituents. This reliance is why it is so important to participate and give the Court a perspective which it may otherwise not hear.



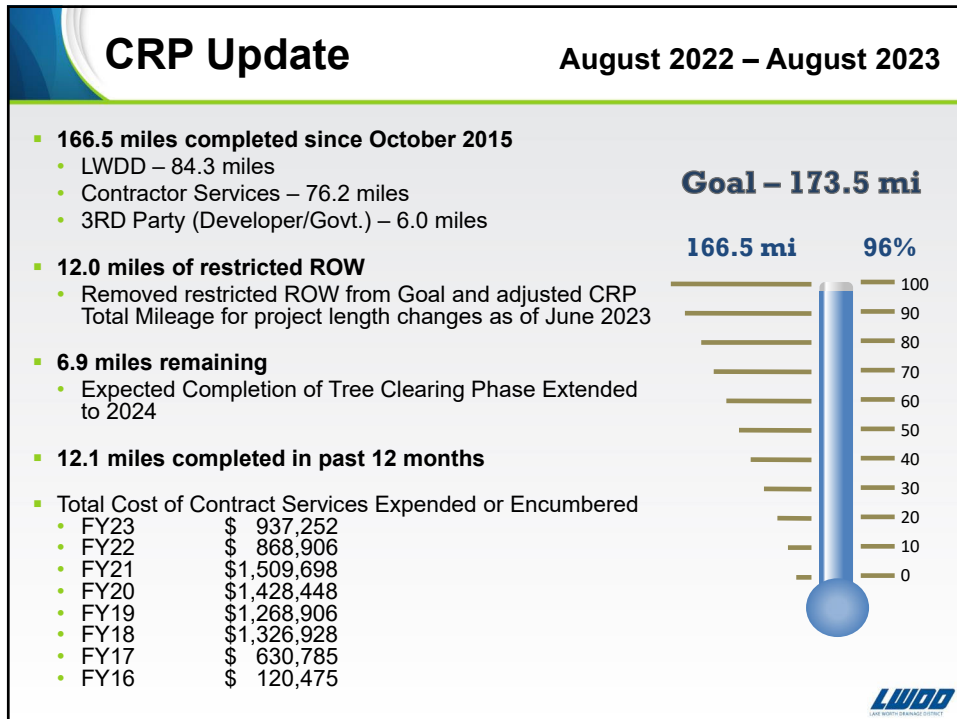
Canal Rehabilitation Program (CRP) Update

Megan Hoffman
Vegetation Management Section Leader

Governing Board Meeting
August 16, 2023
Agenda Item #14



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CRP Update

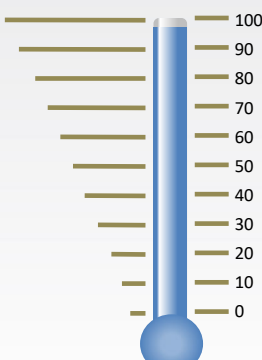

August 2022 – August 2023

- 166.5 miles completed since October 2015
 - LWDD – 84.3 miles
 - Contractor Services – 76.2 miles
 - 3RD Party (Developer/Govt.) – 6.0 miles
- 12.0 miles of restricted ROW
 - Removed restricted ROW from Goal and adjusted CRP Total Mileage for project length changes as of June 2023
- 6.9 miles remaining
 - Expected Completion of Tree Clearing Phase Extended to 2024
- 12.1 miles completed in past 12 months
- Total Cost of Contract Services Expended or Encumbered

FY23	\$ 937,252
FY22	\$ 868,906
FY21	\$1,509,698
FY20	\$1,428,448
FY19	\$1,268,906
FY18	\$1,326,928
FY17	\$ 630,785
FY16	\$ 120,475

Goal – 173.5 mi

166.5 mi 96%

2

CRP Update

August 2022 – August 2023

Canal Segment	Project #	Distance	LWDD/Contractor	Clearing Status	Cost
L-27; Country Rd W to Congress Ave & L-28; Dunes Rd to E-4	16-9956P.01 & 16-8957P.05 & P.06	2.80 mi	Contractor / Survey	In Progress	\$175,000 / \$53,105
S-8; Heritage Farms Rd to SR-7	16-9946P.01	0.56 mi	Contractor / Survey	In Progress	\$108,550 / \$7,770
L-29; Military Trail to Barwick Rd	16-9957P.04	0.50 mi	LWDD / Survey	In Progress	- / \$23,742
L-25; Military Trail to Lawrence Rd	16-9955P.03	1.06 mi	Contractor / Survey	Complete	\$158,500 / \$20,028
L-21; E-1 to Lyons Rd & L-23; Acme Dairy Rd N to E-2W	16-9950P.01 & 16-9953P.02	1.44 mi	Contractor / Survey	Complete	\$247,400 / \$33,735
L-29; ~500ft west of Jog & El Clair Ranch Rd to E-3	16-9957P.03	0.58 mi	Contractor/Survey	Complete	\$79,000 / \$20,392
L-19 & L-21; Jog Rd to E-3	16-9948P.01 & 22-9950P.06	2.17 mi	Contractor/Survey	Complete	\$120,000 / \$31,900

3

Remaining Projects

Canal Segment	Project #	Distance	LWDD/Contractor	Clearing Status	Cost
E-2W; L-35 to Atlantic Ave	16-9931P.04	0.50 mi	LWDD / Survey	Board Postponed to Mid-September	- / \$12,305
L-34; West of Lakes of Delray Blvd to E-3	16-9539P.05	0.50 mi	Contractor / Survey	Coordinating with HOA & FPL	- / \$13,318
L-24; Congress Ave to E-4	16-9954P.02	0.34 mi	Contractor / Survey	ROW Under Review	- / \$21,710
L-45; Golf Course Rd to E-2W	16-9974P.02	0.43 mi	Contractor / Survey	Coordinating with GL Homes	- / \$ 4,048
L-5; Jog Rd to Fergusson Lane	16-9837P.01	0.52 mi	Contractor / Survey	Coordinating with Pine Jog	- / \$15,105

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L-25; Military Trail to Lawrence Rd (0.69 mi)



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Control Structure 9 Refurbishment Final Project Update

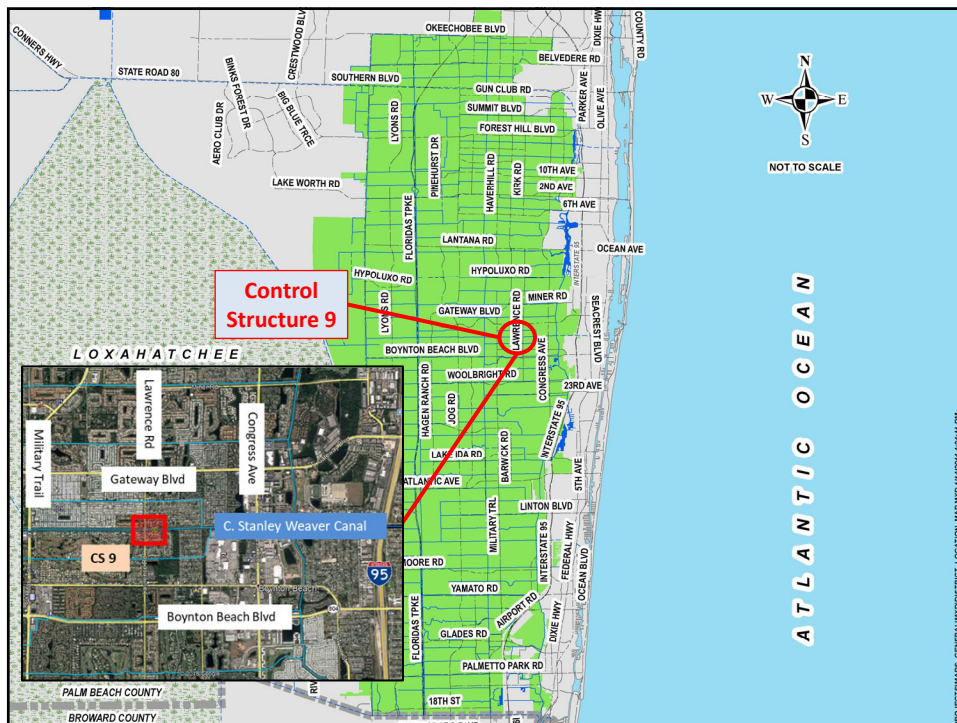
RFB No. 22-7170L.08

Anthony LasCasas P.E.
Director of Operations & Maintenance

Board Meeting – August 16, 2023
Agenda Item #15



1



2

History & Schedule



- ✓ 1952 – Initial structure built
- ✓ 1980 – Current structure built
- ✓ January 2020 – RFB for relocation of structure to east of Lawrence Rd
- ✓ April 2020 – Board rejected award to replace existing structure due to cost and potential supply chain issues; directed staff to refurbish existing structure
- ✓ February 16, 2022 – Board authorization to solicit bids for refurbishment
- ✓ June 8, 2022 – Board approval to award bid to Murray Logan
- ✓ September 9, 2022 – Notice to Proceed
- ✓ August 15, 2023– Substantial Completion
- August 31, 2023 – Final Completion
- Remaining work - LWDD anticipates receipt of new Radial Gates in September 2023 and will install them on or around the end of the year

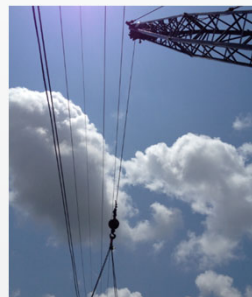
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Major Changes and Improvements



- Installation of new variable frequency drive (VFD) submersible pumps
 - Allows for high discharge capacity under normal operations and extends the capacity to operate under low flow
- Installation of SCADA completes the implementation of remote telemetry to the District's major control structures
- Demolition and relocation of pump/control houses
 - Allows unobstructed access to pump bay and stormwater gates
 - Reduces impact of FPL overhead lines on maintenance operations
- Installation of drop curbs allows for safer ingress/egress

downstream depth	Total Dynamic Head	Existing Pump		New Pumps	
		Intake Velocity	Flow	Intake Velocity	Flow
ft NGVD	ft	fps	gpm	fps	gpm
9.5	11	0.56	15000	0.75	40200
8.5	12	0.70	15000	0.80	34680
7.5	13	0.93	15000	0.72	23340
6.5	14	1.39	15000	0.97	21000
5.5	15	2.79	n/a	1.76	19000



4

Remaining Considerations



- Potential of lateral seepage
 - This matter was the subject of an Engineering study and determined:
"...fine soil particles were not moving into the canal through these locations... Therefore, it is not considered of immediate geotechnical concern but should be monitored over time..."
 - Staff shall continue to schedule annual dive inspections of the structure
- Remaining conflict with overhead power lines
 - The use of submersible pumps and relocation of the control house will greatly simplify maintenance, including repair or replacement of pumps
 - Unfortunately, overhead operations will still be required for gate removal



5

Construction Video



6

Construction Video

