

# Loxahatchee River District

Water Reclamation | Environmental Education | River Restoration

2500 Jupiter Park Drive, Jupiter, Florida 33458

Telephone (561) 747-5700 • Fax (561) 747-9929 • [www.loxahatcheeriver.org](http://www.loxahatcheeriver.org)



D. Albrey Arrington, Ph.D., Executive Director

## **AGENDA REGULAR MEETING #12-2016 JULY 21, 2016 – 7:00 PM AT DISTRICT OFFICES ALL MEETINGS ARE OPEN TO THE PUBLIC**

1. Call to Order & Pledge of Allegiance
2. Administrative Matters
  - A. Roll Call
  - B. Previous Meeting Minutes **Page 4**
  - C. Additions and Deletions to the Agenda
3. Comments from the Public
4. Status Updates
  - A. Loxahatchee River Watershed **Page 10**
  - B. Loxahatchee River District Dashboard **Page 11**
5. Consent Agenda (see next page) **Page 12**
6. Regular Agenda
  - A. Consent Agenda Items Pulled for Discussion
  - B. Budget Assumptions **Page 38**
  - C. Rules Chapter 31-1, Organization, Policies & Procedures **Page 42**
  - D. Joint Project Agreement with the Town of Jupiter - Alt A1A Bridge Force Main **Page 53**
7. Reports (see next page) Pulled for Discussion
8. Future Business **Page 100**
9. Board Comments
10. Adjournment

“...if a person decides to appeal any decision made by the Board, with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.”

Submitted by:  
Date: July 11, 2016

Stephen B. Rockoff  
Board Member

Dr. Matt H. Rostock  
Board Member

Gordon M. Boggie  
Chairman

Harvey M. Silverman  
Board Member

James D. Snyder  
Board Member

## **5. CONSENT AGENDA**

All items listed in this portion of the agenda are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a Board member or citizen; in which event, the item will be removed and considered under the regular agenda.

- A. Notice of Intent to Assess – 17726 Carver Ave. (Resolution 2016-22) **Page 13**
- B. Notice of Intent to Assess – 11 Windsor Rd. W. (Resolution 2016-23) **Page 21**
- C. A/C Replacement – to award contract **Page 29**
- D. Disposal of Fixed Assets – to approve disposal **Page 31**
- E. Change Orders to Current Contracts – to approve modifications **Page 32**

## **7. REPORTS**

- A. Neighborhood Sewering **Page 58**
- B. Legal Counsel's Report **Page 61**
- C. Engineer's Report **Page 65**
- D. Busch Wildlife Sanctuary **Page 70**
- E. Friends of the Loxahatchee River **Page 71**
- F. Director's Report **Page 79**

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D. Albrey Arrington, Ph.D., Executive Director

**AGENDA**  
**PUBLIC HEARING #11-2016**  
**JULY 21, 2016 - 6:55 P.M. AT DISTRICT OFFICES**  
**ALL MEETINGS ARE OPEN TO THE PUBLIC**

1. Call to Order and Pledge of Allegiance
2. Roll Call
3. To receive public comments pertaining to Rules Chapter 31-1, Organization, Policies & Procedures
4. Comments from the Board
5. Adjournment

".... if a person decides to appeal any decision made by the Board, with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

A handwritten signature in blue ink, appearing to be "D. Albrey Arrington".

Submitted by:  
Date: July 11, 2016

data:\admin\board\agendaPH

Stephen B. Rockoff  
Board Member

Dr. Matt H. Rostock  
Board Member

Gordon M. Boggie  
Chairman

Harvey M. Silverman  
Board Member

James D. Snyder  
Board Member

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D. Albrey Arrington, Ph.D., Executive Director



## MEMORANDUM

TO: Governing Board

FROM: Recording Secretary

DATE: July 12, 2016

RE: Approval of Meeting Minutes

Attached herewith are the minutes of the Regular Meeting of June 16, 2016. As such, the following motion is presented for your consideration.

“THAT THE GOVERNING BOARD approve the minutes of the June 16, 2016 Regular Meeting as submitted.”

J:\BOARD\MinutesSamples\MinutesMemo.docx

Stephen B. Rockoff  
Board Member

Dr. Matt H. Rostock  
Board Member

Gordon M. Boggie  
Chairman

Harvey M. Silverman  
Board Member

James D. Snyder  
Board Member

Ref: #10-2016

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT  
REGULAR MEETING - MINUTES  
JUNE 16, 2016

1. CALL TO ORDER

Vice Chairman Silverman called the Regular Meeting of June 16, 2016 to order at 7:00 pm.

2. ADMINISTRATIVE MATTERS

A. ROLL CALL

The following Board Members were in attendance.

Dr. Rostock  
Mr. Silverman  
Mr. Snyder  
Mr. Rockoff  
Mr. Boggie (via speakerphone)

Staff Members in attendance were Dr. Arrington, Mr. Yerkes, Mr. Vaughn, Mr. Dean, Ms. Peterson and Mr. Howard.

Consultants in attendance were Mr. Muniz from Hazen and Sawyer, Ms. Miranda from Holtz, Mr. Pugsley from Mathews, Mr. Jensen from Kimley-Horn, Mr. Prinyavivatkul from Arcadis and Mr. Shenkman with DeSantis, Gaskill.

Mayor Comerford from Jupiter Inlet Colony was also in attendance.

B. PREVIOUS MEETING MINUTES

The minutes of the Public Hearings and Regular Meeting of May 26, 2016 were presented for approval and the following motion was made.

MOTION: Made by Mr. Rockoff, Seconded by Dr. Rostock,  
Passed Unanimously.

“THAT THE GOVERNING BOARD approve the minutes of the May 26, 2016 Public Hearings and Regular Meeting as submitted.”

C. ADDITIONS & DELETIONS TO THE AGENDA

Item 5B did not require action and was removed from the Consent Agenda. Item 5D was pulled for discussion.

### 3. COMMENTS FROM THE PUBLIC

No comments were received.

### 4. STATUS UPDATES

#### A. LOXAHATCHEE WATERSHED STATUS

Mr. Howard discussed the Dubois Lagoon Bacteria Project.

#### B. LOXAHATCHEE RIVER DISTRICT DASHBOARD

Dr. Arrington reviewed the District Dashboard.

### 5. CONSENT AGENDA

MOTION: Made by Dr. Rostock, Seconded by Mr. Rockoff,  
Passed unanimously.

“THAT THE GOVERNING BOARD approve the Consent Agenda of June 16, 2016 as revised.”

The following motions were approved as a result of the Board’s adoption of the Consent Agenda:

#### A. Dewatering Controls Rehab – to award purchase order

“THAT THE DISTRICT GOVERNING BOARD authorize the Executive Director to execute a Purchase Order to Process Control Consultants, Inc. in an amount not to exceed 1,248 hours or \$106,000 for the design, build, and installation of the Dewatering Control Rehabilitation project, in accordance with ITB 14-004-PCS and the Process Control Consultants, Inc. proposal dated June 9, 2016.”

#### B. A/C Replacement – to award contract

Deleted.

#### C. Credit Card and Online Payment Fees –to reauthorize purchase order

“THAT THE DISTRICT GOVERNING BOARD authorize the increase in Purchase Order #48125 to SunTrust for credit card and online payment fees in an amount not to exceed \$75,000 for Fiscal Year 2016.”

D. Procurement Policy

Pulled for discussion.

E. Hyland Terrace Pump Purchases – to approve purchase

“THE DISTRICT GOVERNING BOARD has received documentation from the Purchasing Principal that the following materials can only be obtained through a “sole source”, as described in the District Procurement Policy, and approves excepting this purchase from bid requirements; therefore

THE DISTRICT GOVERNING BOARD authorizes the purchase of 40 simplex grinder pump units, from Southeastern Pump in the total amount of \$129,400.00.”

F. Change Orders to Current Contracts – to approve modifications

No change orders were presented.

6. REGULAR AGENDA

A. Consent Agenda Items Pulled for Discussion.

5D. Procurement Policy

Dr. Arrington reviewed the proposed changes to the District’s Procurement Policy Section 2.10.

MOTION: Made by Mr. Rockoff, Seconded by Dr. Rostock,  
Passed Unanimously.

“THAT THE DISTRICT GOVERNING BOARD ratify and approve the Loxahatchee River District’s Procurement Policy Section 2.10 as revised and with an effective date of June 16, 2016.”

B. Hibiscus Avenue Gravity Sewer System

Dr. Arrington reviewed the proposed bid recommendation.

MOTION: Made by Mr. Rockoff, Seconded by Mr. Boggie,  
Passed Unanimously.

“THAT THE DISTRICT GOVERNING BOARD reject all bids, and directs staff to review the design and revise contract requirements to obtain more bid participation and provide greater flexibility in the timing of the project completion, to draft new contract specifications and seek new bids that achieve installation of gravity sewers in a cost effective manner.”

C. Tequesta-US 1 Force Main Replacement

Dr. Arrington reviewed the Force Main replacement memo.

MOTION: Made by Mr. Rockoff, Seconded by Dr. Rostock,  
Passed Unanimously.

“THAT THE DISTRICT GOVERNING BOARD authorize Vice Chairman Silverman to execute Resolution 2016-21 requesting FDOT to include replacement of a sewer force main by the FDOT as they modify US Highway One through the Village of Tequesta;

and

THAT THE DISTRICT GOVERNING BOARD authorize the Executive Director to work with FDOT to accomplish this project and execute necessary documents, on behalf of the District, to perform the specified work.”

D. Budget Assumptions

Dr. Arrington reviewed the Budget Assumptions for the Fiscal Year 2016-2017. No Board action was taken.

E. Rules Chapter 31-1, Organization, Policies & Procedures

Dr. Arrington reviewed the proposed Rules Chapter 31-1 revisions. No Board action was taken.

7. REPORTS

B. ENGINEER’S REPORTS

Mr. Jensen discussed the status of the Jupiter Inlet Colony project. Mayor Comerford offered assistance in obtaining the CAD files necessary to move the project forward.

The following reports stood as written:

A. NEIGHBORHOOD SEWERING

B. LEGAL COUNSEL’S REPORT

D. BUSCH WILDLIFE SANCTUARY

E. FRIENDS OF THE LOXAHATCHEE RIVER

F. DIRECTOR’S REPORT



8. FUTURE BUSINESS

The Future Business Report stood as written.

9. COMMENTS FROM THE BOARD

No comments were received.

10. ADJOURNMENT

MOTION: Made by Mr. Rockoff, Seconded by Dr. Rostock,  
Passed Unanimously.

“That the Regular Meeting of June 16, 2016 adjourn at 8:21.”

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BOARD CHAIRMAN

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BOARD SECRETARY

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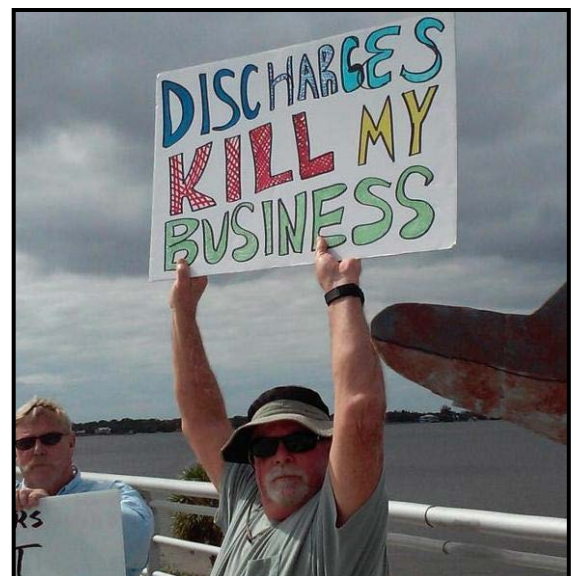
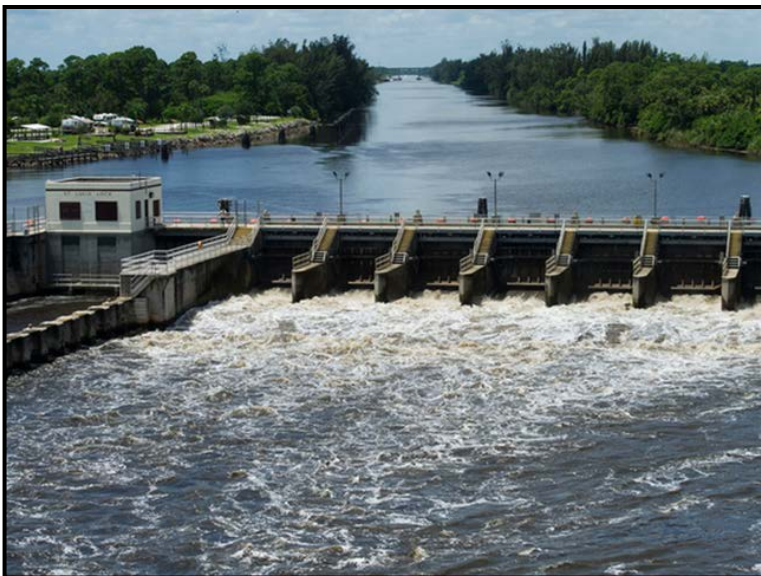
RECORDING SECRETARY



## Loxahatchee River Watershed Status Algae Blooms in Martin and St. Lucie Counties

Over the past several weeks there has been a massive algae bloom the St. Lucie River and Indian River Lagoon in Martin and St. Lucie Counties. This event triggered a State of Emergency declaration by Gov. Scott, no swimming advisories, protests, and extensive news coverage.

At our meeting we will provide an update on the algae emergency and discuss realistic options to improve water quality.



# LOXAHATCHEE RIVER DISTRICT'S EXECUTIVE DASHBOARD



Stewardship		Wastewater						Engineering	General Business					EHS	River Health		
# People educated at RC		Mean Daily Incoming Flow	Delivery of Reclaimed Water	Customer Service	Sewer Overflow	Permit exceedance	NANO Blend to Reuse (@ 511)	Grease Interceptor Inspections	Cash Available	Revenue (non-assessment)	Operating Expenses	Capital Projects		Employee Safety	Lainhart Dam Daily Flow	Salinity @ NB seagrass beds	River Water Quality
Benchmark / Customer Expectation	# people	million gallons/day	# days demand not met	# blockages with damage in home	# occurrences	# occurrences	Max Specific Conductance (umhos/cm)	% requiring pump out	\$	% of Budget	% of Budget	% within budget	% on time	# of OSHA recordable injuries	Flow (cfs)	‰	Fecal Coliform Bacteria (cfu/100ml)
Green Level	≥ 1,500	< 7.7	Zero	Zero	Zero	Zero	<1542	≤ 15	≥ \$9,894,657	≥ 95%	≥ 85% but ≤ 105%	≥ 80%	≥ 80%	Zero	mean ≥ 69	min ≥ 20 ‰	90% of sites ≤ 200
Yellow	≤ 1,500	< 8.8	≥ 2	1	≤ 2	1	≤1875	≤ 25	< \$9,894,657	≥ 90%	≥ 80%	≥ 60%	≥ 60%	-	mean ≥ 35	min ≥ 10 ‰	2 or more sites >200 but ≤ 400
Red	≤ 1,250	≥ 8.8	≥ 9	≥ 2	> 2	≥ 2	>1875	> 25	< \$5,557,057	< 90%	< 80% or > 105%	< 60%	< 60%	≥ 1	min < 35	min < 10 ‰	≥ 2 sites > 400
2012 Baseline	1,691	6.7	0	0	1	1	1,162		\$ 21,205,340	101%	86%	95%	87%	0	108	22	1 > 200
2013 Baseline	2,118	6.8	1	0	1	0	1,029		\$ 25,550,033	105%	91%	88%	52%	0	132	20.0	1 > 200
2014 Baseline	2,120	6.8	0	0	1	0	978	11	\$ 27,415,251	102%	104%	95%	86%	0	140	21.9	1 > 200
2015 Baseline	2,139	6.8	0	0	1	0	1,093	14	30,199,659	104%	111%	92%	78%	0	78	24.8	0 > 200
2015	June	3,241	6.2	0	0	0	1135	15	\$ 29,691,353	106%	116%	84%	75%	0	28	29.8	0 > 200
	July	3,276	6.2	0	1	0	1208	14	\$ 30,937,341	107%	113%	75%	75%	0	53	29.9	0 > 200
	Aug	1,849	6.4	0	0	0	1128	6	\$ 30,471,102	109%	111%	75%	67%	0	78	23.8	Incomplete
	Sept	1,359	6.8	1	0	1	1097	5	\$ 31,672,070	108%	110%	84%	50%	1	223	9.5	0 > 200
	Oct	1,604	6.4	0	0	1	978	18	\$ 31,318,759	96%	70%	100%	89%	0	83	25.3	0 > 200
	Nov	1,276	6.5	0	0	4	1026	15	\$ 32,678,126	94%	78%	100%	82%	0	58	30.1	0 > 200
	Dec	1,405	7.2	0	0	0	1023	20	\$ 32,536,481	94%	82%	100%	82%	0	196	13.9	2 > 200
2016	Jan	1,689	7.6	0	0	1	962	14	\$ 33,243,678	94%	82%	100%	82%	0	160	11.0	0 > 200
	Feb	2,811	7.6	0	0	3	903	15	\$ 34,527,506	95%	83%	100%	82%	0	193	8.6	0 > 200
	Mar	2,934	7.4	0	0	2	1042	14	\$ 33,770,240	96%	86%	100%	82%	0	115	12.4	1 > 200
	Apr	1,866	6.9	0	0	2	974	15	\$ 33,632,921	95%	90%	100%	82%	0	117	9.3	0 > 200
	May	1,667	6.6	0	0	0	1074	10	\$ 34,108,220	96%	90%	100%	82%	0	25	16.4	0 > 200
	June	2,842	6.3	0	0	0	1076	10		96%	90%	100%	82%	0	124	23.7	1 > 200
Consecutive Months at Green	6	85	36	11	2	35	70	6	84	51	4	10	9	9	1	1	6
Metric Owner	O'Neill	Vaughn	Vaughn	Vaughn	Vaughn	Vaughn	Vaughn	Dean	Peterson	Peterson	Peterson	Yerkes	Yerkes	Vaughn	Howard	Howard	Howard

Metric Explanation

# Loxahatchee River District

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D. Albrey Arrington, Ph.D., Executive Director

## MEMORANDUM

**TO:** Governing Board  
**FROM:** D. Albrey Arrington, Executive Director  
**DATE:** July 12, 2016  
**SUBJECT:** Consent Agenda

All items listed below are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a Board member or citizen, in which event, the item will be removed and considered under the regular agenda.

This month's consent agenda consists of the following items:

- A. Notice of Intent to Assess – 17726 Carver Ave. (Resolution 2016-22)
- B. Notice of Intent to Assess – 11 Windsor Rd. W. (Resolution 2016-23)
- C. A/C Replacement – to award contract
- D. Disposal of Fixed Assets – to approve disposal
- E. Change Orders to Current Contracts – to approve modifications

Should you have any questions in regard to these items, I would be pleased to discuss them further with you.

The following motion is provided for Board consideration:

**"THAT THE GOVERNING BOARD approve the Consent Agenda of July 21, 2016 as presented."**

Signed,

A handwritten signature in blue ink, appearing to read "D. Albrey Arrington".

D. Albrey Arrington  
Executive Director

L:/Board/Consent

Stephen B. Rockoff  
Board Member

Dr. Matt H. Rostock  
Board Member

Gordon M. Boggie  
Chairman

Harvey M. Silverman  
Board Member

James D. Snyder  
Board Member

**CONRAD J. DeSANTIS**  
*Business & Real Estate*  
Also Admitted in Pennsylvania

**TIMOTHY W. GASKILL**  
*Business, Probate*  
*Family Litigation*

**DONALD R. SMITH**  
*Personal Injury & Wrongful Death*  
*Commercial Litigation*

**CURTIS L. SHENKMAN**  
*Board Certified*  
*Real Estate Attorney*

**BROOKE GROGAN**  
*Attorney*



**DeSANTIS, GASKILL, SMITH & SHENKMAN, P.A.**

**ATTORNEYS & COUNSELORS AT LAW**

**ESTABLISHED 1973**

11891 U.S. HIGHWAY ONE, SUITE 100  
NORTH PALM BEACH, FLORIDA 33408

TELEPHONE (561) 622-2700 FACSIMILE (561) 622-2841

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**LEGAL ASSISTANTS**  
**CIVIL TRIAL, PROBATE**  
**AND FAMILY LAW**  
KAREN M. BOYDEN-LOPATOSKY  
MINDY VASSER

**PERSONAL INJURY**  
ROBIN B. MODLIN, CP  
HEATHER SHEFLIN

**REAL ESTATE**  
JUDY D. MONTEIRO  
DENISE B. PAOLUCCI

July 12, 2016

Sent by email

D. Albery Arrington, PhD., Executive Director  
Clint Yerkes, Deputy Executive Director  
Loxahatchee River Environmental Control District  
2500 Jupiter Drive  
Jupiter, Florida 33458-8964

Re: Initial Resolution for **17726 CARVER AVE** Assessment Area

Dear Dr. Arrington and Mr. Yerkes:

Per your request, please attach to this letter the Pending Lien Notice, Notice of Intent to Assess, Resolution 2016-22, the PROPOSED "Exhibit B Description of Improvements", "Exhibit B Map of the Assessment Area", and preliminary List of Property Owners.

A **SUGGESTED MOTION** for the Board to consider is:

"THAT THE GOVERNING BOARD approve Resolution 2016-22 the NOTICE OF INTENT to Assess, the Pending Lien Notice, and the Exhibits for the **17726 CARVER AVE** Assessment Area."

I will bring the originals to be signed at the Governing Board meeting. Thereafter the District will record in the Public Records.

Sincerely,

*Curtis L. Shenkman*

Curtis L. Shenkman



RETURN TO: WC-53  
Curtis L. Shenkman, Esquire  
DeSantis, Gaskill, Smith & Shenkman, P.A.  
11891 U.S. Highway One  
North Palm Beach, Florida 33408

PENDING LIEN NOTICE  
**17726 CARVER AVE. ASSESSMENT AREA**

THE LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT, a special district of the State of Florida, created in 1971 and existing pursuant to Chapter 2002-358, Laws of Florida (hereinafter referred to as the "District", hereby clarifies the lien status of the "Notice of Intent to Assess" attached hereto and made a part hereof (referred to as the "Pending Lien").

**The Pending Lien shall not be considered certified, confirmed or ratified until such time as the passage of the Final Assessment Roll Resolution of the District.**

**The intention of the District in publishing this Pending Lien Notice is to assist the property owners who may be selling or refinancing their property and parties who may be placing a mortgage on their property to do so knowing that the District is not seeking the payment of any funds on the Pending Lien until the non-ad valorem tax bill is issued for the property on the date set forth in the Final Assessment Roll Resolution of the District.**

Any inquiries as to the Pending Lien and the timing for the Final Assessment Roll Resolution and payment of said special assessments should be directed to:

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT  
2500 Jupiter Park Drive  
Jupiter, Florida 33458  
Phone: (561) 747-5700

IN WITNESS WHEREOF, the undersigned, Executive Director of the Loxahatchee River Environmental Control District, herein certifies that on this 21<sup>st</sup> day of JULY, 2016, the information contained herein is true and accurate.

WITNESSES:

LOXAHATCHEE RIVER ENVIRONMENTAL  
CONTROL DISTRICT

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_  
D. Albrey Arrington, Ph.D.  
EXECUTIVE DIRECTOR

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of July, 2016, by D. Albrey Arrington, EXECUTIVE DIRECTOR of the LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT, a special district of the State of Florida, on behalf of the District, personally known to me.

(NOTARY SEAL)

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF FLORIDA  
Special/Assessment/PendingLienNotice

RETURN TO: WC-53  
Curtis L. Shenkman, Esquire  
DeSantis, Gaskill, Smith & Shenkman, P.A.  
11891 U.S. Highway One  
North Palm Beach, Florida 33408

**NOTICE OF INTENT TO ASSESS  
CARVER AVE. ASSESSMENT AREA**

**THE LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT**, a special district of the State of Florida (the “District”) **created in 1971 and existing pursuant to Chapter 2002-358, Laws of Florida**, (the “Act”), hereby gives public notice that the District’s Governing Board on the 21<sup>st</sup> day of July, 2016, passed Resolution **2016-22**, authorizing the construction of certain local sewer improvements as further described in said Resolution **2016-22**, which is attached hereto as Exhibit “A”. It is the intent of the District to assess the owners of property specially benefited by such sewer improvements, which property is further described on the attached **Exhibit “B”**, and to apportion the District’s costs for the total expenses related to the design and construction of said improvements, based upon each owner’s proportionate share of said costs determined upon a square footage basis, or by other methods as the Governing Board may deem fair and equitable, pursuant to the Act and Rules of the District, as same may be amended from time to time hereafter.

Any inquiries to the District’s progress in completing certification of said assessments should be directed to:

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT  
2500 Jupiter Park Drive  
Jupiter, Florida 33458

**IN WITNESS WHEREOF**, the undersigned, Executive Director of the Loxahatchee River Environmental Control District, hereby certifies on this 21<sup>st</sup> day of JULY, 2016, that the information contained herein is true and accurate.

WITNESSES:

\_\_\_\_\_  
  
\_\_\_\_\_

\_\_\_\_\_  
D. Albrey Arrington  
Executive Director

STATE OF FLORIDA  
COUNTY OF PALM BEACH

SWORN TO and subscribed before me this 21<sup>st</sup> day of July, 2016, by D. Albrey Arrington, EXECUTIVE DIRECTOR of the LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT, who is personally known to me.

(NOTARY SEAL)

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF FLORIDA

Special/Assessment/NoticeIntentToAssess

## RESOLUTION 2016-22

A RESOLUTION OF THE LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT RELATING TO **17726 CARVER AVE.** ASSESSMENT AREA IMPROVEMENTS IN ACCORDANCE WITH DISTRICT RULE 31-11; STATING THE NATURE OF THE PROPOSED IMPROVEMENTS; DESIGNATING THE STREETS TO BE IMPROVED; DESIGNATING THAT PLANS, SPECIFICATIONS, AND A TENTATIVE APPORTIONMENT BE PREPARED; PROVIDING FOR THE AVAILABILITY OF PLANS AND SPECIFICATIONS AND FOR THE PREPARATION OF THE PRELIMINARY SPECIAL ASSESSMENT ROLL; PROVIDING FOR DECLARING LINE AVAILABLE FOR CONNECTION; PROVIDING FOR CONSISTENCY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Governing Board of the Loxahatchee River Environmental Control District (hereinafter called the “District”) has considered the need for improvements to the **17726 CARVER AVE.** Assessment Area (the “Area”) in Palm Beach County, Florida;

WHEREAS the District shall construct and declare available sewerage collection lines and related appurtenances comprising a localized District sewer system in the Area as an Established Residential Neighborhood based upon the Governing Board’s determination of any of the following:

- (1) That 50% or more of the record owners of property to be serviced by such localized sewerage system shall desire and consent to the construction of said system; or
- (2) that a reasonable alternative to the septic tanks exists for the treatment of the sewerage, taking into consideration factors such as cost; or
- (3) the discharge from the septic tanks is adversely affecting the health of the user or the public, or the groundwater or surface water is degraded; or
- (4) to enhance the environmental and scenic value of surface waters.

WHEREAS, the Governing Board has considered the facts, evidence, and presentations of the District Engineer, District staff and consultants as to the need for sanitary sewers in the Area and considered such recommendations to be in accordance with the above referenced Criteria of the “Ellis Rule” as well as in the best interests of the citizens of the District and the citizens of this Area.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE DISTRICT, THAT:

Section 1. Title:

This Resolution shall be known as the Resolution Authorizing the Project known as “**17726 CARVER AVE.** Assessment Area Improvements”.

Section 2. Nature of Improvements:

The project improvements shall consist of the construction of a waste water and sewage system within lands under the jurisdiction of the District. The proposed improvements performed shall generally consist of those set forth on Composite Exhibit “B”.

Section 3. Designation of Streets to be Improved:

The streets included within the **17726 CARVER AVE.** Assessment Area Improvements are set forth on Composite Exhibit “B”.

Section 4. Plans, Specifications and Tentative Apportionment:

Upon adoption of this Resolution, The District Engineers and staff shall prepare plans, specifications and estimated total costs of such proposed improvements, together with a tentative apportionment of such costs between the District and individual parcels of property receiving special benefits pursuant to the improvements.

Section 5. Public Inspection:



The Plans, Specifications and tentative apportionments for the **17726 CARVER AVE.** Assessment Area Improvements shall be available for inspection in the Office of the Executive Director, Loxahatchee River Environmental Control District, 2500 Jupiter Park Drive, Jupiter, Florida 33458. The District's Engineer shall make available said plans and specifications prepared incident thereto, for inspection in the Office of the District's Engineer.

Section 6. Assessment Roll:

The District Clerk is directed to prepare a Preliminary Assessment Roll based upon this Resolution, District Rule 31-11, and the District Engineer's tentative apportionment, and to make publication of notice in newspapers in Martin and Palm Beach Counties, together with notice mailed to those interested parties and affected property owners requesting such in writing, in accordance with the requirements of District Rule 31-11.

Section 7. Availability for Connection and Required Connection:

The waste water and sewerage system shall be "Available" for connection in accordance with District Rule 31-3.003(3) and Florida Statutes 381.0065(2)(a) when the Florida Department of Health releases the system for service, which is the date of actual "Availability". In accordance with Florida Statutes 381.00655, the affected property owners shall be required to connect to the sewerage system within one (1) year of the actual Availability.

Section 8. All Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 9. In the event that any portion of this Resolution is found to be unconstitutional or improper, it shall be severed herefrom and shall not affect the validity of the remaining portions of this Resolution.

Section 10. This Resolution shall become effective upon its passage and adoption.

PASSED AND ADOPTED BY THE GOVERNING BOARD OF THE LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT, THIS 21<sup>st</sup> DAY OF JULY, 2016.

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT  
VOTE

\_\_\_\_\_  
GORDON M. BOGGIE, Chairman

\_\_\_\_\_  
STEPHEN ROCKOFF

\_\_\_\_\_  
HARVEY M. SILVERMAN

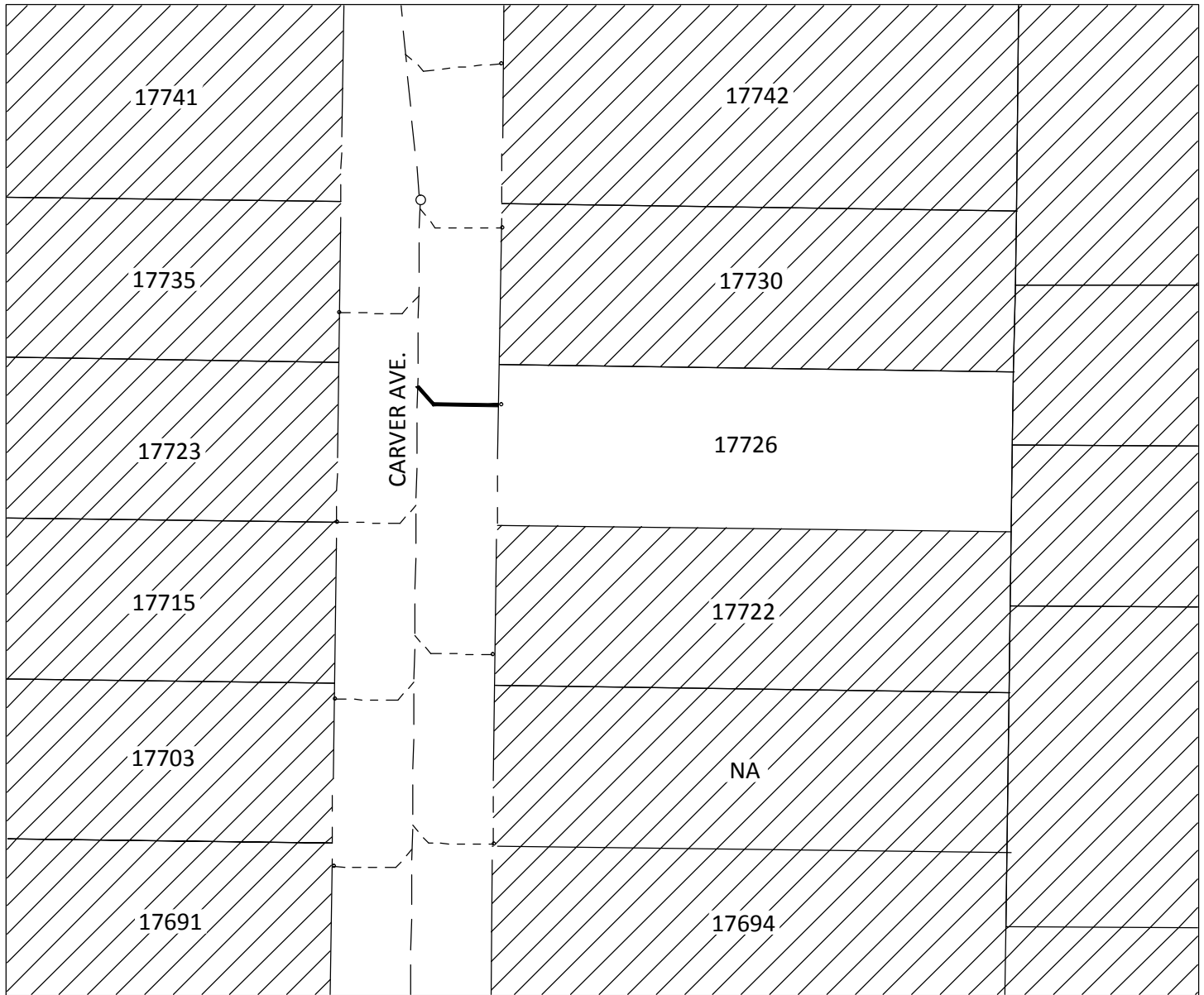
\_\_\_\_\_  
JAMES D. SNYDER

\_\_\_\_\_  
DR. MATT H. ROSTOCK

# EXHIBIT "B"

## 17726 CARVER AVENUE

### GRAVITY SYSTEM ASSESSMENT AREA



#### LEGEND

- NOT IN ASSESSMENT AREA
- EXISTING GRAVITY MAIN
- EXISTING LATERAL SERVICE
- PROPOSED LATERAL SERVICE

JUPITER, FLORIDA

## EXHIBIT “B”

### PROPOSED SEWER SERVICE ASSESSMENT AREA

#### **17726 CARVER AVE. GRAVITY ASSESSMENT AREA**

The property to be provided sewer service is located at 17726 Carver Ave., Town of Jupiter Section 30, Township 41 South, Range 42 East, Palm Beach County, Florida and lies within the following general boundaries:

On the North by Riverwalk Subdivision;  
On the South by Indiantown Road;  
On the East by Yancy Ave.; and  
On the West by Cinquez Park Rd. E.

PCN : 30-42-41-03-06-000-0440

The approximate quantity of materials required to complete the project are:

30	Lineal Feet of 4” PVC gravity service line
1	Gravity Sewer Service with cleanout
1	Connection to Main Line

CAPM RE LLC  
re: 17726 Carver Ave  
6153 Sand Pine Ct  
Jupiter FL 33458  
30-42-4103-06-000-0440

**CONRAD J. DeSANTIS**  
*Business & Real Estate*  
Also Admitted in Pennsylvania

**TIMOTHY W. GASKILL**  
*Business, Probate*  
*Family Litigation*

**DONALD R. SMITH**  
*Personal Injury & Wrongful Death*  
*Commercial Litigation*

**CURTIS L. SHENKMAN**  
*Board Certified*  
*Real Estate Attorney*

**BROOKE GROGAN**  
*Attorney*



**DeSANTIS, GASKILL, SMITH & SHENKMAN, P.A.**

**ATTORNEYS & COUNSELORS AT LAW**

**ESTABLISHED 1973**

11891 U.S. HIGHWAY ONE, SUITE100  
NORTH PALM BEACH, FLORIDA 33408

TELEPHONE (561) 622-2700 FACSIMILE (561) 622-2841

[www.LawPalmBeach.com](http://www.LawPalmBeach.com)

**LEGAL ASSISTANTS**  
**CIVIL TRIAL, PROBATE**  
**AND FAMILY LAW**  
KAREN M. BOYDEN-LOPATOSKY  
MINDY VASSER

**PERSONAL INJURY**  
ROBIN B. MODLIN, CP  
HEATHER SHEFLIN

**REAL ESTATE**  
JUDY D. MONTEIRO  
DENISE B. PAOLUCCI

July 12, 2016

Sent by email

D. Albery Arrington, PhD., Executive Director  
Clint Yerkes, Deputy Executive Director  
Loxahatchee River Environmental Control District  
2500 Jupiter Drive  
Jupiter, Florida 33458-8964

Re: Initial Resolution for **11 Windsor Road W.** Assessment Area

Dear Dr. Arrington and Mr. Yerkes:

Per your request, please attach to this letter the Pending Lien Notice, Notice of Intent to Assess, Resolution 2016-23, the PROPOSED "Exhibit B Description of Improvements", "Exhibit B Map of the Assessment Area", and preliminary List of Property Owners.

A **SUGGESTED MOTION** for the Board to consider is:

"THAT THE GOVERNING BOARD approve Resolution 2016-23 the NOTICE OF INTENT to Assess, the Pending Lien Notice, and the Exhibits for the **11 Windsor Road W.** Assessment Area."

I will bring the originals to be signed at the Governing Board meeting. Thereafter the District will record in the Public Records.

Sincerely,

*Curtis L. Shenkman*

Curtis L. Shenkman

RETURN TO: WC-53  
Curtis L. Shenkman, Esquire  
DeSantis, Gaskill, Smith & Shenkman, P.A.  
11891 U.S. Highway One  
North Palm Beach, Florida 33408

PENDING LIEN NOTICE  
**11 WINDSOR DR. W. ASSESSMENT AREA**

THE LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT, a special district of the State of Florida, created in 1971 and existing pursuant to Chapter 2002-358, Laws of Florida (hereinafter referred to as the "District", hereby clarifies the lien status of the "Notice of Intent to Assess" attached hereto and made a part hereof (referred to as the "Pending Lien").

**The Pending Lien shall not be considered certified, confirmed or ratified until such time as the passage of the Final Assessment Roll Resolution of the District.**

**The intention of the District in publishing this Pending Lien Notice is to assist the property owners who may be selling or refinancing their property and parties who may be placing a mortgage on their property to do so knowing that the District is not seeking the payment of any funds on the Pending Lien until the non-ad valorem tax bill is issued for the property on the date set forth in the Final Assessment Roll Resolution of the District.**

Any inquiries as to the Pending Lien and the timing for the Final Assessment Roll Resolution and payment of said special assessments should be directed to:

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT  
2500 Jupiter Park Drive  
Jupiter, Florida 33458  
Phone: (561) 747-5700

IN WITNESS WHEREOF, the undersigned, Executive Director of the Loxahatchee River Environmental Control District, herein certifies that on this 21<sup>st</sup> day of JULY, 2016, the information contained herein is true and accurate.

WITNESSES:

LOXAHATCHEE RIVER ENVIRONMENTAL  
CONTROL DISTRICT

\_\_\_\_\_  
  
\_\_\_\_\_

By: \_\_\_\_\_  
D. Albrey Arrington, Ph.D.  
EXECUTIVE DIRECTOR

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of July, 2016, by D. Albrey Arrington, EXECUTIVE DIRECTOR of the LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT, a special district of the State of Florida, on behalf of the District, personally known to me.

(NOTARY SEAL)

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF FLORIDA  
Special/Assessment/PendingLienNotice

RETURN TO: WC-53  
Curtis L. Shenkman, Esquire  
DeSantis, Gaskill, Smith & Shenkman, P.A.  
11891 U.S. Highway One  
North Palm Beach, Florida 33408

**NOTICE OF INTENT TO ASSESS  
11 WINDSOR RD. W. ASSESSMENT AREA**

**THE LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT**, a special district of the State of Florida (the “District”) **created in 1971 and existing pursuant to Chapter 2002-358, Laws of Florida**, (the “Act”), hereby gives public notice that the District’s Governing Board on the 21<sup>st</sup> day of July, 2016, passed Resolution **2016-23**, authorizing the construction of certain local sewer improvements as further described in said Resolution **2016-23**, which is attached hereto as Exhibit “A”. It is the intent of the District to assess the owners of property specially benefited by such sewer improvements, which property is further described on the attached **Exhibit “B”**, and to apportion the District’s costs for the total expenses related to the design and construction of said improvements, based upon each owner’s proportionate share of said costs determined upon a square footage basis, or by other methods as the Governing Board may deem fair and equitable, pursuant to the Act and Rules of the District, as same may be amended from time to time hereafter.

Any inquiries to the District’s progress in completing certification of said assessments should be directed to:

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT  
2500 Jupiter Park Drive  
Jupiter, Florida 33458

**IN WITNESS WHEREOF**, the undersigned, Executive Director of the Loxahatchee River Environmental Control District, hereby certifies on this 21<sup>st</sup> day of JULY, 2016, that the information contained herein is true and accurate.

WITNESSES:

\_\_\_\_\_  
  
\_\_\_\_\_

\_\_\_\_\_  
D. Albrey Arrington  
Executive Director

STATE OF FLORIDA  
COUNTY OF PALM BEACH

SWORN TO and subscribed before me this 21<sup>st</sup> day of July, 2016, by D. Albrey Arrington, EXECUTIVE DIRECTOR of the LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT, who is personally known to me.

(NOTARY SEAL)

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF FLORIDA

Special/Assessment/NoticeIntentToAssess

## RESOLUTION 2016-23

A RESOLUTION OF THE LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT RELATING TO **11 WINDSOR RD. W.** ASSESSMENT AREA IMPROVEMENTS IN ACCORDANCE WITH DISTRICT RULE 31-11; STATING THE NATURE OF THE PROPOSED IMPROVEMENTS; DESIGNATING THE STREETS TO BE IMPROVED; DESIGNATING THAT PLANS, SPECIFICATIONS, AND A TENTATIVE APPORTIONMENT BE PREPARED; PROVIDING FOR THE AVAILABILITY OF PLANS AND SPECIFICATIONS AND FOR THE PREPARATION OF THE PRELIMINARY SPECIAL ASSESSMENT ROLL; PROVIDING FOR DECLARING LINE AVAILABLE FOR CONNECTION; PROVIDING FOR CONSISTENCY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Governing Board of the Loxahatchee River Environmental Control District (hereinafter called the "District") has considered the need for improvements to the **11 WINDSOR RD. W.** Assessment Area (the "Area") in Palm Beach County, Florida;

WHEREAS the District shall construct and declare available sewerage collection lines and related appurtenances comprising a localized District sewer system in the Area as an Established Residential Neighborhood based upon the Governing Board's determination of any of the following:

- (1) n/a; or
- (2) that a reasonable alternative to the septic tanks exists for the treatment of the sewerage, taking into consideration factors such as cost; or
- (3) the discharge from the septic tanks is adversely affecting the health of the user or the public, or the groundwater or surface water is degraded; or
- (4) to enhance the environmental and scenic value of surface waters.

WHEREAS, the Governing Board has considered the facts, evidence, and presentations of the District Engineer, District staff and consultants as to the need for sanitary sewers in the Area and considered such recommendations to be in accordance with the above referenced Criteria of the "Ellis Rule" as well as in the best interests of the citizens of the District and the citizens of this Area.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE DISTRICT, THAT:

Section 1.      Title:

This Resolution shall be known as the Resolution Authorizing the Project known as "**11 WINDSOR RD. W.** Assessment Area Improvements".

Section 2.      Nature of Improvements:

The project improvements shall consist of the construction of a waste water and sewage system within lands under the jurisdiction of the District. The proposed improvements performed shall generally consist of those set forth on Composite Exhibit "B".

Section 3.      Designation of Streets to be Improved:

The streets included within the **11 WINDSOR RD. W.** Assessment Area Improvements are set forth on Composite Exhibit "B".

Section 4.      Plans, Specifications and Tentative Apportionment:

Upon adoption of this Resolution, The District Engineers and staff shall prepare plans, specifications and estimated total costs of such proposed improvements, together with a tentative apportionment of such costs between the District and individual parcels of property receiving special benefits pursuant to the improvements.

Section 5.      Public Inspection:

The Plans, Specifications and tentative apportionments for the **11 WINDSOR RD. W.** Assessment Area Improvements shall be available for inspection in the Office of the Executive Director,



Loxahatchee River Environmental Control District, 2500 Jupiter Park Drive, Jupiter, Florida 33458. The District's Engineer shall make available said plans and specifications prepared incident thereto, for inspection in the Office of the District's Engineer.

Section 6. Assessment Roll:

The District Clerk is directed to prepare a Preliminary Assessment Roll based upon this Resolution, District Rule 31-11, and the District Engineer's tentative apportionment, and to make publication of notice in newspapers in Martin and Palm Beach Counties, together with notice mailed to those interested parties and affected property owners requesting such in writing, in accordance with the requirements of District Rule 31-11.

Section 7. Availability for Connection and Required Connection:

The waste water and sewerage system shall be "Available" for connection in accordance with District Rule 31-3.003(3) and Florida Statutes 381.0065(2)(a) when the Florida Department of Health releases the system for service, which is the date of actual "Availability". In accordance with Florida Statutes 381.00655, the affected property owners shall be required to connect to the sewerage system within one (1) year of the actual Availability.

Section 8. All Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 9. In the event that any portion of this Resolution is found to be unconstitutional or improper, it shall be severed herefrom and shall not affect the validity of the remaining portions of this Resolution.

Section 10. This Resolution shall become effective upon its passage and adoption.

PASSED AND ADOPTED BY THE GOVERNING BOARD OF THE LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT, THIS 21<sup>st</sup> DAY OF JULY, 2016.

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT  
VOTE

\_\_\_\_\_  
GORDON M. BOGGIE, Chairman

\_\_\_\_\_  
STEPHEN ROCKOFF

\_\_\_\_\_  
HARVEY M. SILVERMAN

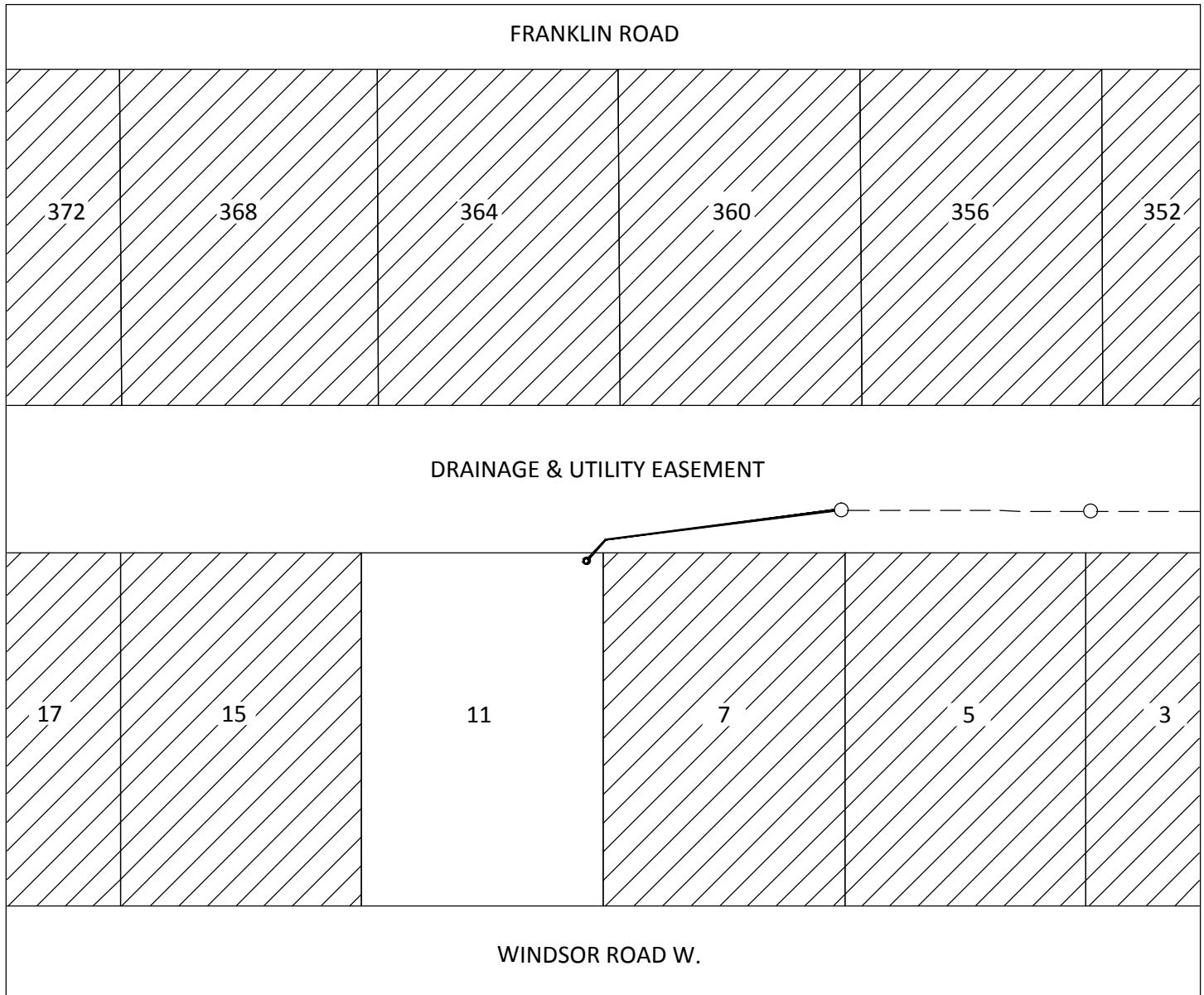
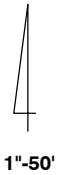
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JAMES D. SNYDER

\_\_\_\_\_  
DR. MATT H. ROSTOCK

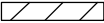



# EXHIBIT "B"

## 11 WINDSOR ROAD WEST

### GRAVITY SYSTEM ASSESSMENT AREA



#### LEGEND

-  NOT IN ASSESSMENT AREA
-  EXISTING MANHOLE
-  EXISTING GRAVITY MAIN
-  PROPOSED LATERAL SERVICE

**PALM BEACH COUNTY,**  
**FLORIDA**

## EXHIBIT “B”

### PROPOSED SEWER SERVICE ASSESSMENT AREA

#### **11 WINDSOR RD. W. GRAVITY ASSESSMENT AREA**

The property to be provided sewer service is located at 11 Windsor Rd. W. Section 30, Township 40 South, Range 42 East, Town of Jupiter, Palm Beach County, Florida and lies within the following general boundaries:

On the North by Tequesta Drive;  
On the South by Riverside Drive;  
On the East by Venus Avenue; and  
On the West by Seabrook Road.

PCN : 30-42-40-36-09-013-0050

The approximate quantity of materials required to complete the project are:

100	Lineal Feet of 6” PVC gravity service line
1	Gravity Sewer Service with cleanout
1	Existing Manhole connection

Ms. Leslie Judd  
re: 11 Windsor Rd W  
11 Windsor Rd W  
Tequesta FL 33469  
30-42-40-36-09-013-0050

# Loxahatchee River District

Water Reclamation | Environmental Education | River Restoration

2500 Jupiter Park Drive, Jupiter, Florida 33458

Telephone (561) 747-5700 • Fax (561) 747-9929 • [www.loxahatcheeriver.org](http://www.loxahatcheeriver.org)



D. Albrey Arrington, Ph.D., Executive Director

## MEMORANDUM

TO: D. ALBREY ARRINGTON, Ph.D.  
EXECUTIVE DIRECTOR

FROM: CLINTON R. YERKES  
DEPUTY EXECUTIVE DIRECTOR

DATE: JULY 13, 2016

SUBJECT: OPERATIONS BUILDING  
AIR CONDITIONING SYSTEM REPLACEMENT

---

On May 18, 2016 bids were received for the subject project. The maintenance of the existing system which is mounted on the roof of the 2 story operations building. Increasingly with the age of the system and the precarious access to the roof the need for a better system was required.

A new A-C system was designed by Jones & Conde, LLC. The proposed system will relocate exterior equipment to ground level and provide better distribution control.

The following bids were received:

<b>Thermal Concepts, Inc.</b>	<b>\$44,223.00</b>
<b>Supa Air &amp; Heat, Inc.</b>	<b>\$89,000.00</b>
<b>Cedars Electro-Mechanical, Inc.</b>	<b>\$97,375.00</b>
<b>Hill York Service Corp.</b>	<b>\$99,413.00</b>

The only complete, responsive bid package was provided by Thermal Concepts, Inc. who also provided the low bid.

Jones & Conde have reviewed the bid package for completeness, however, due to the significant difference in the low bid from the 3 others we have requested the designer to discuss the contractors understanding of the job requirements and their experience in more detail.

We hope to have a recommendation based upon this additional information prior to the Board meeting for approval of the following motion:

**“THAT THE DISTRICT GOVERNING BOARD authorize award of contract to Thermal Concepts, Inc. for performance of the Air Conditioning System Replacement Contract (Bid #15-007-CBAC) in accordance with their bid of \$44,223.00.”**

Stephen B. Rockoff  
Board Member

Dr. Matt H. Rostock  
Board Member

Gordon M. Boggie  
Chairman

Harvey M. Silverman  
Board Member

James D. Snyder  
Board Member

**BID RESPONSE**

**BID #15-007-CBAC  
AIR CONDITIONING SYSTEM REPLACEMENT  
LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT FACILITY  
TERM CONTRACT**

The vendor agrees to execute an Agreement in strict accordance with the Contract Documents in the full amount of the contract price as follow:

**THERMAL CONCEPTS, INC.**

(Vendor)

Agrees to furnish all materials, equipment and labor and to perform all Work in accordance with the requirements and specifications of the Bid Documents for: Air Conditioning System Replacement of Loxahatchee River District Control Building.

The undersigned Bidder has carefully examined the Specification requirements, Bid/Contract Documents and is familiar with the nature and extent of the Work and any local conditions that may in any manner affect the Work to be done.

The undersigned agrees to provide the service called for by the Specifications and Bid Documents, in the manner prescribed therein and to the standards of quality and performance established by the District for the Bid price stated in the spaces herein provided.

The undersigned agrees to the right of the District to hold all Bids and Bid guarantees for a period not to exceed ninety (90) days after the date of Bid opening stated in the Request for Bid.

The undersigned accepts the invoicing and payment policies specified in the Bid.

Description of Service	Contract Price
Installation of a new air conditioning system in the District's operation's Control Building in accordance with plans, specifications, and permit requirements.	\$ 44,223.00
<b>*TOTAL YEARLY SERVICE CONTRACT PRICE</b>	<b>\$ - 0 -</b>

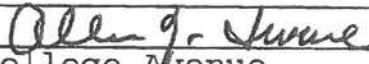
\*The "Total Contract Price" shall be used when evaluating bids as to their Balanced Bid Price

All unit prices bid should be within two (2) decimal points. If bidder's pricing exceeds two (2) decimal points, Purchasing reserves the right to round up or down accordingly.

**\* PLEASE AFFIX SIGNATURE WHERE INDICATED  
(FAILURE TO DO SO SHALL RESULT IN THE REJECTION OF YOUR BID)**

By signature on this document, bidder acknowledges and agrees that its offer includes and accepts all terms, conditions, and specifications of the County's bid solicitation as originally published, without exception, change or alteration of any kind, except as may have been published by the County in official amendments prior to this date of submittal.

FIRM NAME: THERMAL CONCEPTS, INC.

* <b>SIGNATURE:</b> 	PRINT NAME: ALLEN D. IRVINE
ADDRESS: 2201 College Avenue	PRINT TITLE: VICE PRESIDENT
CITY/STATE: Davie, Florida	ZIP CODE: 33317
TELEPHONE # ( ) 954-472-4465	E-MAIL: AIRVINE@THERMALCONCEPTS.COM
TOLL FREE # ( ) 800-953-2503 - 24- HOUR SERVICE	FAX #: ( ) 954-472-4425
APPLICABLE LICENSE(S) CACO39621 (AIRCONDITION)	Federal ID # 59-2317557



# Loxahatchee River District

Water Reclamation | Environmental Education | River Restoration

2500 Jupiter Park Drive, Jupiter, Florida 33458

Telephone (561) 747-5700 • Fax (561) 747-9929 • [www.loxahatcheeriver.org](http://www.loxahatcheeriver.org)

D. Albrey Arrington, Ph.D., Executive Director



## MEMORANDUM

TO: GOVERNING BOARD

FROM: KARA PETERSON

DATE: JULY 15, 2016

SUBJECT: DISPOSAL OF FIXED ASSETS

Whenever the District disposes of furniture, equipment or other fixed assets which are worn out or no longer of use, we are required by Florida Statutes to bring the matter to the attention of the governing body. Therefore, consistent with our procedures, I request your authorization to dispose of the items listed below:

Tag #	F/A #	Description	Date Recorded	Acquired Value	Book Value
2517	OE254	Konica-Minolta Bizhub 350 Copier	09/30/10	\$ 4,304.00	\$ -
<b>Total Assets to be Disposed</b>				<b>\$ 4,304.00</b>	<b>\$ -</b>

If you have any questions, please feel free to contact me.

I offer the following motion for your consideration:

**“THAT THE GOVERNING BOARD authorize the Executive Director to dispose of the property listed in the schedule above. The fixed assets have no book value.”**

Stephen B. Rockoff  
Board Member

Dr. Matt H. Rostock  
Board Member

Gordon M. Boggie  
Chairman

Harvey M. Silverman  
Board Member

James D. Snyder  
Board Member

# Loxahatchee River District

Water Reclamation | Environmental Education | River Restoration

2500 Jupiter Park Drive, Jupiter, Florida 33458

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D. Albrey Arrington, Ph.D., Executive Director

## MEMORANDUM

TO: D. Albrey Arrington, Ph.D.  
Executive Director

FROM: Clinton R. Yerkes *CR*  
Deputy Executive Director

DATE: July 12, 2016

SUBJECT: DEEP BED SAND FILTERS ENGINEERING  
CHANGE ORDER #3

---

Hazen and Sawyer, as you will recall, are providing Construction Services on the Deep Bed Sand Filter project. Change Order #1 was approved to include Electrical Building Improvements. Change Order #2 was recently approved to provide water quality testing to determine the Deep Bed Filter improvement in treatment over our existing travelling bridge filters.

The attached Task Order #20-Change Order #3 from Hazen provides a summary of the Geotechnical and Materials Testing Services that are needed during construction and how Hazen will provide these services to the District. Hazen will be using GFA, Inc. to do the testing and pass through the charges to the District. GFA will be charging consistent with our annual contract unit pricing where applicable.

Staff recommends approval of the following motion:

**“THAT THE DISTRICT GOVERNING BOARD authorize Change Order #3 to the Engineering Services Contract with Hazen & Sawyer for the Deep Bed Sand Filters Contract in an amount not to exceed \$20,000.00.”**

V:\cip\proj\deepbedfilters\eng\Chng Orders\CO#3 Board Memo

Stephen B. Rockoff  
Board Member

Dr. Matt H. Rostock  
Board Member

Gordon M. Boggie  
Chairman

Harvey M. Silverman  
Board Member

James D. Snyder  
Board Member



## **TASK ORDER No. 20 – Change Order No. 3**

### **Loxahatchee River Environmental Control District**

#### **Wastewater Treatment Plant**

#### **Deep Bed Sand Filters – Construction Phase Geotechnical Engineering and Material Testing Services**

**Date: July 11, 2016**

#### **PREAMBLE**

The existing traveling bridge filters and filter structure at the Loxahatchee River District (hereinafter LRD) wastewater treatment facility have served the LRD for over 20 years and are in need of significant rehabilitation and repair. Hence, in lieu of repair and replacement, it is the LRD staff's desire to replace the filters with deep bed sand filters. Deep bed filters offer additional benefits over traveling bridge filters including denitrification (i.e., nutrient removal) capabilities as well as proven performance during plant upset conditions. The LRD Board authorized Hazen and Sawyer, P.C. (hereinafter CONSULTANT) to provide engineering services for the design, permitting, bidding, construction management, inspection and startup of new deep bed filters to replace the existing traveling bridge filters at the LRD wastewater treatment facility. This authorization was provided under CONSULTANT Task Order No. 20 (approved at the April 17, 2014 Board meeting).

Subsequent to the approval of Task Order No. 20, geotechnical investigations revealed the need to perform additional soil stabilization work to ensure anticipated settlement of the proposed deep bed filter structure was limited to acceptable levels. For the purpose of improving the subsurface conditions, vibrocompaction within the footprint of the deep bed filter structure was selected and incorporated into the subsurface preparation requirements of the construction phase of the project. The incorporation of vibrocompaction into the construction phase of the project requires additional construction phase geotechnical engineering services associated with monitoring and test borings to verify the effectiveness of the vibrocompaction activities performed during construction. Additionally, material testing associated with laboratory soil testing (Proctor tests), in-place density/moisture testing of compacted fills, molding of cast-in-place concrete cylinders, temperature and slump testing of cast-in-place concrete, and compression testing of concrete cylinders not previously included in Task Order No. 20 or subsequent change orders is necessary to ensure quality control of material placement during construction. This Change Order No. 3 to Task Order No. 20 provides for the additional geotechnical engineering services associated with vibrocompaction activities, Proctor tests, density/moisture testing of compacted fills, and cast-in-place concrete testing during the construction phase of the project. The work will be performed by CONSULTANT subconsultant on a unit price not-to-exceed basis.

#### **SCOPE OF SERVICES**

##### **Task 1 – Geotechnical Services**

The Geotechnical Services to be provided by CONSULTANT will consist of performing vibroflotation monitoring at the deep filter construction site as well as 30-foot verification test borings to be performed after vibrocompaction is complete.

## **Task 2 – Construction Materials Testing Services**

CONSULTANT will provide Construction Materials Testing Services for the Deep Bed Filters project as outlined below:

### **Task 2a - Laboratory Soil Testing**

Laboratory soil testing will be required to identify the properties and suitability of the soil to be used at the site. CONSULTANT will conduct Proctor tests required to obtain material's maximum density and optimum moisture content, which would be used to verify that the degree of compaction in the field is achieved.

### **Task 2b - Field Density / Moisture Testing**

CONSULTANT will provide a field technician to test the in-place density of the compacted fills. For this testing, CONSULTANT will use the Nuclear Method (ASTM D2922) in the field, which will be correlated with the corresponding laboratory proctor compaction tests.

### **Task 2c - Cast-in-Place Concrete Testing**

CONSULTANT will provide an ACI-certified technician to test the concrete delivered to the site. In accordance with the project specifications, for every 50 cubic yards or fraction thereof of concrete placed per day the technician will measure the temperature of the concrete, air content of the concrete, and mold a set of five compression cylinders per ASTM C-31. The cylinders will be cured in the laboratory, with one cylinder tested at seven days and three at 28 days. CONSULTANT will also determine the slump and temperature of the concrete for each concrete truck.

## **DELIVERABLE**

All test results shall be in the form of a written report(s) delivered to LRD in PDF format by CONSULTANT.

## **TIME OF COMPLETION**

Task 1 – 90 days from Notice-to-Proceed

Task 2 – 600 days from Notice-to-Proceed (throughout project construction duration).

## COMPENSATION

The compensation for engineering services provided under this Task Order 20 Change Order No. 3 shall be on a not-to-exceed basis for a total amount of \$20,000.00. A cost breakdown by task for engineering services described in this task order follows:

DESCRIPTION	NOT TO EXCEED FEE
Task 1 – Geotechnical Services	\$7,600.00
Task 2 – Construction Materials Testing Services	\$12,400.00 <sup>(1)</sup>
<b>Total Change Order No. 3 Cost</b>	<b>\$20,000.00</b>

1) Compensation shall be on a per-test basis, based on the following schedule:

DESCRIPTION	RATE	ESTIMATED QUANTITY	ESTIMATED TOTAL
<b>Pavement Area Soils</b>			
Stabilized Subgrade Density - Pavement	\$22.00 Each	4	\$88.00
Base Density	\$22.00 Each	4	\$88.00
Sidewalk Density	\$22.00 Each	10	\$220.00
<b>Laboratory Testing</b>			
Proctors	\$80.00 Each	4	\$320.00
Stabilized Subgrade Limerock Bearing Ratio (LBR)	\$250.00 Each	3	\$750.00
Sieve Analysis	\$45.00 Each	3	\$135.00
Wash 200	\$35.00 Each	3	\$105.00
<b>Underground Utilities Below Pavement</b>			
Storm Drain Backfill Density	\$22.00 Each	45	\$990.00
Miscellaneous Piping Density	\$22.00 Each	20	\$440.00
Backfill Around Structure Density	\$22.00 Each	30	\$660.00
<b>Building Areas/Footing</b>			
Pad Density Tests	\$22.00 Each	18	\$396.00
Footings Density	\$22.00 Each	16	\$352.00
<b>Concrete Testing</b>			
Test Cylinders in Building & Grout Prism	\$70.00 per Set	40	\$2,800.00
Air Content	\$15.00 per Set	40	\$600.00
<b>Engineering Review of Test Results</b>			
Review of Test Results by Senior Geotechnical Engineer	\$100.00 per Hour	2	\$200.00
<b>Technician Time</b>			
Technician Time	\$45.00 per Hour	20	\$900.00



## SCHEDULE

The duration of major work tasks are summarized below:

DESCRIPTION	ESTIMATED COMPLETION TIME FROM NTP <sup>(1)</sup>
Task 1 – Geotechnical Services	90 days
Task 2 – Construction Materials Testing Services	600 days
<b>Total Project Duration</b>	<b>600 days<sup>(2)</sup></b>

- 1) NTP = Notice to Proceed issued to Contractor.
- 2) Duration dependent upon Contractor's actual construction schedule.



Albert Muniz, P.E.  
Vice President / Hazen and Sawyer

July 11, 2016

Date

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# Loxahatchee River District

Water Reclamation | Environmental Education | River Restoration


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D. Albrey Arrington, Ph.D., Executive Director

## MEMORANDUM

TO: GOVERNING BOARD  
FROM: D. ALBREY ARRINGTON, Ph.D.   
DATE: JULY 15, 2016  
SUBJECT: FISCAL YEAR 2016-2017 – BUDGET ASSUMPTIONS

Our budget season is upon us. Over the next three months, we will work through our budgeting process to develop, review, and approve our Fiscal Year 2017 budget, which goes into effect on October 1, 2016. We are proceeding with the following schedule:

- July: Provide and review budget matrix
- August: Provide and review draft budget by each account number
- September: Provide and review Final Draft Budget and approve Final Budget.

From a comprehensive perspective, the Draft Budget includes the following:

FY2016 (\$)	FY2017 (\$)	Change	Budget Category
\$ 5,560,779	\$ 5,918,548	(6.4%)	Admin., Legal, Accounting, Information Services, and Engineering
\$ 9,149,135	\$ 9,512,152	(4.0%)	System Operation and Maintenance
<i>\$ 14,709,914</i>	<i>\$ 15,430,700</i>	<i>(4.9%)</i>	<i>Operating Expense Sub-Total</i>
\$ 6,740,500	\$ 9,228,500	(37%)	Capital Improvements
\$ 6,032,000	\$ 9,021,000	(50%)	Renewal & Replacement
<b>\$ 27,482,414</b>	<b>\$ 33,680,200</b>	<b>(23%)</b>	<b>Grand Total</b>

The draft budget results in a 23% increase relative to last year's budget. The vast majority of this increase is driven by four major projects (sewerage of Jupiter Inlet Colony, construction of the deep bed sand filters, construction of the new wastewater force main on Alternate A-1-A bridge, and significant improvements to our Master Lift Station). Operating Expenses represent a 4.9% annual increase, which is equal to the U.S. Department of Labor Statistics' Water and Sewerage Maintenance Index (WSMI). My goal over the next two months will be to work to reduce this number to the extent reasonably possible.

Below I provide a general discussion of each budget category as outlined in the budget matrix. The budget matrix is provided on the last page of this memo.

**Revenue** – Total revenue is expected to increase from \$22,817,000 in FY2016 to \$23,132,000 in FY2017; a 1.4% increase. This revenue increase is driven by our projected increase in the number of customers we serve.

**Salary & Wages** – An increase of \$306,432 (6.2%) is shown in the matrix. This increase is driven by the addition of a new engineering employee, COLA, potential merit increases, promotions and overtime.

1. Number of Employees: I have proposed a new staff member in Engineering to facilitate coordination of in-house construction projects (e.g., project planning, permitting, material

acquisition, and etc). This position will be important in managing Kris' work load as he assimilates management responsibilities of the Collection and Transmission crews. If approved, the District will have 81 full time employees.

2. Proposed Cost of Living Adjustment: The June consumer price index (CPI-U) was 1.0%, so I suggest we include a 1.0% cost of living adjustment (COLA) for our employees to maintain their purchasing power given the present rate of inflation.
3. Proposed Merit Increase: I recommend the budget include 3.0% to be disbursed to employees exhibiting meritorious performance during their annual performance review process.

**Payroll Tax** – An increase of \$41,080 (11.5%) is budgeted. We are working to understand the magnitude of this increase.

**Retirement** – An increase of \$42,200 (6.3%) is budgeted due to the anticipated increase in wages.

**Employee Health Insurance** – This current version of our draft budget includes a 12.0% (\$128,255) increase for health insurance. This increase assimilates costs of a new employee, status changes among existing employees (i.e., moving from single to family coverage), and the Gehring Group's suggestion that we should anticipate a 11% increase in our health premiums. Our past performance suggests we can hedge this projected increase especially if we go out to a full RFP for health insurance, which I intend on doing this year. We will continue to evaluate our options and budget strategy over the next two months.

**General Insurance** – An increase of \$40,300 (10%) is budgeted for our Property, General Liability, Automobile Liability and Physical Damage, Workers Compensation, and Fiduciary Liability insurance policies based on feedback from our insurance agent. This increase is driven by inflation in the insurance market and increasing value of insured assets.

**Supplies & Expenses** – A decrease of \$69,052 (-6.7%) is budgeted. The decrease is driven by moving \$100,000 of costs (predominantly associated with fees paid to the Tax Collector for collecting our non-*ad valorem* assessments) have been moved to "Outside Services" (see below). Without this cost transfer, this line item would be up 3.0%.

**Utilities** – FPL proposed a 17% rate increase for next year; nonetheless, we have budgeted for a 10.4% (\$146,613) increase in the anticipation that FPL will not be allowed to implement the full proposed 17% rate increase.

**Chemicals** – A decrease of \$50,991 (-7.3%) is budgeted, because anticipated efforts (costs) to remediate a significant source of odors in our collection system were not necessary. Rather, the odor issue was addressed through collaboration with a significant user in our system.

**Repair & Maintenance** – A decrease of \$58,578 (-2.5%) is budgeted. We believe the budgeted amount will allow staff to continue our proactive efforts to effectively maintain our assets.

**Outside Services** – An increase of \$219,527 (14.6%) is budgeted. These additional costs are driven by the following: \$70,000 for fees paid to the Tax Collector for processing non-*ad valorem* assessments (moved from Supplies & Expenses); an expected \$75,000 increase in sludge hauling; additional consulting on our financial software; and purchase and installation of new time and attendance software.

**Contingency** – We have reduced our budgeted contingency by \$25,000 (-11.1%).

**Capital** – is projected to increase by \$2,488,000 (37%). In FY2017 neighborhood sewerage of Jupiter Inlet Colony, Turtle Creek, and Whispering Trails; construction of a new wastewater force main on the Alternate A-1-A bridge; and improvements to our Master Lift Station represent the most significant budgeted expenditures.

<b>Capital Accounts</b>	<b>FY2016</b>	<b>FY2017</b>	<b>% Increase</b>
Equipment	\$ 472,500	\$ 592,500	25%
Information Services	\$ 10,000	\$ 35,000	250%
Sub-Regional Collection & Transmission System	\$ 4,940,000	\$ 5,040,000	2%
Regional Collection & Transmission System	\$ 480,000	\$ 3,018,000	529%
Treatment System	\$ 321,000	\$ 296,000	-8%
Reclamation & Disposal System	\$ 137,000	\$ 67,000	-51%
Expansion	\$ 10,000	\$ 10,000	0%
Contingency	\$ 370,000	\$ 170,000	-54%
<b>Total</b>	<b>\$ 6,740,500</b>	<b>\$ 9,228,500</b>	<b>37%</b>

*\*We will incur significant capital expenses for Jupiter Inlet Colony Neighborhood Rehabilitation in FY2017, and we anticipate JIC will pre-pay the full project assessment amount in FY2018.*

**Renewal & Replacement** – is projected to increase by \$2,989,000 (50%). The overwhelming majority of this increase is due to expenses associated with engineering and construction of our new deep bed filters and associated electrical improvements (\$6,542,500; Treatment System). In addition, we will continue to systematically evaluate and rehabilitate our aging sewer system equipment and infrastructure.

<b>Renewal &amp; Replacement Accounts</b>	<b>FY2016</b>	<b>FY2017</b>	<b>% Increase</b>
Collection System	\$475,000	\$225,000	-53%
Transmission System	\$1,235,000	\$938,000	-24%
Treatment System	\$3,185,000	\$6,542,500	105%
Reclamation & Disposal System	\$605,000	\$606,500	0%
Vehicles & Equipment	\$382,000	\$559,000	46%
Contingency	\$150,000	\$150,000	0%
<b>Total</b>	<b>\$6,032,000</b>	<b>\$9,021,000</b>	<b>50%</b>

Budgeting is an important process, and we look forward to receiving your input. Again, my goal will be to reduce our budgeted Operating Expenses to below the U.S. Department of Labor Statistics' Water and Sewerage Maintenance Index of 4.9%. I look forward to discussing our budgeting efforts with you.



Matrix Group	FY	Executive	Finance and Administration	Information Services (IT, Lab, Cust Svc)	Engineering	Construction	General Operations	Collection & Transmission	Treatment & Disposal	IQ Water System	Bio Solids	Contingency	Total	Percent Change
Salaries & Wages	2016	\$ 517,890	\$ 483,700	\$ 852,230	\$ 543,620	\$ 362,430	\$ 321,530	\$ 687,590	\$ 972,530	\$ 112,558	\$ 113,550		\$ 4,967,628	6.2%
Salaries & Wages	2017	\$ 564,200	\$ 477,600	\$ 913,600	\$ 618,520	\$ 343,100	\$ 330,400	\$ 743,720	\$ 1,050,400	\$ 112,180	\$ 120,340		\$ 5,274,060	
Payroll Taxes	2016	\$ 36,260	\$ 33,070	\$ 60,980	\$ 39,000	\$ 24,700	\$ 23,220	\$ 49,480	\$ 73,050	\$ 8,110	\$ 8,250		\$ 356,120	11.5%
Payroll Taxes	2017	\$ 42,900	\$ 36,100	\$ 68,400	\$ 46,500	\$ 25,700	\$ 24,800	\$ 55,800	\$ 79,500	\$ 8,400	\$ 9,100		\$ 397,200	
Retirement	2016	\$ 65,420	\$ 66,490	\$ 109,990	\$ 82,100	\$ 55,670	\$ 38,120	\$ 107,890	\$ 103,000	\$ 20,450	\$ 20,770		\$ 669,900	6.3%
Retirement	2017	\$ 72,100	\$ 67,900	\$ 115,300	\$ 82,000	\$ 49,000	\$ 46,900	\$ 96,000	\$ 149,600	\$ 16,100	\$ 17,200		\$ 712,100	
Health Insurance	2016	\$ 97,658	\$ 86,671	\$ 193,649	\$ 110,891	\$ 97,030	\$ 82,650	\$ 144,631	\$ 204,216	\$ 30,150	\$ 25,000		\$ 1,072,546	12.0%
Health Insurance	2017	\$ 107,424	\$ 95,338	\$ 213,014	\$ 136,980	\$ 112,733	\$ 90,915	\$ 159,094	\$ 224,638	\$ 33,165	\$ 27,500		\$ 1,200,801	
General Insurance	2016	\$ 59,540					\$ 343,410						\$ 402,950	10.0%
General Insurance	2017	\$ 62,950					\$ 380,300						\$ 443,250	
Supplies & Expenses	2016	\$ 150,860	\$ 140,000	\$ 158,880	\$ 30,000	\$ 50,000	\$ 189,000	\$ 63,000	\$ 227,500	\$ 17,500	\$ 7,500		\$ 1,034,240	-6.7%
Supplies & Expenses	2017	\$ 151,683	\$ 39,000	\$ 188,800	\$ 30,000	\$ 50,000	\$ 188,955	\$ 56,000	\$ 238,950	\$ 14,300	\$ 7,500		\$ 965,188	
Utilities	2016	\$ 79,240		\$ 76,360			\$ 118,000	\$ 243,750	\$ 602,800	\$ 293,500			\$ 1,413,650	10.4%
Utilities	2017	\$ 98,158		\$ 68,078			\$ 127,882	\$ 304,839	\$ 654,598	\$ 306,708			\$ 1,560,263	
Chemicals	2016							\$ 500,000	\$ 50,000	\$ 55,000	\$ 95,000		\$ 700,000	-7.3%
Chemicals	2017							\$ 396,920	\$ 50,000	\$ 90,500	\$ 111,589		\$ 649,009	
Repair & Maintenance	2016	\$ 88,690	\$ 5,000	\$ 67,170	\$ 28,090	\$ 237,100	\$ 216,120	\$ 623,000	\$ 756,220	\$ 263,000	\$ 83,450		\$ 2,367,840	-2.5%
Repair & Maintenance	2017	\$ 112,780	\$ 5,000	\$ 61,450	\$ 31,640	\$ 256,250	\$ 153,360	\$ 580,465	\$ 764,600	\$ 173,917	\$ 169,800		\$ 2,309,262	
Outside Services	2016	\$ 236,520	\$ -	\$ 208,880			\$ 20,000	\$ 32,000	\$ 48,210	\$ 200,000	\$ 754,430		\$ 1,500,040	14.6%
Outside Services	2017	\$ 237,820	\$ 100,030	\$ 211,500			\$ 20,000	\$ 40,502	\$ 55,000	\$ 225,000	\$ 829,715		\$ 1,719,567	
Contingency	2016											\$ 225,000	\$ 225,000	-11.1%
Contingency	2017											\$ 200,000	\$ 200,000	
Total	2016	1,332,078	814,931	1,728,139	833,701	826,930	1,352,050	2,451,341	3,037,526	1,000,268	1,107,950	225,000	14,709,914	4.9%
Total	2017	1,450,015	820,968	1,840,142	945,640	836,783	1,363,512	2,433,340	3,267,286	980,270	1,292,744	200,000	15,430,700	
Percent Change		8.9%	0.7%	6.5%	13.4%	1.2%	0.8%	-0.7%	7.6%	-2.0%	16.7%	-11.1%	4.9%	

# Loxahatchee River District

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D. Albrey Arrington, Ph.D., Executive Director



## MEMORANDUM

TO: GOVERNING BOARD  
FROM: D. ALBREY ARRINGTON, Ph.D.   
DATE: JULY 12, 2016  
SUBJECT: PROPOSED REVISION OF CHAPTER 31-1 ORGANIZATION, POLICIES AND PROCEDURES

In anticipation of Mr. Vaughn's retirement, which is projected to occur in January, 2017, I have been considering how best to revise the District's organization structure to maximize the strengths and abilities of existing staff. It is my hope to promote from within to fill Tom's position of Director of Operations. I believe moving our Collections and Transmission staff from Operations to the Engineering Division, under the leadership of our Director of Engineering – Mr. Kris Dean, will significantly facilitate the leadership transition within the Operations Division.

I have revised Chapter 31-1 to reflect the proposed changes. In short, I deleted operation and maintenance of our collections and transmission system from the responsibilities of the Operations Division, and inserted the following text "The Engineering Division is also responsible for the District's collection and transmission system, which pumps and carries raw wastewater and reclaimed water." In addition, I have deleted the organizational chart from Chapter 31-1 and referenced that the District's organizational chart can be viewed on our web page (<http://loxahatcheeriver.org/staff.php>).

The marked-up version of Chapter 31-1 is attached for your review and review by the public (via our web page). This version assimilates comments offered by the Board and staff following your meeting last month. This month (July 21, 2016) we will hold a public hearing to receive public comment on the draft version of Chapter 31-1. Following the public hearing, staff will present the revised Chapter 31-1 for Governing Board approval at your regular meeting.

Pending public comment, I recommend the following motion for approval:

"THAT THE DISTRICT GOVERNING BOARD approve the amended Chapter 31-1 Rule as presented with an effective date of August 1, 2016."

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## CHAPTER 31-1 ORGANIZATION, POLICIES AND PROCEDURES

31-1.001	General
31-1.002	The Agency Head
31-1.003	General Description of Agency Organization and Operations
31-1.004	General Information Concerning Agency
31-1.005	Statutory Chapters and Rules
31-1.006	Public Information and Inspection of Records
31-1.007	Public Access to Agency

### **31-1.001      General**

The Loxahatchee River Environmental Control District (hereinafter called "District") is a separate local agency of government created by the Florida Legislature in 1971 with enabling legislation under Chapter 2002-358, Special Acts of Florida, as amended. The purpose of the District is to preserve public health, safety, and welfare within our service area and protect, preserve, and restore the Loxahatchee River watershed through the management of water supply, wastewater, and stormwater drainage. Section 2 of Chapter 2002-358 states that "It is hereby declared to be the intent of the Legislature that the best interests of public health, safety and welfare of the area within the boundaries of the Loxahatchee River Environmental Control District, hereinafter created, necessitate the formation of a separate local agency of government with powers designed to meet the particular needs of said area. It is further the intent of the legislature that such needs be met in such a way as to cause minimum damage to the area's resources and environment and prevent additional environmental problems from being created, as well as providing solutions to existing problems. Maximum use of existing systems shall be made whenever feasible and consistent with the purposes of this act. It is also the intent of the legislature that current and long range planning shall be carried out so that required services are made available at the lowest possible cost as the characteristics of the area change."

(2) The District is located in southeast Martin County and northeast Palm Beach County and includes the Town of Jupiter, Jupiter Inlet Colony, the Village of Tequesta and a portion of Juno Beach.

(3) The affairs of the District are administered by a five (5) member Governing Board which is elected by the registered voters of the District.

(4) The existing internal organization consists of seven (7) divisions in addition to the Governing Board (see Organizational Chart, [which is maintained online at www.loxahatcheeriver.org](http://www.loxahatcheeriver.org)). Collectively, the Governing Board serves as the Agency Head and exercises regulatory and executive powers. The Executive Director administers the affairs of the Board and serves as the chief officer of all divisions. The Executive Division is responsible for management of the entire organization including personnel matters. The Finance & Administration Division is responsible for financial and fiscal operations and plans, maintenance of District records, and general support services to the District. The Operations Division is responsible for operation and maintenance of the District's wastewater ~~management~~ treatment

~~and disposal facilities, including collection, transmission, treatment, and disposal of wastewater and transmission and beneficial reuse of reclaimed water.~~ The Information Services Division is responsible for the District's data collection and management systems including Information Technology, Customer Service, and the Wildpine Laboratory. The Engineering Division is responsible for the design, inspection, construction of the works of the District, upgrades and rehabilitation to existing infrastructure, and planning for the long range facilities needs of the District. The Director of Engineering is the responsible authority on drafting and interpreting the District's Construction Standards and Technical Specifications. The Engineering Division is also responsible for the District's collection and transmission system, which pumps and carries raw wastewater and reclaimed water. The Legal Division (external) is responsible for the legal aspects of District affairs including regulations, resolutions and legal opinions. The Auditing Division (external) is responsible for the annual auditing requirements of Chapter 2002-358 and to the establishment of account books and records of the District.

*Specific Authority Chapter 2002-358, Special Acts of Florida, as amended. Law Implemented Chapter 2002-358, Preamble, Section 2, Section 3, Section 4, Section 6(1). History-New 11-12-75. Formerly 31-1.01, Amended 4-5-87, 5-15-92, 5-18-00, 9-19-2013, 5-21-2015, 7-21-2016.*

History Note: The District's Rules were published in the Florida Administrative Code from 1975 until 1999 under Title 31. However, since that time, the Florida Legislature has amended the APA in Chapter 99-379, Laws of Florida, effective upon becoming law, which was approved by the Governor and filed in the Office of Secretary of State on June 18, 1999. The APA section 120.52(1) added the following section under the definition of "Agency": "This definition does not include..., or any multi-county special district with a majority of its governing board comprised of elected persons;..." Thereafter, the District publishes its Rules and maintains the same Rule numbering system. See also letter from Kenneth J. Plante, Coordinator of the Joint Administrative Procedures Committee dated February 23, 2012 to the Loxahatchee River Environmental Control District, which confirmed the Loxahatchee River Environmental Control District does not fall within the definition of "agency" under section 120.52(1), Florida Statutes.

## ANNOTATIONS

### Jurisdiction

Public Service Commission did not have jurisdiction to grant private utility authority to operate within Loxahatchee River Environmental Control District without district's consent; district was intended by legislature to be agency responsible for deciding which private utilities could operate within its boundaries. Loxahatchee River Environmental Control District v. Mann, 403 So. 2d 363 (1981).

### **31-1.002 The Agency Head**

(1) The Agency Head is collectively the five (5) member Governing Board. Among themselves, the Governing Board selects a Chairman, Vice-Chairman, Secretary, Treasurer, and Assistant Secretary/Treasurer annually.

(2) Section 4(1) of Chapter 2002-358 states: "The Board shall divide the area of the District into five (5) separate areas. Each area shall have approximately equal population according to the latest official decennial census. One board member shall be elected from each numbered

area by the electors in the total District. Each Board member shall be a resident of the area in which he is elected."

(3) The terms of Office for Board Members are as follows:

(a) Members from areas one and two shall be elected and hold office for a term of 4 years elected during the General Election beginning November 2000.

(b) Members from areas three, four, and five shall be elected and hold office for a term of 4 years elected during the General Election beginning November 2002.

(4) Members of the Governing Board serve with a compensation of \$100.00 per month; and, they are entitled to per diem and travel expenses as provided by Section 112.061, Florida Statutes.

(5) A quorum of not less than three (3) members physically present is required to hold a meeting and conduct business. An affirmative vote by at least three (3) members is required for action of the Governing Board to be official.

(a) Physical Attendance – Attendance in person is the norm.

(b) Electronic Attendance – Board members may attend and participate in meetings through the use of suitable technology as long as their participation is perceived as a public engagement. Any Board member attending a public meeting electronically shall be entitled to vote on any matter before the Board, provided that the member's speech is generally audible to Board members and the public who are physically present at the meeting, and the remote Board member can hear input from Board members and public present at the meeting.

(c) Approval of Electronic Attendance – The Board has decided, in good judgment, that electronic attendance serves the public interest in all cases where a Board member is unavailable to attend in person.

(d) A Board member must notify the Executive Director in writing (e.g., email) of their desire to attend a meeting electronically. The notice shall identify the meeting the member cannot attend, and their desire to attend and participate electronically.

(6) The Governing Board is required to cause true and accurate minutes and records to be kept of all business transacted by them and must keep full, true and complete books of account. Said minutes, records and books of account are at all reasonable times open and subject to the inspection of the public and any person desiring so may make or procure copies of such minutes, records and books or of such portions thereof as he may desire. The minutes of each public meeting shall identify which of the Board members were physically present and, if applicable, which members of the Board attended electronically.

(7) At least once each year, the Governing Board must cause the books and accounts of the District to be thoroughly audited by a competent and reliable accountant or auditor.

(8) The Governing Board is required to meet at least quarterly, in public meeting, at the call of the Chairman or by written call of a quorum of three (3) Board members.

(9) In order to effectuate the purposes of Chapter 2002-358 as amended, the Governing Board has the power to make and enforce such rules and regulations as may be advisable as necessary.

(10) Meetings of the Governing Board shall be administered in accordance with Florida Statutes, these rules, and Robert's Rules of Order. When Robert's Rules of Order conflict with Florida Statutes or these rules, Florida Statutes and these rules supersede Robert's Rules of Order in all cases. The Governing Board may elect to deviate from Robert's Rules of Order. Members of the public are not considered as part of the deliberate body and may not raise questions concerning Rules of Order.

(11) Public comments – Florida Statutes 286.0114, states the Governing Board must provide members of the public with a reasonable opportunity to be heard on a proposition before the Board. The opportunity does not have to occur at the same meeting where the Board takes official action on an item, whether by formal vote or other final action. The opportunity must occur at a meeting that is during the decision making process, and the opportunity must be within a reasonable proximity in time before the meeting at which the Board takes official action. The Board shall maintain orderly conduct and proper decorum in a public meeting, and hereby establishes these rules on the public providing testimony:

(a) an individual has three (3) minutes to address the Board.

(b) a designated representative of a group or faction may address the Board, rather than all of the members of the group or faction, and has six (6) minutes to address the Board.

(c) a "Public Comment Card" shall be made available for members of the public desiring to give public comment, indicating the speakers legal name, residence address, position on a proposition, and to indicate if member of the public is making a designation of a representative speaker.

(d) the requirement to provide a reasonable opportunity to be heard does not apply under the following circumstances:

(i) when an official act must be taken to deal with an emergency situation affecting the public health, safety or welfare, if compliance with the public comments requirement would cause an unreasonable delay in the ability of the Board to act;

(ii) for an official act involving no more than a ministerial act, including but not limited to approval of minutes and ceremonial proclamations;

(iii) at a meeting during which the Board is acting in a quasi-judicial capacity with respect to the rights or interests of a person; and



(iv) at a meeting that is exempt from the Sunshine or Open Meetings Law (section 286.011, Florida Statutes).

(e) By the Board adopting these rules for public comment, the Board is deemed to be acting in compliance with Florida Statutes 286.0114. Any action taken by the Board that is found to be in violation of the opportunity to be heard is not void as a result of the violation.

*Specific Authority Chapter 2002-358, Special Acts of Florida, as amended, Florida Attorney General Advisory Legal Opinion - AGO 2003-41. Law Implemented Chapter 2002-358, Section 4(1), (5), (6), (7), (8), (9), (10), Section 6(19), Section 11, Florida Statutes 286.0114 as to Public comments effective October 1, 2013. History-New 11-12-75, Formerly 31-1.02, Amended 4-5-87, 5-15-92, 5-18-00, 9-19-2013.*

### **31-1.003 General Description of Agency Organization and Operations**

(1) Existing Staff Units of the District are as follows:

- (a) Executive Division
- (b) Finance & Administration Division
- (c) Operations Division
- (d) Information Services Division
- (e) Engineering Division
- (f) Legal Division
- (g) Auditing Division

(2) The functions, duties and responsibilities of each division are as follows:

(a) Executive Division - The office of the Executive Director is located in this Division. This Division is responsible for the daily management of the entire organization including application of the District's Rules, policies and management of all personnel matters. This Division is responsible for administration of neighborhood sewerage projects, capital projects and grants, administration and coordination with legal and engineering consultants, and origination of Developer Agreements for Sewer Service and I.Q. Water Service.

(a) Finance & Administration Division – This Division is responsible for financial and fiscal operations, plans and reports, maintenance of District records, and general support services to the District.

(b) Operations Division - This Division is responsible for the effective and efficient operation and maintenance of the District's wastewater reclamation facilities, including ~~collection, transmission, treatment, of wastewater, production of reclaimed water, and disposal of treated wastewater~~wastewater as well as treatment, transmission, and beneficial reuse of reclaimed water.

(c) Information Services Division – This Division is responsible for the District's data collection and management systems including Information Technology, Customer Service, and the Wildpine Laboratory. Customer Service is responsible for the collection



of the District's quarterly rates, fees, and charges. The Wildpine Laboratory is responsible for assessing performance of the wastewater treatment system and the environmental and ecological health of the Loxahatchee River watershed.

(d) Engineering Division - This Division is responsible for drafting, maintaining and interpreting the District's Construction Standards and Technical Specifications. The Engineering Division is also responsible for the District's collection and transmission system, which pumps and carries raw wastewater and reclaimed water. In addition, this Division is responsible for the design, construction, inspection and protection of the works of the District. It provides evaluation of facilities and proposes upgrades to and rehabilitation of existing District infrastructure. The Engineering Division also is responsible for the review and approval of construction plans of developer contributed wastewater collection systems, and provides long range facilities planning for the District.

(e) Legal Division - This Division is handled by contract and, as such, there are no in-house staff. This Division is responsible for the legal aspects of District affairs including regulations, resolutions and provides professional consultation to the Governing Board and Executive Division for all legal matters of the District.

(f) Auditing Division - This Division is handled by contract and, as such, there are no in-house staff. This Division is responsible for the annual auditing requirements of Chapter 2002-358 and 31-1.002(7) contained herein, and the establishment of account books and records of the District.

*Specific Authority Chapter 2002-358, Special Acts of Florida, as amended. Law Implemented Chapter 2002-358, Section 5, Section 6, Section 11, Section 12. History - New 11-12-75, Formerly 31-1.03, Amended 4-5-87, 9-19-2013, 5-21-2015, 7-21-2016.*

#### **31-1.004 General Information Concerning Agency**

(1) The District headquarters are located at 2500 Jupiter Park Drive, Jupiter, Florida 33458-8964 and is open for business between the hours of 8:30 a.m. and 5:00 p.m. on all weekdays, except State and Federal holidays.

(2) All interested persons can make requests and procure general information, rules and regulations, and other printed material at the District office.

(3) The Governing Board normally holds business meetings during the third week of each month at the District offices. Notice of these meetings is published in the Palm Beach Post or other qualified newspaper, the District web pages as well as by press releases. Copies of meeting agendas can be obtained from the District Headquarters or by writing to the District.

(4) The District maintains a web site [www.loxahatcheeriver.org](http://www.loxahatcheeriver.org) in order to provide the public with convenient and efficient access to information about District governance, divisions, programs, services, public notices, and other public information.

*Specific Authority Chapter 2002-358, Special Acts of Florida, as amended. Law Implemented*

*Chapter 2002-358, Special Acts of Florida, Section 4(7). History-New 11-12-75, Formerly 31-1.04, Amended 4-5-87, 5-15-92, 5-18-00, 9-19-2013.*

### **31-1.005 Statutory Chapters and Rules**

The following statutory provisions affect the operation of Loxahatchee River Environmental Control District: Chapter 2002-358, Special Acts of Florida, as amended, Chapters 73, 74, 97, 98, 99, 100, 101, 102, 104, 106, 111, 112, 119, 153, 189, 218, 286, 287, 403, Florida Statutes; and any and all other applicable laws and regulations.

*Specific Authority Chapter 2002-358, Special Acts of Florida, as amended. Law Implemented Chapter 2002-358, Section 15. History-New 11-12-75, Formerly 31-1.05, Amended 5-15-92, 9-19-2013.*

### **31-1.006 Public Information and Inspection of Records**

All public records of the District shall be available for public inspection pursuant to Florida Statutes Chapter 119, except those specifically exempted by Florida Statutes. Any person wishing to examine public records of the District may do so during normal business hours as provided in 31-1.004 at the offices listed in 31-1.004.

*Specific Authority Chapter 2002-358, Special Acts of Florida, as amended. Law Implemented Chapter 119, Florida Statutes. History-New 11-12-75, Formerly 31-1.06, Amended 9-19-2013.*

### **31-1.007 Public Access to Agency**

All meetings and workshops shall be held under Florida Statutes 286.011, and all public hearings shall be open for public access.

*Specific Authority Chapter 2002-358, Special Acts of Florida, as amended. Law Implemented Chapter 286, Florida Statutes. History-New 11-12-75, Formerly 31-1.07, Amended 9-19-2013.*

### **31-1.008 Quasi- Judicial Hearing Procedures.**

**(1) Scope and Applicability.** The procedures set forth herein shall apply to all quasi-judicial hearings<sup>1</sup> (hereinafter “Hearing”), held by the Governing Board (hereinafter the “Board”) of the Loxahatchee River District (hereinafter the “District”).

**(2) Administration Order.** Matters that do not involve a Notice of Violation (defined herein below), but rather involve requests for approval, shall be classified either as an “Administration

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<sup>1</sup> See *Anoll v. Pomerance*, 363 So.2d 329, 331 (Fla. 1978)(“...a judgment becomes judicial or quasi-judicial, as distinguished from executive, when notice and hearing are required and the judgment of the board is contingent on the showing made at the hearing”).

Order” or as a “Board Order”. The Executive Director of the District shall determine if a matter has received a final “Administration Order”, and is ripe for consideration by the Board.

**(3) Board Order.** A “Board Order” is defined as a matter decided by a vote of the Board at a Board Meeting not conducted as a quasi judicial Hearing. An “Applicant” who has legal standing to appeal the Board Order shall Petition the Board, in writing, within the appropriate statute of limitations period according to Florida Statutes, to conduct a Hearing as to the matters contained in the Board Order.

**(4) Notice of Violation.** For matters that involve the Violation of the District enabling legislation, District Rules, District Policies, District Procedures, Administration Order or Board Order, a written Notice of Violation shall state if the Violation is not corrected by a certain date (hereinafter “Compliance Date”), that a Notice of Hearing may be issued, or the Notice of Violation may contain the Notice of Hearing. A Hearing shall be conducted subsequent to written issuance of a Notice of Hearing and subsections (5)-(10) shall apply.

**(5) Notice of Hearing.** The Petition requesting a Hearing shall be placed on the agenda for a Board Meeting that is not less than (20) days after the Petition is received by the District. The Applicant shall be provided with a written Notice of Hearing at least fifteen (15) days<sup>2</sup> prior to the Hearing date, which shall include the date, time, and place of the Hearing. The Notice of Hearing shall also state that if the Applicant decides to appeal any decision made by the Board, with respect to any matter considered at such Hearing, the Applicant will need a record of the proceedings and that, for such purpose, the Applicant may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.<sup>3</sup> The Board shall also provide reasonable notice to the public of the Hearing.

**(6) Proceedings.** Hearings shall be conducted informally, but with decorum. Formal rules of civil procedure shall not apply, except as set forth herein. However, procedural due process considerations shall be afforded at all times. There shall be at least two (2) attorneys present at the Hearing; one as the Advising attorney (hereinafter “Advising Attorney”) and a second as the Prosecuting attorney (hereinafter “Prosecuting Attorney”) to prosecute the matter on behalf of the District. Applicant shall be afforded a fair Hearing with an opportunity to be heard, whether or not Applicant decides to have legal counsel present at the Hearing.

**(7) Witnesses and Supporting Materials.** At least eight (8) days prior to the Hearing:

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<sup>2</sup> Fla. Stat. Ch. 286.011(1) provides that the Board must provide ‘reasonable notice of all such meetings’. Fla. Stat. Ch. 189.417(1) provides guidance for what constitutes ‘reasonable notice’ when discussing notice requirements for independent special district meetings: “The governing body of an independent special district shall advertise the day, time, place, and purpose of any meeting other than a regular meeting or any recessed and reconvened meeting of the governing body, *at least 7 days prior to such meeting*, in a newspaper of general paid circulation in the county or counties in which the special district is located, unless a bona fide emergency situation exists, in which case a meeting to deal with the emergency may be held as necessary, with reasonable notice, so long as it is subsequently ratified by the board.” [emphasis added]

<sup>3</sup> See Fla. Stat. 286.0105.

(a) The Prosecuting Attorney shall submit to Applicant, and Applicant shall submit to the Prosecuting Attorney, an outline of the argument(s) in support of their respective positions, copies of all documents which will be presented at the Hearing, and the names and addresses of all the witnesses (if any) who will be called to testify in support of the respective parties' position. If either party intends to qualify any witnesses as an expert, that party may also provide the resume for any such expert witness.

(b) The eight (8) day deadline is necessary to ensure both parties are given sufficient notice and opportunity to review the submissions prior to the Hearing and shall be strictly observed. Should the eight (8) day deadline be missed by either party, the party that did not miss the deadline may elect upon written notice to the other party of not less than three (3) business days before the scheduled Hearing to either (i) reschedule the Hearing to the next available agenda, or (ii) proceed with the scheduled Hearing.

**(8) Conduct of Hearing.**

(a) The Advising Attorney shall call the proceeding to order, announce that the Hearing has begun, and take roll call of the Board Members presiding.

(b) The Advising Attorney shall explain the rules concerning procedure, testimony, and consideration of evidence.

(c) The Advising Attorney shall swear in all witnesses (if any) who are to testify at the Hearing.

(d) Applicant, or Applicant's representative or counsel, shall describe Applicant's position on the matter, introduce and review all relevant documents and evidence, present witnesses in support of Applicant's position (if any), which witnesses are subject to cross examination by the Prosecuting Attorney, and answer any questions from the Board members.

(e) The Prosecuting Attorney shall describe the District's position on the matter, introduce and review all relevant documents and evidence, present witnesses in support of the District's position (if any), which witnesses are subject to cross examination by the Applicant's attorney, or the Applicant or Applicant's representative if not represented by an attorney, and answer any questions from the Board members.

(f) After each witness testifies (if any), the Applicant, or Applicant's representative or counsel, or the Prosecuting Attorney, shall be permitted to cross-examine the witness, which such cross-examination shall be limited to matters about which the witness testified.

(g) All evidence shall be considered, whether or not such evidence would be admissible in a court of law in Florida.

(h) Applicant, or Applicant's representative or counsel, may make final comments and closing remarks, and may submit a proposed Final Order, if any.

(i) The Prosecuting Attorney may make final comments and closing remarks, and may submit a proposed Final Order, if any.

(j) The Board may conduct open deliberations, which coupled with the facts considered during the Hearing, be sufficient to inform the parties of all the facts upon which the Board acts.<sup>4</sup> A vote of the Board shall be taken, which decision shall be reduced to writing in a Final Order to be signed by the Board and dated within five (5) business days of the Hearing.

(k) The Final Order shall be sent to Applicant by Certified Mail Return Receipt Requested, or by Courier with receipt for delivery.

(l) The Applicant may appeal the Final Order to the Circuit Court of the County in which the Property is located, that is subject of the Final Order, within (30) days after the date of the Final Order.

**(9) Transcript of Hearing.** Applicant may arrange for a court reporter to attend and transcribe the Hearing, at the expense of the Applicant. Similarly, the District may arrange for a court reporter to attend and transcribe the Hearing, at the expense of the District. Each party shall be responsible for the cost of obtaining a copy of the transcription.<sup>5</sup>

**(10) Failure of Applicant to Appear.** If the Applicant, or Applicant's representative or counsel, fails to appear at the time fixed for the Hearing, and such absence is not excused: (i) if the Hearing is based upon Applicant's Petition, the Board shall issue an Order dismissing the Applicant's Petition; or (ii) if the Hearing is based on a Notice of Violation, the Board shall issue a Final Order.

*Specific Authority Chapter 2002-358, Special Acts of Florida, as amended. Law Implemented Chapter 2002-358, Special Acts of Florida, Section 6. History- New 9-19-2013.*

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<sup>4</sup> See *Generally Jennings v. Dade County*, 589 So.2d 1337 (Fla. 3<sup>rd</sup> DCA 1991).

<sup>5</sup> See Fla. Stat. 286.011(2).

# Loxahatchee River District

Water Reclamation | Environmental Education | River Restoration

2500 Jupiter Park Drive, Jupiter, Florida 33458

Telephone (561) 747-5700 • Fax (561) 747-9929 • [www.loxahatcheeriver.org](http://www.loxahatcheeriver.org)



D. Albrey Arrington, Ph.D., Executive Director

## MEMORANDUM

TO: D. Albrey Arrington, Ph.D.  
Executive Director

FROM: Clinton R. Yerkes  
Deputy Executive Director

DATE: July 14, 2016

SUBJECT: INTERLOCAL AGREEMENT WITH TOWN OF JUPITER  
ALT. A1A BRIDGE FORCE MAIN-Construction

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At the March, 2016 Regular Meeting the Governing Board authorized Hazen & Sawyer, serving as engineer for the Town of Jupiter and the District, to provide engineering services to include installation of a sewer force main along with the Town's water main on the Alt. A1A (Damon) Bridge.

The design is nearing completion and the Town is preparing to go to bid with both lines in the next 30 days, and receipt of bids in late August or September.

The draft Interlocal Agreement is presented this month for your information only. It is still under review by Town and District legal counsel but is a format that has been used and previously.

Upon receipt of acceptable bids the District would approve the Interlocal Agreement including the District's cost filled in for Item 3. The executed Agreement would be conveyed to the Town for their award of the contract and approval of the Interlocal Agreement.

The current construction estimate for this job is approximately \$850,000.00, although Hazen is reviewing some details resulting from a recent design change and will be able to provide a refinement prior to next week's Board Meeting.

V:/cip/proj/Alt A1A Bridge FM/JPA/Intro Board Memo

Stephen B. Rockoff  
Board Member

Dr. Matt H. Rostock  
Board Member

Gordon M. Boggie  
Chairman

Harvey M. Silverman  
Board Member

James D. Snyder  
Board Member

**INTERLOCAL AGREEMENT BETWEEN THE  
LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT  
AND  
THE TOWN OF JUPITER  
FOR  
THE JOINT PROJECT PARTICIPATION IN THE ALTERNATE A1A-DAMON BRIDGE  
WATER MAIN AND FORCE MAIN PROJECT**

THIS AGREEMENT, hereinafter referred to as the AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by and between the LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT, hereinafter referred to as “LRECD”, and the TOWN OF JUPITER, hereinafter referred to as the “TOWN”.

WITNESSETH:

WHEREAS, the LRECD and TOWN are authorized to enter into this AGREEMENT pursuant to Section 163.01, Florida Statutes, as amended, which permits local governmental units to make the most efficient use of their power by enabling them to cooperate with other agencies on a basis of mutual advantage; and

WHEREAS, the TOWN has cause to prepare plans and specifications for the Alternate A1A-Damon Bridge Water Main and Force Main Project, herein referred to as the PROJECT; and

WHEREAS, a portion of this work is related to new LRECD infrastructure including a 16” sewer force main and other appurtenances; and

WHEREAS, TOWN has anticipated the necessity to make certain utility adjustments as part of the PROJECT, which include LRECD infrastructure, and

WHEREAS, the LRECD and TOWN declare that it is in the public’s interest to make these necessary utility adjustments as part of the TOWN PROJECT and under one contract;

NOW, THEREFORE, for and in consideration of the mutual covenants contained herein, the receipt and sufficiency of which is hereby acknowledged, the TOWN and LRECD do hereby agree as follows:

1. The recitals set forth above are hereby adopted and incorporated herein by this reference.
2. The TOWN agrees to perform the following LRECD work:
  - A. Incorporate into the TOWN PROJECT engineering design prepared by Hazen & Sawyer, Inc. under a separate contract with LRECD: including design, permitting, and bidding for the PROJECT.



B. Select and enter into a contract with the lowest responsive, responsible bidder for the PROJECT, according to the TOWN'S procurement procedures. TOWN shall provide LRECD with the bid results and recommendation for review and consent within 5 work days after receipt of bids.

3. LRECD agrees to reimburse the TOWN for the LRECD WORK in the amount of \$\_\_\_\_\_, calculated as shown in Attachment "A" of this document. LRECD shall have 30 days after receipt of the TOWN's reimbursement invoice to submit payment to the TOWN.
4. The parties agree to budget sufficient funds for the PROJECT. However, once the construction contract has commenced, it shall be prosecuted to completion and the AGREEMENT shall be binding upon the parties and neither party shall have the right to terminate the subject AGREEMENT for the reason that sufficient funds are not available for the construction project.
5. TOWN shall indemnify, defend, and hold harmless the LRECD against any actions, claims, or damages arising out of TOWN'S negligence in connection with this AGREEMENT to the extent permitted by law. The foregoing indemnification shall not constitute a waiver of sovereign immunity beyond the limits set forth in Section 768.28, Florida Statutes, nor shall the same be construed to constitute agreement to indemnify the LRECD for the LRECD'S negligent acts or omissions.
6. The LRECD shall indemnify, defend, and hold harmless the TOWN against any actions, claims, or damages arising out of LRECD'S negligence in connection with this AGREEMENT to the extent permitted by law. The foregoing indemnification shall not constitute a waiver of sovereign immunity beyond the limits set forth in Section 768.28, Florida Statutes, nor shall the same be construed to constitute agreement to indemnify the TOWN for the TOWN'S negligent acts or omissions.
7. MISCELLANEOUS PROVISIONS:

Notices. All notices, requests, consents and other communications required or permitted under this AGREEMENT shall be in writing and shall be hand delivered by prepaid express overnight courier or messenger service, or mailed by registered or certified mail to the following addresses:

As to TOWN: Town of Jupiter Engineering Department  
Attn: Thomas V. Driscoll, P.E., Director of Engineering & Public Works  
210 Military Trail  
Jupiter, Florida 33458  
Phone: 561-741-2215  
Fax: 561-747-2515

As to LRECD: Loxahatchee River Environmental Control District

Attn: Clinton R. Yerkes, Deputy Executive Director  
2500 Jupiter Park Drive  
Jupiter, Florida 33458  
Phone: 561-747-5700  
Fax: 561-747-9929

If either party changes its mailing address or designated recipient for notices, such change shall be communicated in writing to the other party within thirty (30) days of the change.

8. This AGREEMENT shall be construed by and governed by the laws of the State of Florida. Venue for any and all legal actions necessary to enforce the AGREEMENT shall be held in Palm Beach County, Florida.
9. No remedy herein conferred upon any party is intended to be exclusive of any other remedy given hereunder or now or hereafter existing at law or in equity or by statute or otherwise. No single or partial exercise by any party of any right, power, or remedy hereunder shall preclude any other or further exercise thereof.
10. This AGREEMENT constitutes the entire contract between the parties hereto and supersedes all prior understandings if any. There are no other oral or written promises, conditions, representations, understandings or term of any kind as conditions of inducement to the execution hereof, and none have been relied upon by either party. Any subsequent conditions, representations, warranties or agreement shall not be valid and binding upon the parties unless they are in writing and signed by both parties and executed in the same manner of the AGREEMENT.
11. In the event any terms or provisions of the AGREEMENT shall be held invalid, such invalid terms or provisions shall not affect the validity of any other term or provision hereof and all other terms and provisions hereof shall be enforceable to the fullest extent permitted by law as if such invalid terms or provisions had never been a part of the AGREEMENT.
12. This AGREEMENT shall become effective upon its execution by the TOWN and LRECD.
13. This AGREEMENT may be terminated in writing by either party if construction has not commenced within twelve (12) months of execution of this AGREEMENT, by the respective parties.
14. SEVERABILITY

Should any part, term or provision of this AGREEMENT be by the courts decided to be invalid, illegal or in conflict with any law of the State, the validity of the remaining portion or provision shall not be affected thereby.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day, month and year first above written.

ATTEST

TOWN OF JUPITER

By: \_\_\_\_\_  
Sally M. Boylan, Town Clerk

By: \_\_\_\_\_  
Todd Wodraska, Mayor

TOWN SEAL

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

By: \_\_\_\_\_  
Thomas J. Baird, Town Attorney

ATTEST

LOXAHATCHEE RIVER  
ENVIRONMENTAL CONTROL DISTRICT

By: \_\_\_\_\_  
Clinton R. Yerkes  
Deputy Executive Director

By: \_\_\_\_\_  
D. Albrey Arrington, Ph.D.  
Executive Director

DISTRICT SEAL

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

By: \_\_\_\_\_  
Curtis L. Shenkman, District Attorney

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# LOXAHATCHEE RIVER DISTRICT

## Neighborhood Sewering Schedule



Rank *	Area Description	# Lots	Activity	Target Date
6	Jupiter Inlet Colony	240	Notified Owners – August, 2010 Notice of Intent – February, 2013 Interlocal Agreement Complete - April, 2014 Notice to Proceed – April 4, 2016	2013
9	Little Oaks/River Oaks	73	Notified Owners – September, 2011 Notice of Intent to Assess – April, 2014 Notified to Connect – March, 2016	2015
10	Turtle Creek Phase I	29	Notified Owners – September 2012 Engineering Study Complete – May, 2015 Notice of Intent – February, 2016 Bid – July, 2016	2016
10	Turtle Creek Subsystem 4	52	Notified Owners – September 2012 Notice of Intent – February, 2016 Detailed Design Contract – May, 2016	2016
	Turtle Creek Subsystem 3	5	Notified Owners – September 2012	
10	Turtle Creek Subsystem 2	28	Notified Owners – September 2012 Preliminary Design Complete – March, 2016 Preference Survey – July, 2016	2016
10	Turtle Creek Subsystem 1	TBD balance 56 lots	Notified Owners – September 2012 Preliminary Design Complete – March, 2016	2016
11	Jupiter Farms (East)	708		TBD
11	PB Country Estates	1547		TBD
14	Whispering Trails	181	Notified Owners – January 2013 Preliminary Eng. Complete – July, 2016	2017
16	Limestone Creek Road-West	82	Notified Owners – January 2013	2018
19	US Coast Guard Station Offices <i>(institutional)</i> PX Commercial <i>(commercial)</i>	2 ECs 2 ECs	US Government - private roads Albrey- mtg. w/BLM & Historical 3-2011 Prelim design prepared In House 4-2011	2019
20	New Palm Beach Heights	34	Notified Owners – January, 2016	2019
22	Bridgewater	70		2019
	<b>UN-RANKED (not in priority order)</b>			
	Jupiter Farms <i>(commercial)</i> RV Park	72.5 ECs	By Agreement Developer Project Permitted–February, 2015	2011
	PBC Riverbend Park <i>(institutional)</i>	12 ECs	Construction complete Notified of sewer availability Costs paid, plans reviewed	2011

\* Rank based upon "2010 Septic System Inventory & Assessment"

## Remnant Areas

Rank	Area Description	Lots	Activity	Target
A	North A-1-A	3	Postponed -Town Activities in area	2012
C	FDOT Turnpike Station <i>(institutional)</i>	3 ECs	Owner notified Notified to Connect – February, 2016 Variance requested – May, 2016	2012
D	Loggerhead Park <i>(institutional)</i>	6 ECs	Need Easements from Palm Beach County	2014
F	815 S. US 1 (Yum Yum Tree)	9 ECs	Notified Owners – November, 2014	2016
G	Hibiscus Ave, Juno	10	Notified Owners – June, 2013 Notice of Intent – March, 2016 Project being re-bid – August, 2016	2016
G	Olympus Dr., Juno (LP)	3	Notified Owners – June, 2013	2016
G	Ocean Dr., Juno (LP)	5	Notified Owners – June, 2013 Notice of Intent – March, 2016 Design in Process – March, 2016	2016
G	3831 Beacon Hill Rd	1	Notified Owner – January, 2015 Notice of Intent – January, 2016 Notified to Connect – June, 2016	2016
G	10828 Whispering Pines Trl-MC	1	Notified Owners – October 2012 Notice of Intent – January, 2016 Construction Start – July, 2016	2016
G	Hyland Terr Properties Services-MC	9	Notified Owners – October 2012 Notice of Intent – January, 2016 Construction Start – July, 2016	2016
G	SE Linden St-MC	8	Notified Owners – October 2012 Notice of Intent – January, 2016 Construction Start – July, 2016	2016
G	SE Pine Grove St-MC	8	Notified Owners – October 2012 Notice of Intent – January, 2016 Construction Start – July, 2016	2016
G	SE Harken Terr Ph I-MC	7	Notified Owners – October 2012 Notice of Intent – January, 2016 Construction Start – July, 2016	2016
G	SE Harken Terr Services-MC	2	Notified Owners – October 2012 Notice of Intent – January, 2016 Construction Start – July, 2016	2016
H	6367 197 <sup>th</sup> Pl N	1	Notified Owner – June, 2016	2017
H	SE Harken Terr Ph II-MC	2	Notified Owners – December 2015	2017
H	Lenmore Drive LP	6	Notified Owners – October, 2014 Notice of Intent to Assess – April, 2016	2017
H	US 1, Juno Beach <i>(commercial)</i>	2	Notified Owners – January, 2014	2017
H	Shay Place, Tequesta	11	Notified Owners – July, 2013	2017
H	County Line Road - Martin Co.	3	Notified Owners – July, 2013	2017
H	Tequesta Dr E	2	Notified Owners-March, 2015	2017
H	14100 US Hwy 1, Juno Beach	1	Notified Owner-March, 2015	2017
H	96 Pine Hill Trl E	1	Notified Owner – February, 2015	2018
I	8 <sup>th</sup> Street	3	Notified Owners – January, 2014 Petition to evaluate received-April, 2016 Engineering preparing costs	2018
I	Chippewa Street	6	Notified Owners – January, 2014 Petition received – April, 2016 Feasibility Letter LPSS/Gravity – July, 2016	2018

\* Rank based upon “2010 Septic System Inventory & Assessment”

\*\* Revised Date

TBD = To be determined

**Private Road Areas**

Rank *	Area Description	# Lots	Activity	Target Date
AA	Peninsular Road	5	*Private Road Notice of Intent – February, 2010 Partial construction complete - June, 2013 Soliciting easements for remainder of project	2010
BB	Rivers Edge Road (Martin Co)	35	Notified Owners – August, 2010 Private Road - Design started Notice of Intent – February, 2014 Easements Solicited – May, 2014 Project Delayed	2013
CC	171 <sup>st</sup> Street Martin Co.	7	*Private Road In House Design Owners notified October, 2012	2014
CC	Jamaica Dr	11	*Private Road Owners notified Oct, 2012 In House Design started	2014
CC	197 <sup>th</sup> Place, 66 <sup>th</sup> Terrace, 66 <sup>th</sup> Way	21	Notified Owners – Aug, 2010 *Private Roads Notice of Intent to Assess – February, 2015	2014
DD	Taylor Road	38	Notified Owners – September, 2011 *Private Roads	2015
EE	Imperial Woods	47	Notified Owners – October, 2010 Withdrew Notification – Feb, 2011 Private HOA – Letter sent-April, 2016	2016
EE	Hyland Terr Ph II/E of River Ridge • Hobart St	18	Notified Owners – October 2012 Private Roads	2016
FF	Rolling Hills	51	Notified Owners – January 2013 Private HOA	2017
FF	Gardiner Lane	2	Notified Owners – July, 2013 Private Road	2017
HH	Harbor Rd. S. LPSS	6	Notified Owners – January 2014 Private Road	2017
GG	Rockinghorse (north of Roebuck Road)	10	Notified Owners – January 2013	2018
GG	Island Country Estates	47	Notified Owners – January 2013 Private HOA	2018
HH	SE Indian Hills	12	Notified Owners – January, 2016 Easement for Road & Utilities, No Dedication	2019

\* Rank based upon "2010 Septic System Inventory & Assessment"

\*\* Revised Date

TBD = To be determined



**DESANTIS, GASKILL, SMITH & SHENKMAN, P.A.**

**CONRAD J. DESANTIS**

*Business & Real Estate*  
Also Admitted in Pennsylvania

**TIMOTHY W. GASKILL**

*Business, Probate*  
*Family Litigation*

**DONALD R. SMITH**

*Personal Injury & Wrongful Death*  
*Commercial Litigation*

**CURTIS L. SHENKMAN**

*Board Certified*  
*Real Estate Attorney*

**BROOKE A. GROGAN**

*Personal Injury & Litigation*

**ATTORNEYS & COUNSELORS AT LAW**

**ESTABLISHED 1973**

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NORTH PALM BEACH, FLORIDA 33408  
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**LEGAL ASSISTANTS**

**CIVIL TRIAL, PROBATE**  
**AND FAMILY LAW**

KAREN M. B. LOPATOSKY  
SENIOR PARALEGAL  
MINDY VASSER, SECRETARY

**PERSONAL INJURY**

ROBIN B. MODLIN, CP  
TERRI L. VLASSICK

**REAL ESTATE**

JUDY D. MONTEIRO  
DENISE B. PAOLUCCI

**ADMINISTRATOR**

CURTIS L. SHENKMAN

July 7, 2016

Loxahatchee River Environmental Control District  
D. Albrey Arrington, Exec. Dir. and Board Members  
2500 Jupiter Park Drive  
Jupiter, FL 33458

**RE: PENDING LITIGATION STATUS REPORTS**

Dear Board Members:

We are enclosing herewith a brief status report relating to all litigation in which the Loxahatchee River Environmental Control District is presently involved. This status report updates the last monthly status report previously submitted and consists of a summary of the record proceedings which have occurred in each of the pending cases since last month.

There are no analyses of the pending cases included, as the inclusion of such items might constitute a waiver of any attorney/client privilege that exists between our firm and the District. Therefore, if you would like to discuss the particulars of any specific case in more detail or would like to obtain more information concerning the strategy, status, or settlement posture of any of the individual cases, please feel free to contact me.

As always, we are available at any time to discuss any of these lawsuits with each individual Board Member by telephone or by conference, if there are any questions.

Respectfully submitted,

*/s/ Timothy W Gaskill*

TIMOTHY W. GASKILL

/kmb

Attachments

cc: Curtis L. Shenkman, Esquire



## **OTHER LITIGATION**

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**ACTION:** In Re Estate of Israel Marquez et al ...Loxahatchee River Envir Control District  
**Owner:** Estate of Israel Marquez **Property:** 911 Hawie St.  
**Case No. 50-2010-CP-004006XXXXSBIY**

**TYPE OF ACTION:** Mortgage Foreclosure by Lender, Encon named for its (possible) lien interest –  
**COMMENCEMENT:** Service of Summons/Petition  
**COMMENTS:** Action foreclosing mortgage– Encon named for lien interest  
**STATUS:** Pending

11/24/14	District served with Petition re Homestead and Real Property as Estate Asset; Filed Answer and Affirmative Defenses; Hearing to be held
12/10/14-1/6/15	No change in status
2/3/15	No change in status
3/6/15-5/11/15	No change in status; monitoring probate action; monitoring for activity;
6/8/15-7/9/15	No change in status
8/7/15 – 10/12/15	No change in status, continuing to monitor probate
11/10/15	There is a pending Motion to sell real estate set for hearing in December, continue to monitor
12/7/15	No change in status
1/18/16 – 7/7/16	Last Activity in Court Docket 12/17/14 requiring a paternity test; continue to monitor ; No change in status

## **LIEN FORECLOSURES**

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**NONE**

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## **MORTGAGE FORECLOSURES / ENCON CROSSCLAIMS**

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**ACTION:** West Coast Servicing Inc. v Guy-Wilson et al ...Loxahatchee River Envir Control District  
**Owner:** JOHANNA GUY-WILSON **Property:** 6359-6 Riverwalk Ln  
**Case No.** 50-2015-CA-014203 XXXXMBAW

**TYPE OF ACTION:** **Mortgage** Foreclosure by Lender, Encon named for its (possible) lien interest –

**COMMENCEMENT:** Service of Summons/Complaint upon District

**COMMENTS:** Action foreclosing mortgage– Encon named for lien interest

**STATUS:** **Pending**

2/5/16	Mortgage foreclosure action; District served with Complaint; Notice of Appearance; Notice of E-Mail Designation and service address filed; Answer, Affirmative Defenses and Counterclaim/Crossclaim/ filed; in process of serving defendants
3/4/16	Case in discovery stages; to forward settlement offer to Plaintiff re LRD Liens and Counterclaim
4/8/16	Service of Process being made upon defendants; Plaintiff filed Notices of Dropping uninterested party defendants;
5/9/16	Continuing Service on defendants; monitoring for activity
6/9/16	Settlement offer being sent to Plaintiff/CounterDefendant's counsel; still attempting initial service on cross Defendant
7/7/16	No change in status

## **MORTGAGE FORECLOSURES / ENCON CROSSCLAIMS (continued)**

**ACTION:** Mortgage Solutions of Colorado, LLC v Osborne et al ...Loxahatchee River Envir Control District  
**Owner:** JAMES CLAYTON OSBORNE, JR. **Property:** 6334 Ungerer St.  
**Case No.** 50-2015-CA-014396 XXXXMBAW

**TYPE OF ACTION:** Mortgage Foreclosure by Lender, Encon named for its (possible) lien interest –  
**COMMENCEMENT:** Service of Summons/Complaint upon District 1/19/16  
**COMMENTS:** Action foreclosing mortgage– Encon named for lien interest  
**STATUS:** Pending

2/5/16	Mortgage foreclosure action; District served with Complaint; Notice of Appearance; Notice of E-Mail Designation and service address filed; To file Answer/Counterclaim/Crossclaim
3/4/16	Settlement offer sent to Plaintiff's counsel; waiting for response; case in discovery stage
4/8/16	Settled – Liens Satisfied; Filed N/Voluntary Dismissal of LRD's Counterclaim/Crossclaim; Plaintiff filed its Notice Dropping LRD as party defendant.
5/9/16	LRD Notice of Voluntary Dismissal filed per settlement and payment in full through 1 <sup>st</sup> /16 ; file to be closed
6/9/16	Monitoring for Final Judgment; LRD paid for delinquent account/liens
7/7/16	No Change; Litigation file being closed.

**ACTION:** FNMA v James Fils-Aime et al ...Loxahatchee River Envir Control District  
**Owner:** JAMES FILS-AIME AND MARIE R ALEXIS **Property:** 6895 1<sup>st</sup> St., Jupiter  
**Acct #**2146900 **Case No.** 50-2016-CA-002502 XXXXMBAW

**TYPE OF ACTION:** Mortgage Foreclosure by Lender, Encon named for its (possible) lien interest –  
**COMMENCEMENT:** Service of Summons/Complaint upon District 3/24/16  
**COMMENTS:** Action foreclosing mortgage– Encon named for lien interest  
**STATUS:** Pending

3/24/16	Mortgage foreclosure action; District served with Complaint;
4/8/16	Prepared and filed Notice of Appearance; Notice of E-Mail Designation; Preparing Answer, Counterclaim and Crossclaim for filing;
5/9/16	Answer, Affirmative Defendants, Counterclaim and Crossclaim filed; service in process on defendants;
6/9/16	Settlement offer sent to Plaintiff's counsel
7/7/16	Waiting on response to settlement offer; Filed Motion for Default against Plaintiff FNMA and scheduling for hearing; Motion filed and pending by CrossDef Fils-Aime's M/Dismiss LRD Complaint; LRD scheduling hearing to oppose CrossDef's Motion Dismiss LRD Crossclaim Complaint;

## MEMORANDUM

**TO:** Albrey Arrington, Ph.D. / Loxahatchee River District

**COPY:** Clint Yerkes / Loxahatchee River District  
Tom Vaughn / Loxahatchee River District  
John Koroshec / Hazen and Sawyer  
Taylor Bomarito / Hazen and Sawyer

**FROM:** Albert Muniz / Hazen and Sawyer

**DATE:** July 12, 2016

**FILE:** 42009-025.3.1.3

**SUBJECT:** Loxahatchee River District  
Engineer's Monthly Status Report through June 2016

The following is a summary of work performed by Hazen and Sawyer, P.C. (Hazen) on Loxahatchee River District (LRD) projects through the above referenced date.

**General Operational Assistance** – This project involves providing LRD with engineering assistance related to wastewater operations.

### *Monthly Progress*

- LRD staff and Hazen personnel continue to communicate to discuss plant operations on an as needed basis. The wastewater treatment process continues to perform well
- Hazen continues to provide assistance on an as needed basis

**Deep Bed Sand Filters – Final Design and Construction Management Services** – The existing traveling bridge filters and filter structure have served the LRD wastewater treatment facility for over 20 years and are in need of significant rehabilitation and repair. In lieu of repair and replacement, it is the LRD staff's desire to replace the filters with deep bed sand filters. Deep bed filters offer additional benefits over traveling bridge filters including de-nitrification capabilities as well as proven performance during plant upset conditions. Design of the project is complete and the project has entered the construction phase.

### *Monthly Progress*

- Kirlin was issued a Notice to Proceed on January 18, 2016
- Progress meetings are being held bi-monthly
- Shop drawings submittals from the contractor are progressing
- Kirlin has completed the concrete pour on the east side filter trench bottom slab at elevation 17.50
- Installation of formwork for the east side filters floor slab at elevation 20.50 continues
- Installation of formwork and steel placement for the deep bed west side filters middle walls and filter trench bottom slab at elevation 17.50 continues

- Installation of 36-inch filter effluent pipe continues on the south side of the filters
- Excavation for and installation of underground electrical ductbank is proceeding



**Mechanical Integrity Testing for 2016** – Hazen was authorized to begin permitting for the 2016 standard 5-year Mechanical Integrity Test (MIT) as required by the injection well operating permit. Testing must be completed by May 31, 2016. Below is a summary of activities performed to date:

- Hazen submitted the MIT plan to FDEP on November 11, 2015
- FDEP reviewed the plan and approved it on November 13, 2015
- Hazen finalized design and assisted with negotiations of contract with All Webb's Enterprises to perform MIT work
- Project pre-construction meeting planned for April 6
- MIT work
  - ✓ Casing pressure test completed April 14
  - ✓ Video survey completed April 15
  - ✓ Temperature log completed April 18
  - ✓ Radioactive Tracer Survey completed April 18
- MIT Report submitted to FDEP May 19, 2016
- FDEP approves MIT Report May 27, 2016
- Project has been completed on time and budget

Hazen



Mechanical Integrity Testing

Injection Well No. 1 (IW-1) at the  
Loxahatchee River District  
Wastewater Treatment Facility

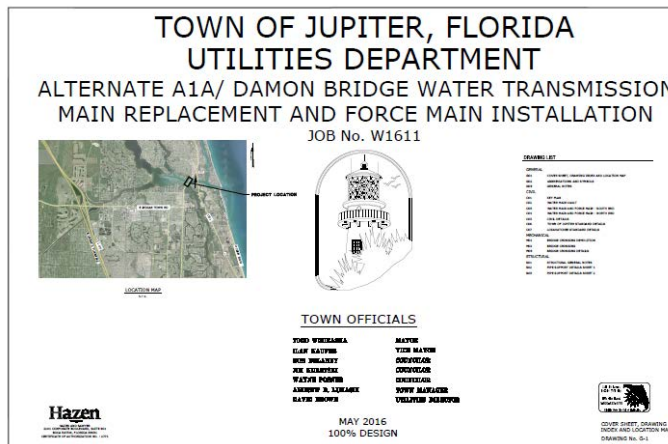
May 2016

**Alternate A1A/Damon Bridge Water Transmission Main Replacement and Force Main Installation** – Hazen was authorized to design a new 16-inch force main pipeline in parallel with a Town of Jupiter water main replacement on the Alternate A1A Bridge in Jupiter. Below is a summary of activities performed to date:

- Hazen submitted the draft 100% complete contract documents, cost estimate, and preliminary construction schedule on May 27, 2016. On June 29, 2016 LRD staff asked Hazen to revise the 16-inch force main design to incorporate a change in pipe material from steel to 304 stainless steel. Hazen is proceeding with the incorporation of this design change into the contract documents.

After draft and final copies of all permits were reviewed by LRD, the following permit applications were submitted by Hazen. The status of each permit application is included in the summary below:

- ✓ Town of Jupiter Engineering/Utility Permit application submitted on May 31, 2016 - *Under Review*
- ✓ FDEP/DOH Wastewater Permit application submitted on June 8, 2016 – *Issued on June 15, 2016*
- ✓ ACOE General Permit application submitted on June 8, 2016 – *Under Review*
- ✓ FDEP ERP Exemption Request submitted on June 9, 2016 – *Request for Additional Information received on July 8, 2016*
- ✓ FDOT Utility Permit application submitted on June 15, 2016 – *Under Review*
- Project is continuing on budget and on schedule



As always, please feel free to contact us should you have any questions or need to discuss the progress of any of the above projects in more detail.





**HOLTZ CONSULTING ENGINEERS, INC.**  
270 South Central Boulevard, Suite 207, Jupiter, FL 33458 (561) 575 2005

**MEMORANDUM**

**To:** Clint Yerkes, Deputy Director, Loxahatchee River Environmental Control District

**From:** Christine Miranda, PE  
Holtz Consulting Engineers, Inc.

**Date:** July 14, 2016

**Subject:** **Loxahatchee River Environmental Control District Monthly Status Report**

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The following is a summary of work performed by Holtz Consulting Engineers, Inc. (HCE) on Loxahatchee River District projects through July 14, 2016:

**Loxahatchee River Road Reclaimed Water Main Replacement and Force Main Extension**

- The 30% design plans for the new force main will be submitted for review by the beginning of August. Upon incorporation of the force main design into the project the plans and specifications will be finalized and the project can be advertised for bidding.

**Jupiter Plantation Lift Station #13 Force Main Replacement**

- The Notice to Proceed was issued on June 20, 2016. Construction has commenced on the project. Two directional drills have already been completed by the Contractor.
- All shop drawing submittals have been reviewed and approved.

**Maplewood Lift Station #21 Force Main Extension**

- The preconstruction meeting was held on June 23, 2016.
- The Notice to Proceed was issued on June 27, 2016.
- All shop drawing submittals have been reviewed and approved.

**Turtle Creek Phase I**

- The 100% design submittal was transmitted to LRD staff on June 22, 2016.
- The project was advertised for bidding on June 26, 2016.
- The pre-bid meeting is scheduled for July 19, 2016 and the bid opening is scheduled for August 5, 2016.

**Turtle Creek – North End – Subsystem 3 Low Pressure Force Main System**

- Survey has commenced on the project and we anticipate receipt of the survey by the end of July. The 30% design submittal is scheduled to be submitted by the end of August.



*Loxahatchee River Environmental Control District  
Monthly Status Report  
July 11, 2016*

*Submitted To: Clinton Yerkes, Deputy Director*

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The following is a summary of work performed by Mathews Consulting, Inc. (MC) on District projects through July 8, 2016.

**Alternate A1A Forcemain Design**

The final survey for the project has been completed. MC developed the Base Drawings. MC began coordinating with the Utility Companies to determine the location of their underground utilities in the project area. MC also coordinated with Hazen and Sawyer regarding connection points at the Bridge. MC began developing the 50% design documents.

**Whispering Trails Preliminary Design**

MC held a kick-off meeting with the District on 4-28-16. MC completed the preliminary layout for the Gravity Sewer System and the Low Pressure Sewer System. The District provided MC comments on both layouts. MC submitted the Draft preliminary layouts and cost estimates for three (3) options to the District for review. The District provided comments back to MC and we are finalizing the Draft Report.

Respectfully Submitted by:

**MATHEWS CONSULTING, INC.**

A handwritten signature in black ink, appearing to read "Rene L. Mathews".

Rene L. Mathews, P.E.  
President



# Busch Wildlife Sanctuary

## At Loxahatchee River District

### Quarterly Dashboard - 2nd Qtr 2016



	Education				Animal Care			Financial Operations			Gift Shop
	General Public Visitors	Visitors Attending Public Programs	In-reach / Out-reach Program Attendance	Education Net Income	Injured Animals Received / Treated	Animals Released	Average Donation per Animal Admitted	Membership Income	Grants/Major Donor Income	BWS Net Income	Net Income
Benchmark	# of People	# of People	# of People		#	%					
Green	> 9000	> 3500	> 5500	> \$24,000	< 100	>25%	≥ \$25.00/Animal	> \$25,000	> \$50,000	> \$100,000	> \$10,000
Yellow	≥ 6000	≥ 2000	≥ 4000	≥ \$15,000	≥ 100	<25%	< \$25.00/Animal	> \$10,000	> \$25,000	≥ \$0.00	≥ \$5,000
Red	< 6000	< 2000	< 4000	< \$15,000	>1000	<10%	< \$10.00/Animal	< \$10,000	< \$25,000	< \$0.00	< \$5,000
2015 Qtr Results											
1st Qtr	41,529	4,495	5,982		874		\$11.01				
2nd Qtr	27,679	4,020	4,939		1,632		\$10.95				
3rd Qtr	22,690	3,216	4,755		1,428		\$10.00				
4th Qtr	24,721	3,584	4,010		719		\$10.03				
2016 Qtr Results											
1st Qtr	45,506	4,790	6,194		1034		\$9.51				
2nd Qtr	26,890	3,592	6,340		1,761		\$7.36				
3rd Qtr											
4th Qtr											

#### 2nd Quarter Items:

Projects Completed: New Fox Exhibit  
 Projects In Progress: Mulching Pineland Nature Trail, Discovery Center Renovations, Demolition of Old Fox Exhibit  
 Special Projects: Water Bird Exhibit Renovations, Flight Cage Renovations, Wildlife Hospital Recuperation Enclosures  
 Outdoor Rehab and Recovery Enclosures, New Education Vehicle

#### 2nd Quarter Special Events and Appearances:

ABC, CBS, NBC, BWS Morning Walks, 97.9 WRMF, Twisted Trunk/Clarke Fundraiser  
 Owl Encounter, Guanabanas Give Back, Snake Craft, Painting in Nature

Metric: Explanation  
 Gift Shop: Majority of the purchasing for the giftshop is conducted during the 3rd and 4th Quarters of the year.  
 Animal Care: 2nd Quarter is "Baby Season". Always have more animals than usual.  
 Financial: Annual Fundraising occurs in December and many contributions are received in 1st Quarter of each year.



# Friends of the Loxahatchee River July 2016

## River Center Summary Statistics



Year Month	General Visitors	Program Visitors	Outreach	Gift Shop	Donations	Memberships	Sponsors	Education Programs	River Center Programs	Special Events	Volunteer Hours
2015-06	2078	1031	160	\$1,355	\$837	\$200	\$520	\$3,087	\$4,365	\$420	487
2015-07	1936	1294	46	\$1,985	\$524	\$50	\$650	\$5,073	\$1,490	\$377	645
2015-08	1544	305		\$1,432	\$691	\$75	\$1,460	\$732	\$215	\$892	404
2015-09	1047	278	34	\$771	\$491		\$520	\$60		\$160	116
2015-10	1055	549		\$872	\$636	\$25		\$128	\$128	\$626	139
2015-11	881	255	144	\$1,192	\$560	\$150	\$460		\$667	\$815	135
2015-12	1078	277	51	\$2,749	\$663	\$250	\$8,460	\$82	\$210	\$186	149
2016-01	1083	606	348	\$1,083	\$496	\$150	\$2,410	\$93	\$4,065	\$679	158
2016-02	1178	295	2088	\$1,237	\$501	\$250	\$5,060	\$41	\$4,655	\$963	126
2016-03	1928	478	528	\$1,428	\$1,167	\$360	\$6,200	\$677	\$7,271	\$3,375	205
2016-04	1256	472	138	\$679	\$548	\$150	\$5,705		\$1,010	\$13,433	235
2016-05	1108	552	7	\$978	\$304	\$225	\$4,349	\$111	\$3,974	\$701	120
2016-06	2274	1000	468	\$1,939	\$781	\$125	\$348	\$2,828	\$2,410	\$1,125	581

### River Center General

**River Center and Jupiter Inlet Lighthouse Night Climb-** On Wednesday, June 1 the River Center staff was invited to participate in a meet and greet with the staff at the Jupiter Inlet Lighthouse and Museum. The event included a private sunset tour around the property and of the lighthouse itself. This was a great opportunity for staff from both organizations to get to know one another and brainstorm new partnership ideas.



### Friends of the Loxahatchee River

There was no Friends meeting on Friday, July 1<sup>st</sup>.

### Special Programs

#### Fishing Clinic

On Saturday, June 4<sup>th</sup>, fifteen children and their parents attended the first fishing clinic of the summer to kick off our 3<sup>rd</sup> annual Jr. Angler Fishing Tournament. Ages ranged between 5-15. Conducted at Burt Reynolds Park, the program began with a classroom session lasting about 45 minutes, and covered fishing regulations, knot tying, various forms of tackle, and fish identification. Before heading down to the water, we discussed the importance of safety while fishing, and considered potential hazards if these rules were neglected (i.e. holding the fishing pole vertical by your side, being aware of your surroundings when casting, and hooks). In addition to the standard rod and reel, kids also had the opportunity to learn and practice different methods of fishing, such as cast netting and yoyo reels.





### Family Seine and Snorkel Program at Coral Cove Park

Families joined River Center environmental educators on June 11<sup>th</sup> and 22<sup>nd</sup> for a morning of exploration during June's Family Snorkel and Seine Expedition at Coral Cove Park on Jupiter Island. Participants got some relief from the heat in the cool water while River Center educators guided guests on a snorkel trip through the seagrass and mangroves, while discovering some critters along the way. Pufferfish, conchs, and seahorses are just a few of the animals that participants were able to experience up close and personal during our morning adventure! Educators welcomed over thirty-three adults and children to these events. Free to attend!



### FAU Pine Jog Environmental Education Center H2O to Go High School Program

FAU Pine Jog Center has joined forces with FAU John D. MacArthur Campus, FAU Harbor Branch Oceanographic Institute and CES Riverwood's Field Laboratory to offer a unique, week-long, residential research institute for high school and undergraduate students. This program, called H2O to Go, introduces students to scientists who are working in the field of environmental research. Students work with research scientists and develop an understanding for the interconnectedness and complexity of South Florida water systems and the environmental issues facing them. This program is designed to give students a professional experience not easily obtained by the general population and will provide a competitive edge, particularly to students interested in life science, engineering, oceanography, and research.



The Loxahatchee River District has partnered with Pine Jog to bring over 160 students to our wastewater treatment facility to learn more about the water reclamation process, the nitrogen cycle, water quality testing, and how it relates to water resource solutions. Students participate in a two-hour tour of the different parts of the plant with hands-on activities. Material covered by River Center staff is later covered on a test students are required to pass to receive credit for the class.

### USCGA About Boating Safely Course

The River Center once again hosted the "Boating Safely" course presented by the US Coast Guard Auxiliary Flotilla 52 and sponsored by the AustinBlu Foundation on Saturday, June 18<sup>th</sup> with 35 participants (full enrollment). Teens and young adults are the target group for these classes to help them be more familiar, comfortable, and knowledgeable of boating and water safety. The River Center is proud to be able to provide the opportunity for people in our community to become better and safer boaters. 110 participants have attended the classes since March. Our next class on Saturday, August 20 is filling up fast and we hope that it fills as our last class of the summer. **The AustinBlu Foundation was so pleased with how the classes benefitted our local community, that they are now sponsoring another series of classes beginning in September and extending until March of 2017.**

### Little Otters Family Fun

On Saturday, June 18<sup>th</sup> the River Center hosted its first ever Little Otters Family Fun program with eighteen participants ranging in age from 3 to 6 years of age. Children enjoyed a scavenger hunt of the River Center aquariums, read stories, and held critters from the touch tank. Families then went exploring in our migratory bird and butterfly garden looking for bugs, birds, butterflies, and lizards.

Afterwards families went on mangrove hike and then had a seine and dip netting experience. The Little Otter program for July and August are currently full and we are very happy with the success of this new program.

**Summer Camp Starts Off with a Bang!** - The River Center's summer camp season is off to a great start. Already 48 campers, 8 counselors and staff have enjoyed the many activities during the summer (June 6<sup>th</sup>-10<sup>th</sup>, June 13<sup>th</sup>-17<sup>th</sup>, June 20<sup>th</sup>-24<sup>th</sup>).



River Trekkers - The first week, River Trekkers (designed for children ranging from ages 9 to 11 entering 4<sup>th</sup>, 5<sup>th</sup>, and 6<sup>th</sup> grades) went kayaking, seine and dip netting, snorkeling, swimming, standup paddle boarding, fishing, and all around had a blast! The River Trekkers trekked to the Indian River Lagoon at Coral Cove Park, Dubois Park, explored the Lake Worth Lagoon at John D. MacArthur Beach State Park, Fullerton Island, and went fishing at the Jupiter Lighthouse.

Nature Navigators - The second week was devoted to our Nature Navigators, designed for children ranging from ages 6 to 8 entering 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> grade. The weather was great and we were able to travel throughout Jupiter to visit all parts of the Loxahatchee River. Campers kayaked in Fullerton Island and Sawfish Bay, hiked with a Ranger at Jonathan Dickinson State Park, seine and dip netted in the Indian River Lagoon at Coral Cove Park, explored the Lake Worth Lagoon at John D. MacArthur Beach State Park, and snorkeled at Dubois Park.



Fishing Camp - The third week, Loxahatchee Fishing Camp, was designed for children ranging from ages 11 to 13 entering 6<sup>th</sup>, 7<sup>th</sup>, and 8<sup>th</sup> grade. This is the third year that the River Center has held a fishing camp designed for middle school campers sponsored by Florida Fish and Wildlife Conservation Commission Department of Marine Fisheries. Campers visited fishing locations such as Coral Cove Park, DuBois Park, Jupiter Beach, John D. MacArthur Beach State Park, Burt Reynolds Park, and Juno Ridge Natural Area.



They experienced the Indian River Lagoon, the Lake Worth Lagoon, Loxahatchee River's Central Embayment, and the Jupiter Inlet. Campers learned different fishing techniques, equipment, fish identification, anatomy, regulations, and conservation efforts. They also went kayaking, snorkeling, paddle boarding, and swimming as well as a special boat trip provided by Capitan Tom and the Harbour Runner. With the popularity of this camp River Center staff are now considering holding two weeks of middle school camp for next summer.

During each week, campers collected marine species and were responsible for the camp aquarium, participated in numerous games, hands-on activities, and craft projects. Each Friday, parents are invited for a camper presentation and pot luck. We are looking forward to July summer camps!

### **Sponsor Appreciation Event**

On a beautiful, summer evening (June 17) just after the afternoon rain storms had passed, several of our sponsors enjoyed a beautiful sunset cruise on the Loxahatchee River and a picnic dinner. We had annual sponsors, exhibit sponsors and event sponsors present. It was a great way for them to spend time together and for the River Center to say thank you for their support throughout the year. We travelled by Fullerton Island all the way down to Jupiter Ridge and then back up to Bird Island and the sand bar. River cruise provided by Harbor Runner.



### **Outreach Activities**

#### **Adventure Awaits Kayak Tour to Fullerton Island**

On Wednesday, June 15th the River Center partnered with Palm Beach County Environmental Resource Management to lead a kayak tour to Fullerton Island from Sawfish Bay Park. The “Adventure Awaits” event series was designed to get visitors and citizens of Palm Beach County into the natural areas. They have conducted trail runs, kayak tours, nature hikes, evening stargazing programs and photography workshops. This kayak tour led 22 guests through a restored spoil island located just north of Burt Reynolds Park West. In August, we will partner with PBC ERM on a sunrise kayak tour of Loxahatchee Slough Natural Area.



#### **Fullerton Project Overview**

- Removed 6 acres of invasive nonnative vegetation and approximately 59,000 cubic yards of sand from the 12-acre island to create seagrass and mangrove habitat.
- Provided kayak access to a quiet refuge featuring unique wetland and upland habitats for fish, birds, and wildlife.
- Preserved 5.12 acres of mangrove habitat.
- Created 0.54 acres of mangrove and 4.23 acres of seagrass habitat.
- Restored 1.07 acres of upland hardwood hammock infested with invasive nonnative vegetation and created an additional 0.30 acres of hammock habitat.
- Public-use amenities include a 6 slip day-use floating dock, picnic area, and informational kiosk. Greens School Recognition Awards Luncheon

**Sea-Fari Night at the South Florida Science Museum-** On Friday, June 24<sup>th</sup> the River Center participated in the South Florida Science Museum’s “Nights at the Museum” event entitled “Sea-Fari.” The event included many underwater themed activities like touch tank demonstrations, shark tooth identification, and fish dissections. Once the sun set and the stars came out, star gazing was a popular activity as well. It was a great, family-friendly event and I hope the River Center can participate again in the future. The River Center interacted with over 176 guests that night.







**Volunteer of the Month:** The River Center would like to announce that July's Volunteer of the Month is awarded to Alice Ma. Alice is a student at Florida State University earning a Bachelor's Degree in Anthropology. She has volunteered since May of 2016 but has made a big impression on the center. No matter the task, Alice always comes through for us. We look forward to her spending the summer here at the center. We thank her for her service and look forward to her continued support.

**Friends Membership** – 51 active members; 1 new/renewals; 37 current sponsors

**Annual Sponsors Recognition –Mark and Arline Slifkin, Geoff & Lynne Lieberman**

**Upcoming River Center Events** – RSVP at [rivercenter@lrecd.org](mailto:rivercenter@lrecd.org) or 561-743-7123.

July 16 – Jr. Angler Fishing Tournament Ends!

July 22 – 6-8p: Jr. Angler Fish Fry! Competitors and their families gather together for a meal and award ceremony. Every child receives a t-shirt and goodie bag. Prizes will be awarded in four age categories with a grand prize winner.

July 23 – 8:30a-4:30p: About Boating Safely: While boating can be a fun and relaxing experience, operating a boat, especially for young people, can be dangerous. This issue was brought to light last summer when Austin Stephanos and his good friend were lost at sea. In hopes of preventing similar tragedies the River Center is collaborating with the US Coast Guard Auxiliary "Flotilla 52" to provide Boating Safely Classes targeted specifically to young boaters in our community. These classes are provided through a generous sponsorship by the AustinBlu Foundation, a not-for-profit founded in Austin's name and dedicated to raising awareness and promoting educational programs to improve boater safety. Participating in effective boater safety training is the most significant thing boaters can do to decrease their risk of mishap while on the water. Potential boaters need to understand the dangers of boating in hazardous waters like the Jupiter Inlet. Although there is no cost for the class, a \$10.00 deposit per student is required to reserve a seat. This deposit will be refunded in full to all students who complete the class. Please bring a lunch. Pre-registration is required because space is limited. Registration will take place promptly at 8:00, the morning of class. Please register online now! [www.tiny.cc/boatsafe](http://www.tiny.cc/boatsafe).

July 30 - 9:30a-11:30a: Little Otters Family Fun! This is a NEW summer program designed for families with children ages 3-6 held on selected Saturdays this summer. The program will include a themed story, touch tank demonstration, garden exploration, dip netting and crab hunting. There are both inside and outside portions along with opportunities to get your feet wet. Cost is free, but please RSVP to the event.

August 6 – 9-11:00a: Family Seine & Snorkel: Join River Center staff and volunteers at Coral Cove Park for a morning of snorkeling, dip netting and seining. Have an interactive "touch tank" right there in the water and discover new critters. Free, but please RSVP.

August 6 – 10:00a-12:00p: Volunteer Orientation. To learn more about how to become a River Center volunteer please contact the River Center.

August 13 – 9a-12p: Fishing clinics are a great way for kids to learn the basics of fishing methods and tactics! Parents will learn important safety tips for taking kids fishing and how to abide by regulations when out fishing. The River Center in partnership with Fishing Headquarters provides half-day fishing clinics for kids that give your child a fun, engaging overview of fishing.

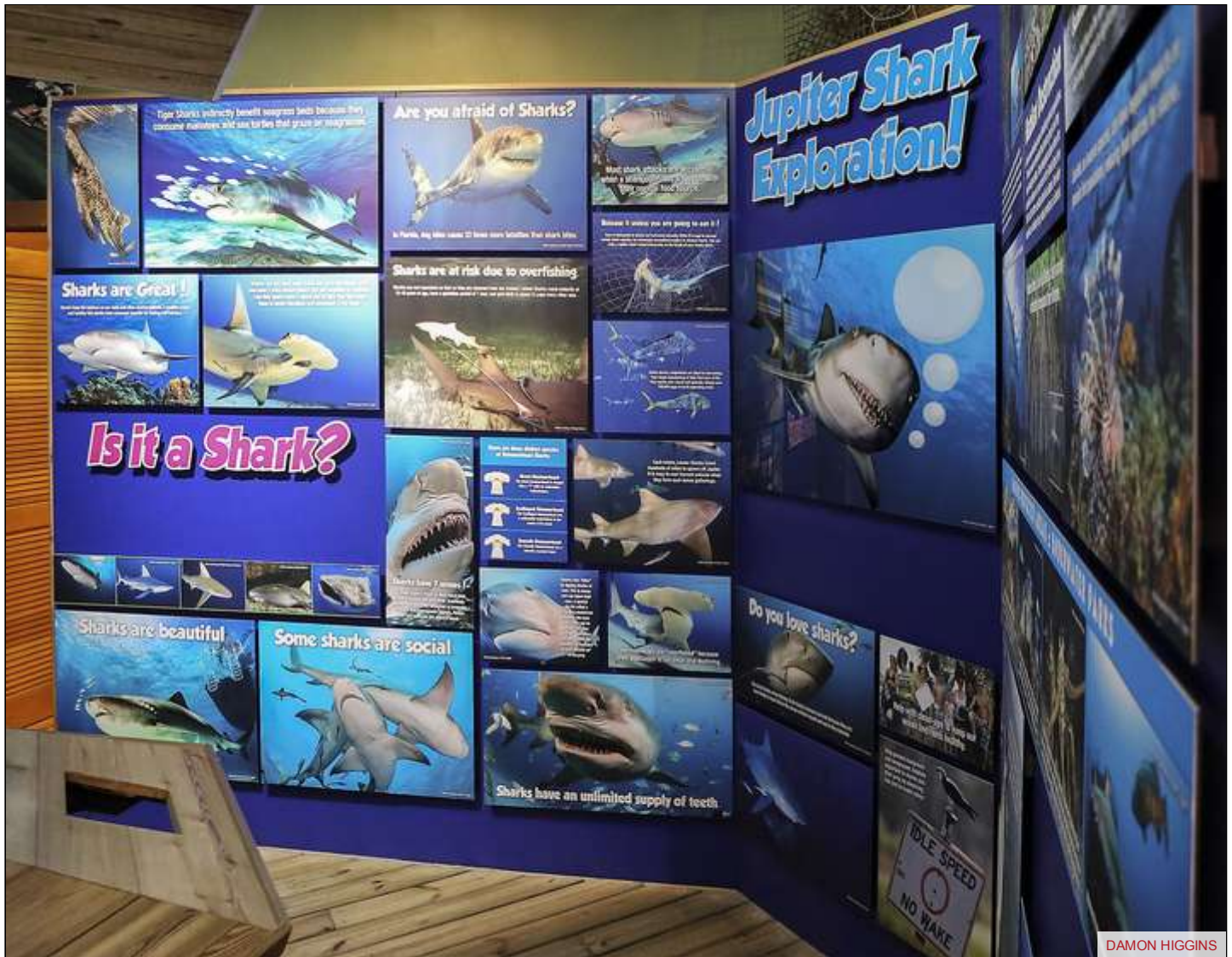
August 20 – 8:30a-4:30p: About Boating Safely: Registration will take place promptly at 8:00, the morning of class. Please register online now! [www.tiny.cc/boatsafe](http://www.tiny.cc/boatsafe).

August 17 – 9-11:00a: Family Seine & Snorkel: Join River Center staff and volunteers at Coral Cove Park for a morning of snorkeling, dip netting and seining. Have an interactive "touch tank" right there in the water and discover new critters. Free, but please RSVP.



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## Life-sized shark replicas on display at Jupiter exhibit



The Loxahatchee River Center has opened a new shark exhibit, Thursday, May 19, 2016. Jocelyn O'Neill, the center's environmental education manager, said the exhibit is designed to dispel myths about sharks and educate the public about their unique qualities. Damon Higgins / The Palm Beach Post





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## Life-sized shark replicas on display at Jupiter exhibit



An eight foot Bull Shark display is part of a new shark exhibit at the Loxahatchee River Center, Thursday, May 19, 2016. Jocelyn O'Neill, the center's environmental education manager, said the exhibit is designed to dispel myths about sharks and educate the public about their unique qualities. Damon Higgins / The Palm Beach Post

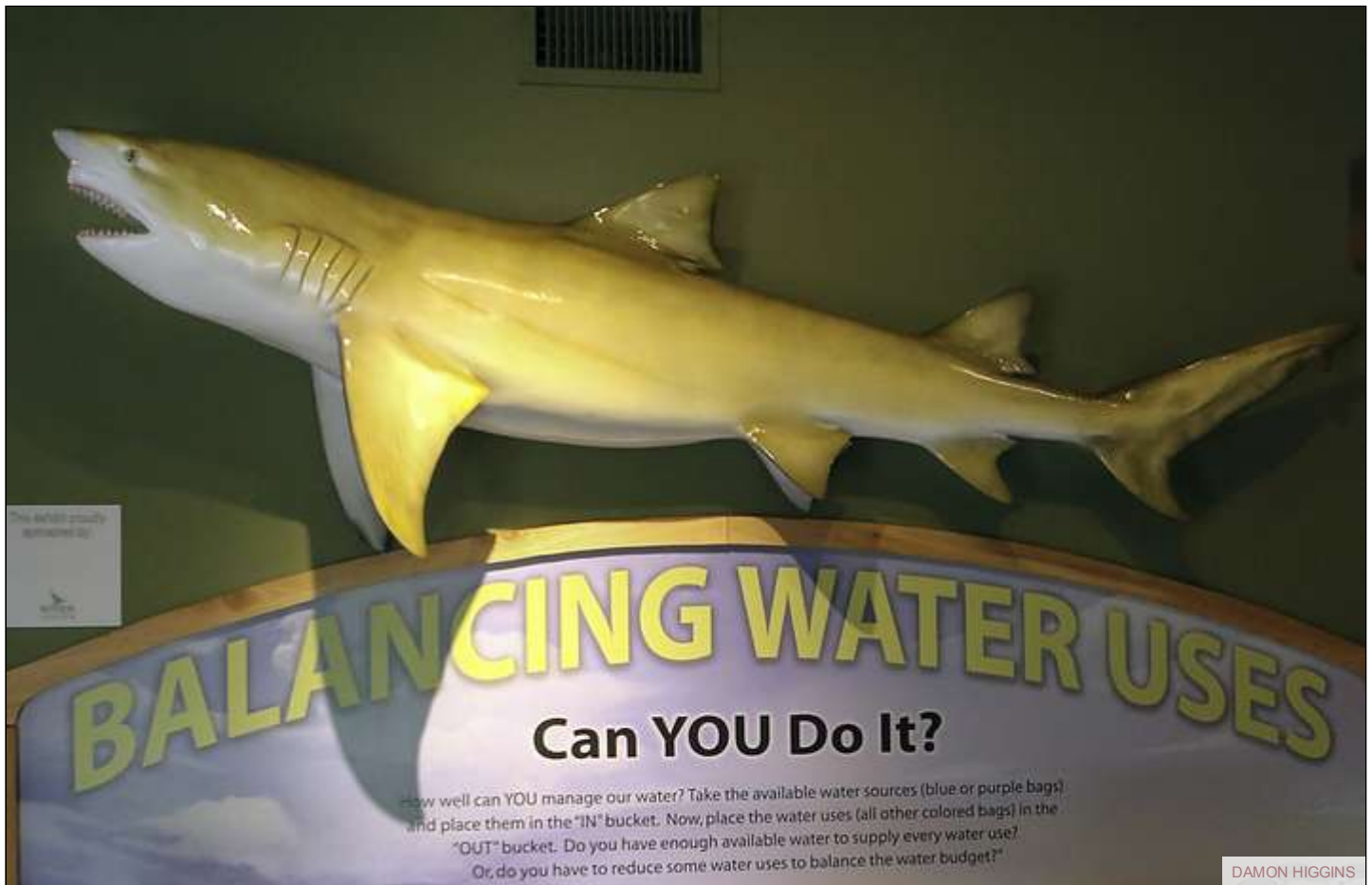
## Reader Comments ▲

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## Life-sized shark replicas on display at Jupiter exhibit



A Lemon Shark display is part of a new shark exhibit at the Loxahatchee River Center, Thursday, May 19, 2016. Jocelyn O'Neill, the center's environmental education manager, said the exhibit is designed to dispel myths about sharks and educate the public about their unique qualities. Damon Higgins / The Palm Beach Post



## Reader Comments

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# Director's Report

- Admin. & Fiscal Report attach. #1
- Engineering Report attach. #2
- Operations Report attach. #3
- Information Services Report attach. #4
- Other Matters attach. #5

# Loxahatchee River District

Water Reclamation | Environmental Education | River Restoration

2500 Jupiter Park Drive, Jupiter, Florida 33458-8964

Telephone (561) 747-5700 • Fax (561) 747-9929 • [www.loxahatcheeriver.org](http://www.loxahatcheeriver.org)

D. Albrey Arrington, Ph.D., Executive Director



## Memorandum

To: Governing Board

From: Kara Peterson, Director of Finance and Administration

Date: July 15, 2016

Subject: Monthly Financial Report

## Balances as of June 30, 2016

### Certificates of Deposit:

Institution	Original Term	Maturity	Rate	Amount
FL Community Bank	9 Months	10/12/16	0.50%	\$ 2,037,348
TD Bank	6 Months	07/18/16	0.56%	2,004,993
FL Community Bank	18 Months	02/28/17	0.75%	2,032,187
FL Community Bank	18 Months	02/28/17	0.75%	2,032,187
TD Bank	3 Years	06/02/17	0.92%	2,038,641
TD Bank	3 Years	08/04/17	1.19%	1,022,956
TD Bank	4 Years	08/19/17	1.40%	2,081,864
TD Bank	2.5 Years	03/02/18	1.11%	2,018,475
TD Bank	3 Years	05/22/18	1.14%	2,025,479
TD Bank	5 Years	08/19/18	1.87%	2,110,070
TD Bank	5 Years	04/29/19	1.88%	1,562,526
TD Bank	5 Years	09/22/19	2.09%	2,075,478
<b>Subtotal</b>				<b>\$ 23,042,204</b>

### Other:

FL Community Bank - Public Demand	0.86%	\$ 7,570,385
SunTrust-Business Account	0.35%	1,998,041
<b>Subtotal</b>		<b>\$ 9,568,426</b>

<b>Total</b>		<b>\$ 32,610,630</b>
--------------	--	----------------------

Average weighted rate of return on investments is: 1.05%

As of 06/30/16:

3 month Short Term Bond: 0.26%

1 month Federal Fund Rate: 0.50%

Cash position for June 2015 was \$29,688,882. Current Cash position is **up** by \$2,921,748.

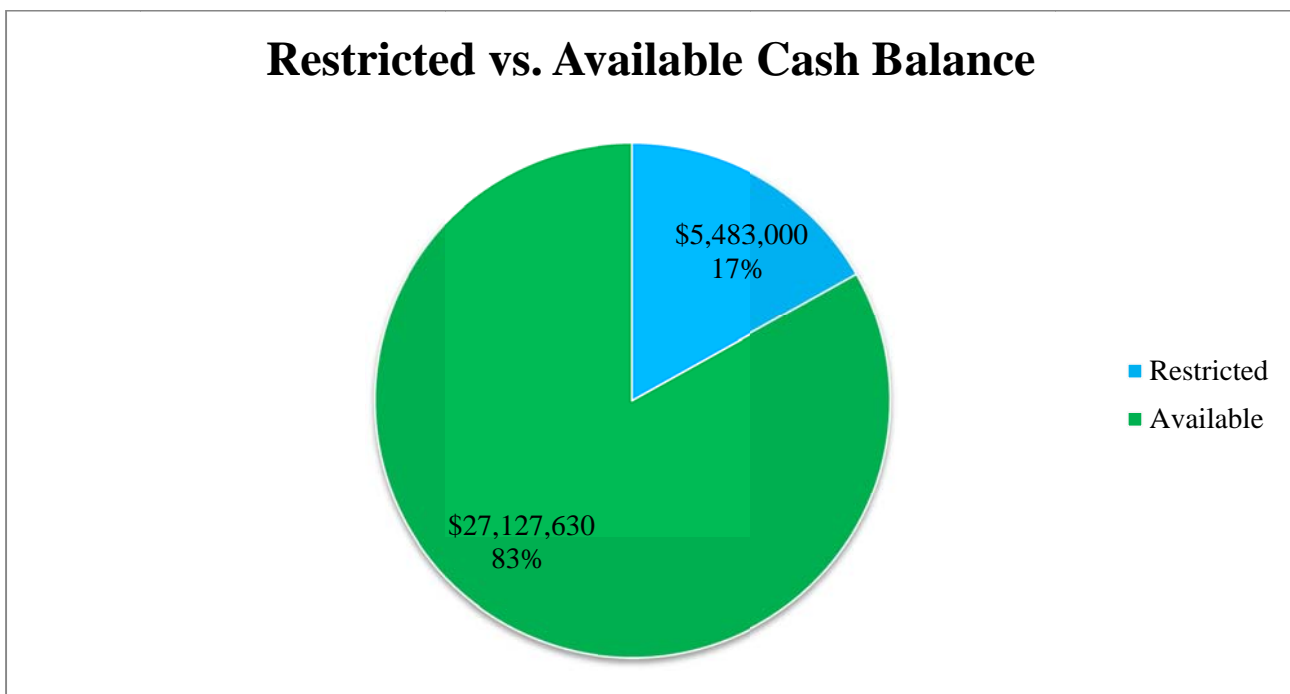
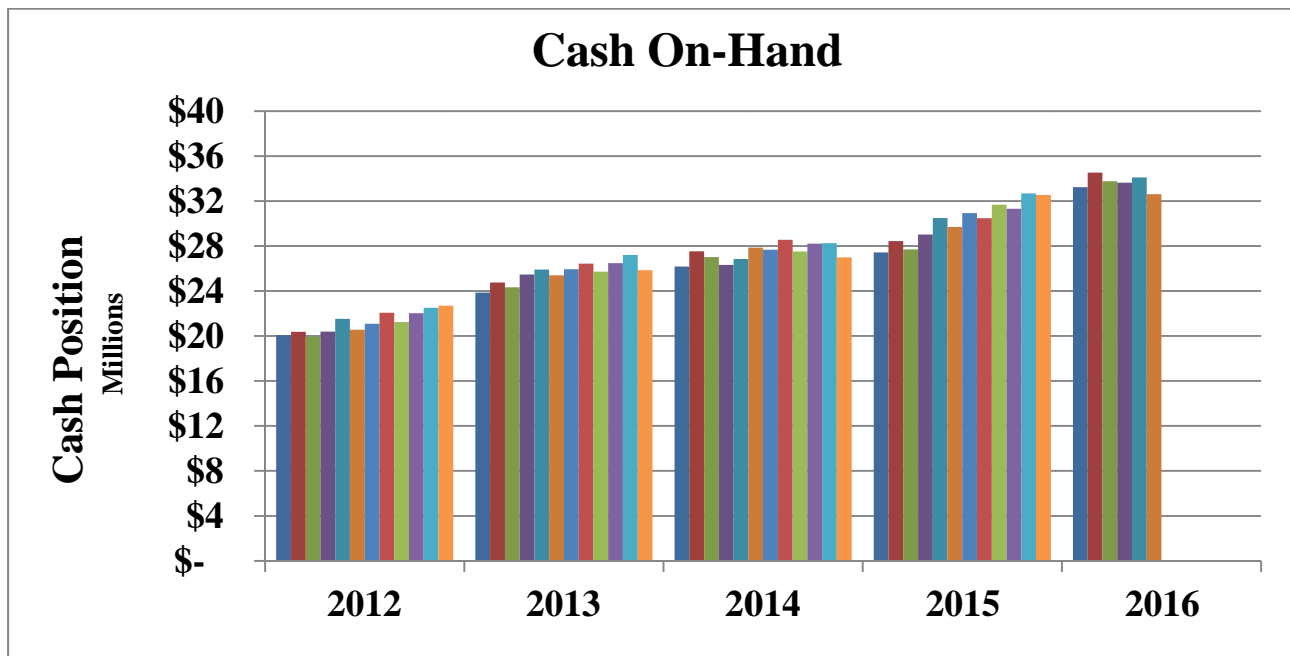
Stephen B. Rockoff  
Board Member

Dr. Matt H. Rostock  
Board Member

Gordon M. Boggie  
Chairman

Harvey M. Silverman  
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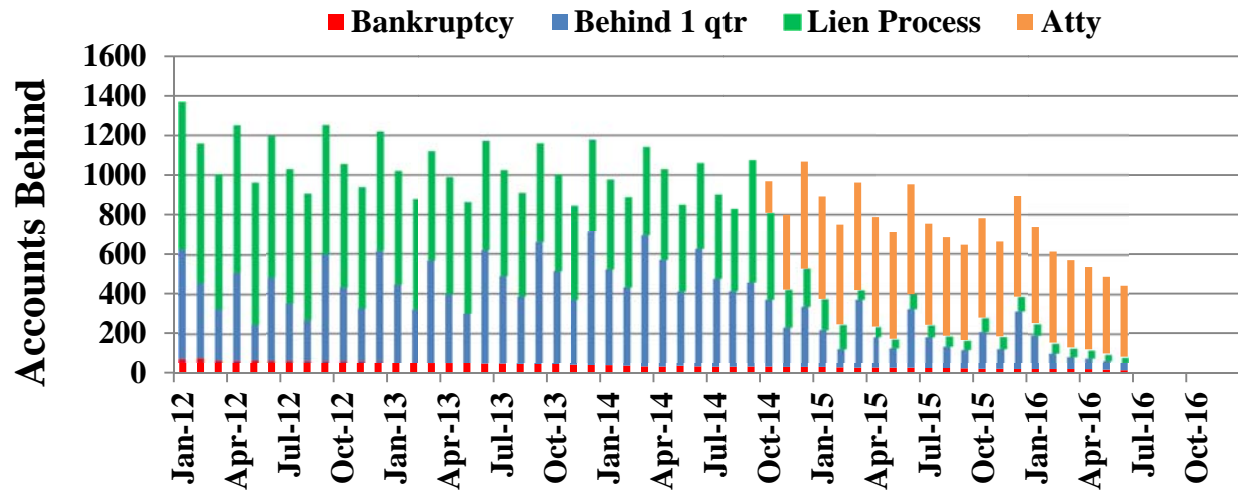


#### Accounting:

- Legal fees collected for the month of June were \$18,543. The fiscal year-to-date total is \$135,096.
- Septage billing for June was \$1,136. All septage dumping accounts are current.
- Developer's Agreement – There were no new Developer agreements in June.
- I.Q. Water Agreements – Abacoa POA is past due for May.
- Estoppels – For June is \$8,475. The fiscal year-to-date total is \$60,825.
- Accounts in Bankruptcy – 12; Accounts in 'Prior to Lien Process' – 44; Lien – 25 Accounts; Attorney – 359 Accounts; Mortgage Foreclosure (active) – approximately 4.



# LRD Accounts Falling Behind



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D. Albrey Arrington, Ph.D., Executive Director

## MEMORANDUM

TO: D. Albrey Arrington, Ph.D.  
Executive Director

FROM: Kris Dean, P.E.  
Director of Engineering Services

DATE: July 14, 2016

SUBJECT: Director's Report - Engineering Division  
July 2016 Board Meeting

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### Developer Projects

Staff were active on 9 Developer projects including the following activities.

Plan Review: Staff performed plan reviews for the following projects.

*Pennock Preserve Phase 2 and 3:* A new development on Island Way North. This project will ultimately serve 93 residential homes and include a gravity sewer collection system, lift station and force main with connection to the 8" force main installed along Island Way North in 2014.

*Sonoma Isles Residential Phase 2B:* This project provides a gravity collection system to serve approximately 41 residential units in the Sonoma Isles development.

Construction: Staff performed construction inspections, shop drawing review, RFI responses and/or attended preconstruction meetings for the following projects.

*Bella Villaggio:* This project includes a new gravity system to serve 16 units in a multi-family development located off County Line Road.

*Walmart:* This project includes a revised gravity service installation to serve restrooms located at the front of the store.

*Sonoma Isles Residential Phase 2:* This project provides a gravity collection system and lift station to serve approximately 275 residential units and club facilities. This project was formerly known as Lakewood and Parcel 19.

*Pennock Preserve PUD Phase 1:* This project connects Pennock Preserve to the existing Prada development and provides a gravity sewer system to 8 of the 16 residential lots.

*Jupiter Country Club Pod D (Phase 2):* This project provides the second phase of the gravity

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sewer system to serve 40 residential lots in Jupiter Country Club.

*Windsor Park North Phase 1D:* A gravity system to serve lots 40-47 where the Windsor Park Sales Center complex was previously located.

*Bluffs Marina:* This project includes a private lift station and force main with connection to District facilities to serve the marina.

Final Completion: Staff performed final completion activities to include final inspections, record drawings review and punch lists.

None

One Year Inspections: Staff performed one year warranty inspections on the following project.

None

### **Capital Projects**

Staff were active on 15 Capital projects including the following activities.

Design/Bid: Staff are currently in the design or bidding phase for the following projects.

*US Force Main Abandonment – Waterway Road to County Line Road:* We have determined an alternate to the force main replacement discussed last month. The alternate entails abandonment of the existing force main in US 1 from Schrimshaw to Waterway, connection of the low pressure system from Harbor Road South to Harbor Road North to the gravity system for LS 061 and connection of LS 068 to the force main at LS 061. This will result in abandonment of approximately 4,000 LF of force main in FDOT right of way.

*Hibiscus Avenue:* This project was re-advertised on July 5, 2016. Bids will be received on August 5, 2016.

Construction: Staff provided construction inspection and engineering oversight for the following projects.

*Lift Station Rehabilitations for 2016:* This project includes rehabilitation of 3 lift stations.

*Cleaning, TV Inspection and Lining Services:* The contractor completed TV inspections. Staff are reviewing the final reports and recommendation prior to moving forward with repairs or rehabilitation. The gravity collection systems included are for Lift Stations 57, 58, 62, 65, 66, 68, 94 and 97.

*Hyland Terrace Low Pressure Sewer System:* This project includes low pressure sewers for Harken Terrace, Whispering Pines Trail, Pine Grove Street, Linden Street, County Line Road and SE Seminole in Martin County.

Consultant Projects:

*Master Lift Station Rehabilitation Preliminary Engineering Report:* Staff coordinated with the consultant for flow analysis. This project looks at the final phase of rehabilitation for the Master

Lift Station located just east of Pennock Ln and Indiantown Rd. The project will recommend pump replacement, electrical system evaluation, piping modifications, bypass facilities, isolation valves and coatings, which will be completed at a later date.

*Alternate AIA Subaqueous Crossing Preliminary Engineering Report:* The consultant submitted a draft bypass plan and met with staff to review options. This project looks at the replacement options and emergency bypass pumping plan for the 24” wastewater force main crossing the Loxahatchee River at Alternate A1A.

*Loxahatchee River Road IQ Main Replacement:* This project replaces the existing aerial crossing just north of the Eagles Nest development with a subaqueous directional drill.

*Jupiter Inlet Colony Neighborhood Rehabilitation:* This project provides a gravity collection system and lift station to serve the approximate 240 homes and town facilities located in Jupiter Inlet Colony.

*Maplewood Drive Force Main:* This project installs a new back up force main from LS 21 to the force main in Indian Creek Parkway. A preconstruction meeting was held in June. The contractor should begin work in July.

*Jupiter Plantation Force Main Replacement:* This project replaces the existing force main from LS 13 in Jupiter Plantation to the gravity collection system in Center St. A preconstruction meeting was held in June. The contractor is currently mobilized and should complete the project in August.

*Turtle Creek:* Phase 1 of Turtle Creek Drive is currently out to bid. Bids are due at the same time as Hibiscus Ave in an attempt to increase interest in both projects.

*Whispering Trails PDR:* Staff coordinated with the engineering consultant on the preliminary design for Whispering Trails to determine conceptual layouts and cost estimates for gravity and low pressure sewer systems.

*Alternate A1A/Damon Bridge Water Main Replacement and Force Main Installation:* Staff performed plan reviews and looked at alternate materials of construction to decrease long term maintenance on the project. This project includes installation of a new 16” force main on the Damon Bridge to replace the existing 24” force main subaqueous crossing of the Loxahatchee River.

*Loxahatchee River Road IQ Main Replacement:* A project to replace a 16” aerial crossing along Loxahatchee River Road. The project is currently in for a permit revision to add a 4” waste water force main to the project as part of the final extension of the Districts waste water force main system along Loxahatchee River Road.

### **Other Utility Projects**

These projects include plan review, coordination and inspections associated with other utilities such as the Town of Jupiter, Village of Tequesta, Town of Juno Beach, Palm Beach County and Martin Co.

*Pine Gardens South:* A Town of Jupiter project that provides storm system upgrades in the Pine Gardens South development.

*North Jupiter Water Main Improvements:* A Town of Jupiter project to replace AC water mains in the north Jupiter area.

*Waterway Park:* A new boat ramp facility on the Intercoastal and Indiantown Road.

### **Construction**

Staff were involved in various projects including the following activities.

*3831 Beacon Hill:* Staff installed a gravity service to this address as part of the remnant property sewerage program.

*Lift Stations 57, 58, 62, 65, 66, 68, 94 and 97:* Staff are systematically working in these areas to locate or install right of way clean outs in coordination with upcoming TV inspections.

*Pine Gardens North:* Staff completed manhole frame and cover replacements and paving this month.

### **Miscellaneous**

Staff are looking at alternative communication systems for lift stations and low pressure stations. A demonstration is planned with systems being installed along Loxahatchee River Road on existing low pressure stations.

*Chippewa Street:* Staff worked with residents on Chippewa Street to provide cost estimates and sewerage options. This project is currently on the schedule for 2018 but may be moved ahead on the schedule if more than 50% of residents vote for sewers now.

Signed,



Kris Dean, P.E.  
Director of Engineering Services

/KD

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# Loxahatchee River District

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D. Albrey Arrington, Ph.D., Executive Director

## MEMORANDUM

TO: Albrey Arrington, Executive Director

FROM: Tom Vaughn, Director of Operations

DATE: July 12, 2016

SUBJECT: Operations Department Monthly  
Report for June 2016

### Treatment Plant Division

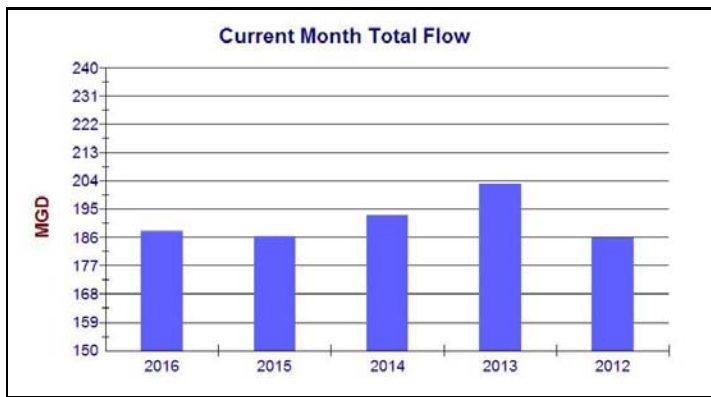
In June operators continued to expand their cross training by learning to operate a lathe and weld. Cross training was also held between lead operators and plant operators.

The District hosted FW&PCOA's Utility Customer Relations Level I on June 24<sup>th</sup>. Twelve students attended including three from Immokalee Water Plant and two from Charlotte County Utilities. Both operators and customer service representatives took this course online and came to the District for the one day interactive portion of the class to review lessons and take the exam for certification and CEU's.

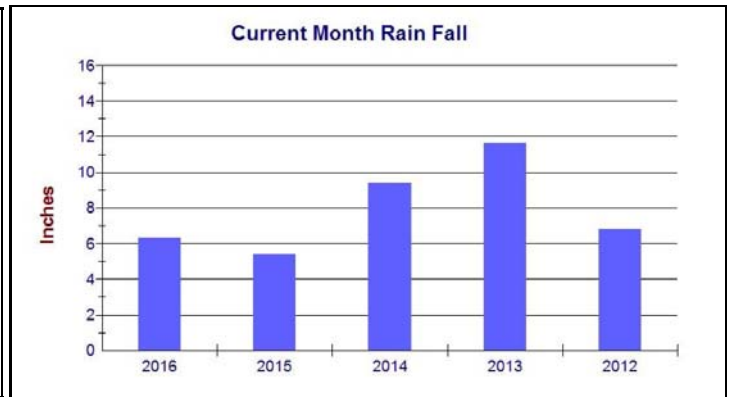
The District has been asked to host Utility Customer Relations Level II in October. We look forward to having this and other training opportunities with FW&PCOA happen here in the future.



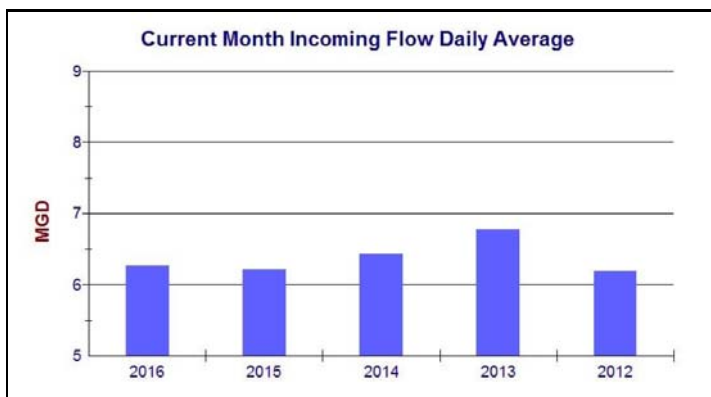
**We have had another great month of no Permit exceedances.**



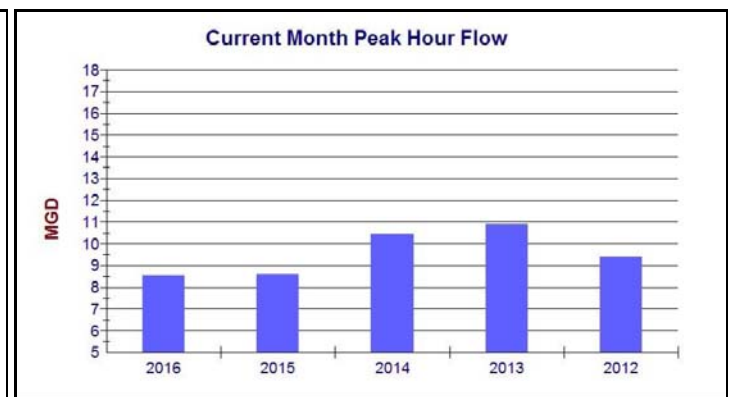
The plant total flow for the month of June was 187.93 million gallons.



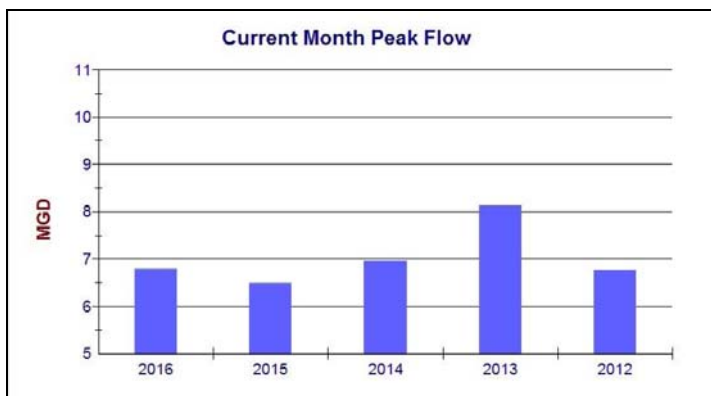
6.32 inches of rainfall were recorded at the plant site during the month of June.



The treatment plant incoming flow for the month of June averaged 6.26 MGD compared to 6.22 MGD one year ago for the same month.



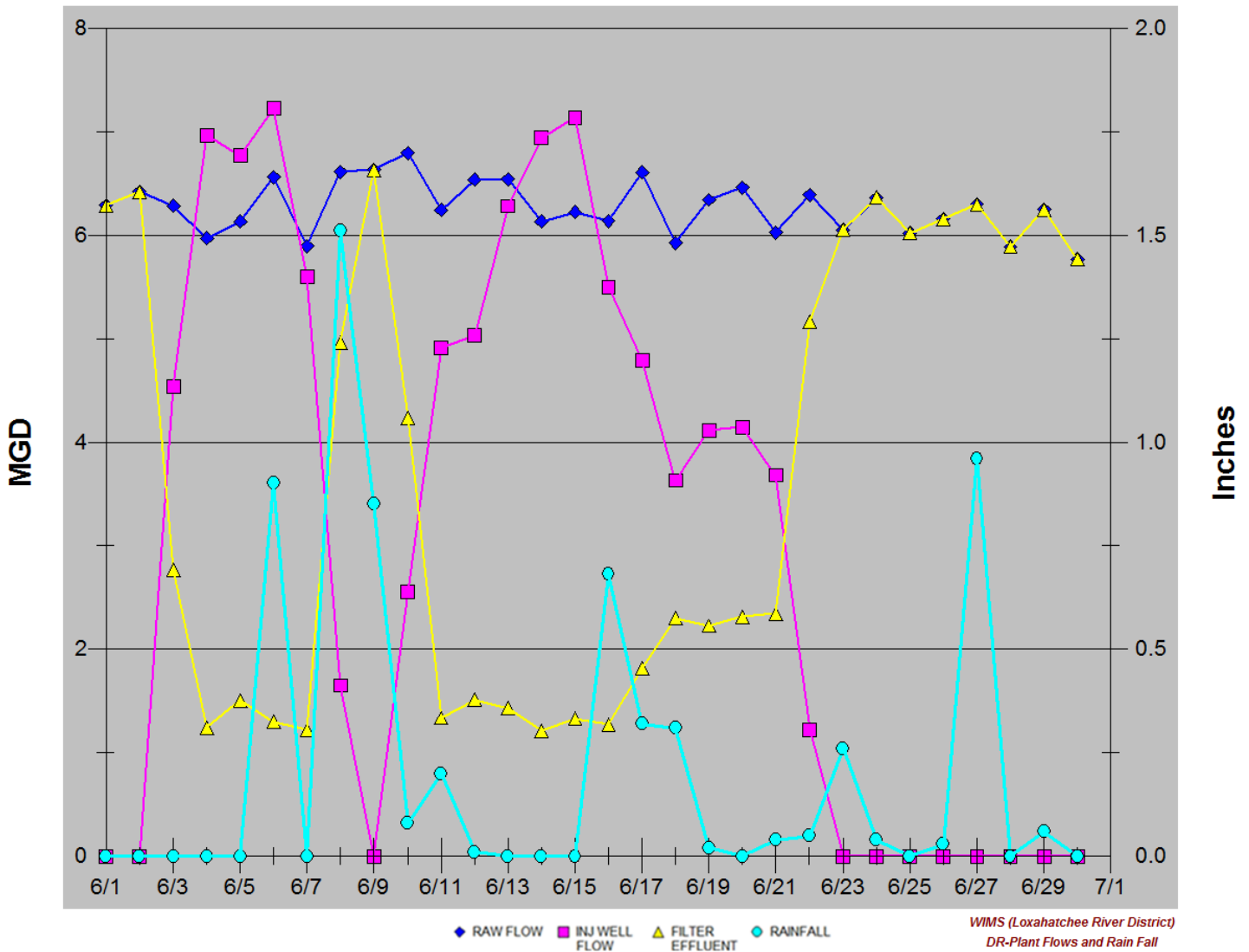
The peak hourly flow rate in June was 8.53 MGD.



The greatest single day average flow in June was 6.79 MGD.



The plant received 187.93 MG of influent flow of which 109.62 million gallons were sent to the IQ storage system where they were dispersed as needed to the various golf courses and the Abacoa development sites. Due to wet weather conditions and 6.32 inches of rain during the month, 92.70 million gallons of blended effluent was diverted to the Injection Well. Overall, 58.33% of incoming flows was recycled for IQ use and the plant delivered 146.01 million gallons of IQ water to the Reuse customers.



For the year 2016, the plant recycled 50.71% of all incoming flow and the total amount of IQ water delivered to reuse customers stands at 695.85 million gallons.

All required monthly reporting has been submitted on time.

## Safety / Compliance

**TRAINING.** Training for the month of June reviewed Arc Flash electrical hazards. Safe work practices must be followed by qualified personnel who may come in contact with live energy sources. Prior to performing maintenance on energized electrical equipment, employees must determine the proper levels of PPE and specialized tools that will be required to complete the task safely. Insulated tools, gloves, face shields, and insulated blankets are all examples of the equipment used by District electricians throughout their day.



**D.E.P.** The District hosted four testing sessions, over a two day period, for operators to advance their certifications in water and wastewater. With over one hundred people visiting our location every month, the Loxahatchee River District has become a well-known source for certification testing.

The DEP has recently updated their logo. While the logo may have changed the strict testing criteria remains the same.

**CEU's.** The District has also begun hosting safety training classes every month for licensed operators to gain valuable safety knowledge as well as earn required CEU's (Continuing Education Credits) towards their current license renewal cycle.

During the month of June, Intro to Water Utility Safety was held in the Operations Education room. Employees from St. Lucie West, Coral Springs, and other utilities joined together to discuss important hazard areas that may be encountered working for a water utility.

The next safety training course has already been scheduled for July, and looks as if attendance will be increasing, given the feedback received from surrounding utilities. The District's centralized location and ease of access from I-95 or the Turnpike make us an ideal spot to train with others working in the water and wastewater industry.

The District has zero injuries or lost time to report for the month of June.

## Collections and Transmissions Division

**BELOW.** Material Handling Systems, the company that does inspections and repairs for District hoists and lifts rebuilt the three ton electric hoist from Master Lift Station #1. A service technician is installing the rebuilt hoist with assistance from District employees.



**RIGHT.** Lift station #151, a budgeted project for lift station refurbishment, was completed by contractor Felix Construction. They poured a new six inch thick floor and installed new pump base elbows on existing base plates, installed per design plans, HDPE discharge piping with in wet well, and new 6" isolation valves in existing valve pit. A portion of the road was in scope of the project which included work to a collection manhole. station bypass, set up, monitoring and maintaining was performed by District Operation's crews during the project.





**BELOW.** District route crews performed the replacement of a 14 inch plug check valve and reducer on discharge piping for the 200 horse power motor/pump on the lower operating floor. After the new valve install, crews installed a spare electric/pneumatic actuator and tested/adjusted for proper operation. The check valve is tied into the PLC (programmable logic computer) system for correct timing on opening and closing of the pump.



**RIGHT.** Abacoa Reclaimed water Master pump station #518 had route technicians monitor the backwash times of strainers to determine optimum time to disassemble, inspect, and clean the interior (specifically the poro-edge straining tubes) with a .010 inch nominal slot for solids removal. There are three strainers rated at 3050 gallons per minute.



**LEFT.** For the reporting month, 8 new low pressure systems came online in the low pressure pump station system. Also, 1 existing simplex low pressure station was converted to duplex low pressure station District Standards.

District Vac Con Crews cleaned the following lift stations in June 2016; #83, 7, 174, 53, 73, 76, 124, 256, 88, 18, 170, 25, 166, 83, 51, 93, 13, 171.



During reporting month, there were no major systems or equipment failures in Collection/Transmission systems that caused emergency or systems to not operate normally.



## Maintenance

**BELOW.** A District Electrician, Bob Ward, has taken a display that was just a few tanks and pictures and has created a working display that shows the flow of waste water through its components. He has designed a PLC program that controls valves allowing for flow between stations. This will enable visitors to interact with each station and see the waste water process.



## **Tidbits from Tom**

June, 2016 – Father’s Day



**Often times** we fail to realize the impact our actions have on other people, especially the people we love the most. (I read the following in a magazine while waiting in the Doctor’s office.)

### **THE VALUE OF TIME**

THERE WAS A TINY, ALMOST INAUDIBLE KNOCK AT THE DOOR. “Yes,” grumbled Sam from behind the desk.

The door opened and Sam’s young son, Chris, poked his head into the study. “Dad?” he asked.

“What is it?” Sam answered, never taking his eyes off the computer screen in front of him.

Chris walked across the room and placed his piggy bank on his father’s desk. The bank had a note on it that read: Disney World Vacation Spring 2005. “It’s full now,” the child murmured.

“That’s great. Can we talk about this later, though?” Sam asked. “I’m in the middle of something right now. Remember—a closed door means that Daddy is busy and should not be disturbed.”

“I remember,” Chris nodded. “And I also remember that your *time* is val-u-a-ble, too.

That’s why I brought my money.” The boy placed his favorite storybook on the desk, next to the bank.

“If I pay you for your time, will you read to me?”

Sam blushed. Yes, indeed, he’d managed to make his son understand that time is money.

But at what cost? He turned off his computer and reached for Chris. “Come here,” Sam said.

He scooped the boy into his lap and hugged him. “I guess I forgot to tell you the absolutely most important thing to remember.”

“What’s that, Daddy?”

“The time we spend together is *priceless*.” And, for the first (but not last) time, Sam began to read Chris’s favorite storybook to him.

**See ya’ at the Top – (That’s near Cheese Station “N”)**

**Tom Vaughn  
Director of Operations**

# Loxahatchee River District

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D. Albrey Arrington, Ph.D., Executive Director



## MEMORANDUM

TO: Albrey Arrington, Ph.D., Executive Director  
FROM: Bud Howard, Director of Information Services  
DATE: July 14, 2016  
SUBJECT: Monthly Governing Board Update for June 2016

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## WildPine Ecological Laboratory

### Riverkeeper Project

In June, the LRD and Town of Jupiter staff organized another large sampling run in which 59 water quality monitoring sites were sampled. In addition, after Jupiter received 1.5 inches rain event, we focused on additional sampling in the Sims/Jones Creek basins, western, and coastal communities to assess water quality for sucralose, nutrient and bacteriological analyses.

Our Weekly Bacteria Program expanded to encompass a more thorough analysis of *enterococci* and *fecal coliform* bacteria in the Dubois drainage basin. LRD, in partnership with the University of Miami and NOAA, are spearheading rigorous bacteria sampling efforts within the Dubois drainage basin to better understand elevated bacteria levels in the Dubois drainage basin. This is a very timely project as the Dubois Lagoon is an extremely popular recreational location during the summer months. Sam and Kyle, our two interns, performed 72 bacteria tests as well as took numerous field readings on June 9, 2016 over the entire 12 hour tide cycle. The samples were collected at six sites between the snorkel lagoon at the Inlet and Ocean Way Drive. As a supplement to the intense sampling on the 9<sup>th</sup>, another 64 tests performed by the interns throughout June were added to our Dubois bacteria database to be analyzed. In general, we continue to see good water quality results during incoming tide, and higher bacteria counts during outgoing tide, particularly after significant rain events.



Sam and Kyle sampling at Dubois swimming lagoon.

### World Ocean Day Sampling Event

On June 29<sup>th</sup>, LRD was invited to participate in World Ocean Day, a global, synchronized event in which marine and estuarine waterbodies are sampled on the same day to evaluate microbial communities. Elizabeth Kelly, a Ph.D. candidate from the University of Miami who is involved in the Dubois bacteria project, toured the Dubois drainage basin with staff in order to better understand the

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system, and World Ocean Day water samples were collected from the snorkeling lagoon, the Dubois swimming beach, and Carlin Park. Samples will be evaluated by a laboratory in Bremen, Germany, and will yield information on the various bacteria, protozoans, and viruses that live in these waterbodies, providing more insight into the pathogenicity of certain bacteria within the system.

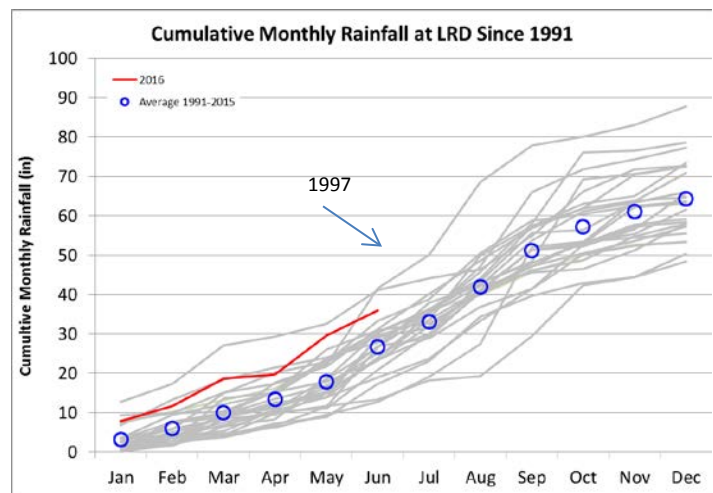


## Hydrologic and Datasonde Monitoring

June 2016 experienced less than average rainfall with monthly total of 6.32" measured at the LRD - less than the 8.8" of rainfall total typically observed during June. The cumulative rainfall for 2016 continues to be one of the wettest years since 1991, with only 1993 and 1997 having higher cumulative rainfall through the year to date. June had moderate rainfall events with rain distributed somewhat evenly throughout the month. The highest single day of rain was 1.51" and occurred on June 8<sup>th</sup>.

Elizabeth Kelly from UM, at right, explains how to prepare a microbial sample to our intern Sam, left.

June began with decreasing flows at Lainhart Dam, as May's rain continued to drain from the watershed. Flow decreased to 78 cfs until the 1.5" rain event on June 8<sup>th</sup>. Flow then increased to a max of 155 cfs and oscillated between 99 and 138 cfs for the remainder of the month. There was no supplemental flow through G-161 from Grassy Waters Preserve this month. The S-46 flood control structure had only two days of flow throughout the month of June and occurred following the 1.5" of rainfall on June 8. Major construction at the Tailwater weir continues and may result in unusual operation schedules.



Salinity throughout June was very similar to historical averages at most sites. Kitching Creek remained fresh during the month indicating that flows were sufficient enough to keep saltwater downstream of this location.

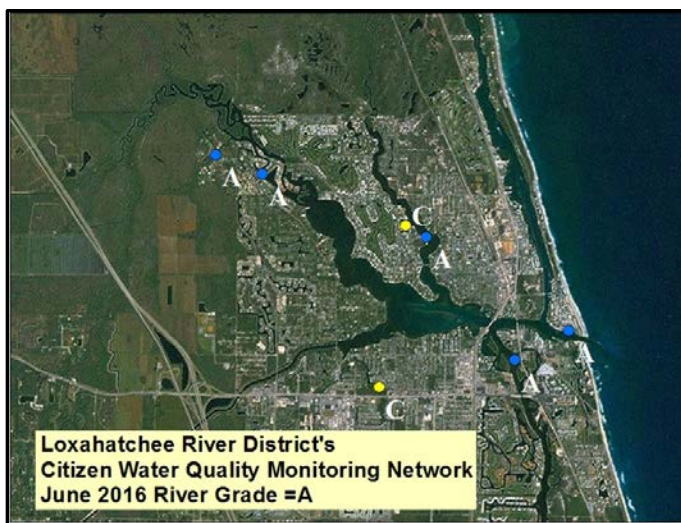
## Oyster Recruitment Monitoring

Oyster spat monitoring in June showed minimal settlement as is expected during the summer months. Settlement was observed at all four sites, though more so in the Southwest Fork than in the Northwest Fork (NWF). Mean oyster settlement density in the Southwest Fork (SWF) was 97 spat m<sup>2</sup> compared to 206 spat m<sup>2</sup> counted last month. The downstream site in the SWF had a mean density of 108 oysters spat m<sup>2</sup> while density at the upstream site was slightly less at only 87 m<sup>2</sup>. This compares to last month's figures of 368 spat m<sup>2</sup> and 43 spat m<sup>2</sup> respectively. Settlement evaluation of the NWF upstream site was only 32 spat m<sup>2</sup> compared to last month's mean of 292 spat m<sup>2</sup>. Mean settlement density at each of the two NWF sites was 32 spat m<sup>-2</sup>.

Temperature is a primary factor in triggering oyster reproduction. Our daily average water temperatures in June were warmer than April with a mean range of 29.9°C (85.8°F) at both sites, and peak temperature ranges between 32.9°C (91.2°F) - 33.4°C (92.1°F). Generally, oyster settlement is observed when the average water temperature reaches ~28.0°C (82.4°F) and decreases as max temperatures near 31°C (88°F) or higher. Interestingly, staff observed possible spawning (photo right) on June 25 suggesting that perhaps spawning occurs but spat do not successfully settle.



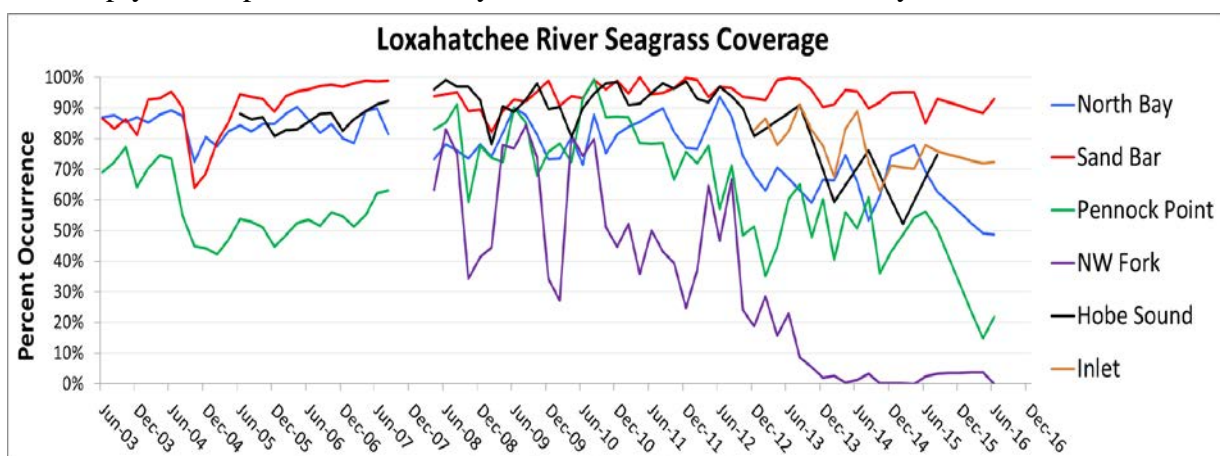
## Volunteer Water Quality Monitoring



The cumulative Volunteer Water Quality Grade for June scored an “A”. With a few exceptions, the conditions in the watershed were all within the “good” range. The visibility scores, however, were mostly in the “fair” range. This was probably due to the flow of fresh water from the upstream tributaries that drain into the estuary during this time of year.

## Seagrass Monitoring

The second seagrass monitoring of 2016 was conducted in June. All five sites along the salinity gradient of the Loxahatchee River were assessed. Seagrass was present at four of the five sites but was absent once again from the Northwest Fork site. Two sites, North Bay and Pennock Point, had among the lowest percent occurrence of total seagrass in the 12 year period of record (48.8% and 21.8% respectively, see Figure below). Following Tropical Storm Isaac in 2012, seagrass at Northwest Fork declined sharply to complete loss and has yet to make a substantial recovery.



## Information Technology

### Website Update

Staff and our web development company continue to make good progress on the updating of District website as they convert much of the existing content to the new web technology. We anticipate “going live” with the first phase of the website in August.

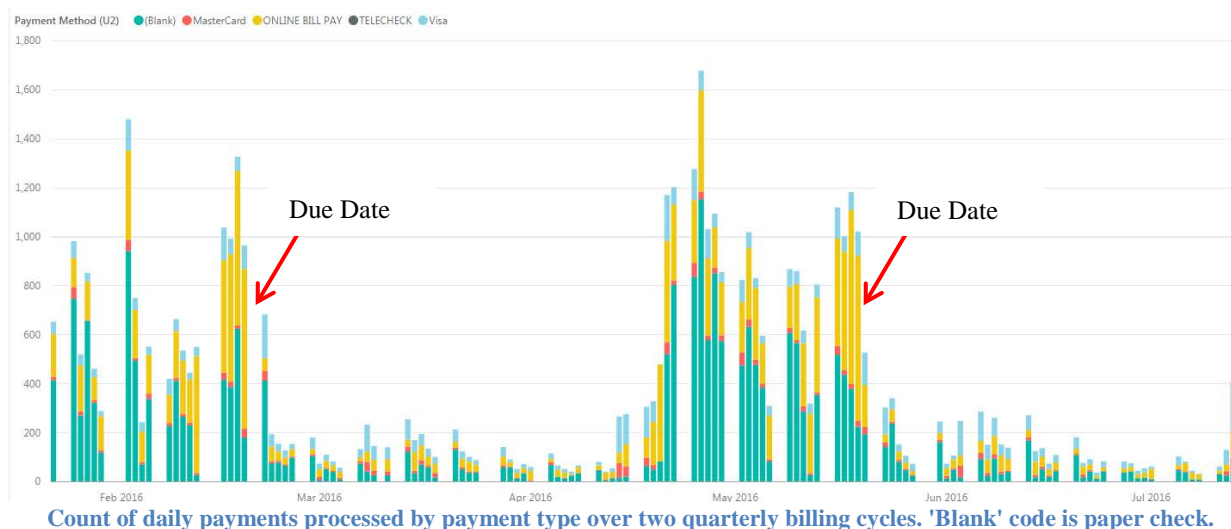
### Computerized Maintenance Management System – Computerized Maintenance Management System (CMMS)

The bulk of last month’s work was in the hands of the software consultant’s team as they continue to develop the data conversion scripts they will use to transfer our asset information and historical maintenance data into the new program. We eagerly anticipate the first big data conversion test in the next few days. Next month we will review and refine the script for making the “live” conversion sometime in late August or early September.

## Customer Service

### Payment Processing

In June, staff closed out the 2<sup>nd</sup> Quarter Billing by processing roughly 2,800 late payments totaling over \$298,000 for the month. A new metric we are monitoring is the quarterly payment completion rate – this quarter more than 98.3% of our nearly 31,000 customers paid their bill (~500 unpaid). Staff also made preparations for our 3<sup>rd</sup> Quarter Billing that we sent on July 11 and 12.



### Delinquent Account Processing Migration

The customer service team reached a key milestone as we continue to make preparations for the District to manage delinquent account data by completing the merging of District account data for all 500+ delinquent accounts. We continue to configure and test data systems to apply fees, charges and interest, as well as reconcile District data with the Attorney’s records. Meanwhile, the Attorney’s office has been busy processing a backlog of liens.

# Loxahatchee River District

Water Reclamation | Environmental Education | River Restoration

2500 Jupiter Park Drive, Jupiter, Florida 33458

Telephone (561) 747-5700 • Fax (561) 747-9929 • [www.loxahatcheeriver.org](http://www.loxahatcheeriver.org)

D. Albrey Arrington, Ph.D., Executive Director



## MEMORANDUM

TO: Governing Board

FROM: Administration Staff

DATE: July 12, 2016

SUBJECT: Consultant Payments

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The following amounts have been reviewed, and approved for payment to our consultants for work performed during the prior month.

	<u>Prior Month</u>	<u>Fiscal YTD</u>
DeSantis, Gaskill, Smith & Shenkman	\$14,547.21	\$98,186.91
Arcadis	\$ -	\$49,052.76
Hazen	\$67,167.96	\$217,542.16
Holtz	\$5,936.50	\$63,387.65
Mathews	\$15,539.85	\$249,311.52

Should you have any questions in regard to these items, please contact Kara Peterson concerning the attorney's invoice, and Clint Yerkes concerning the engineers' invoice.

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Stephen B. Rockoff  
Board Member

Dr. Matt H. Rostock  
Board Member

Gordon M. Boggie  
Chairman

Harvey M. Silverman  
Board Member

James D. Snyder  
Board Member





# Future Business

## Neighborhood Sewering:

- Jupiter Inlet Colony preliminary construction has begun; water main installation to begin July 25<sup>th</sup>.
- Turtle Creek Phase I-Construction contract award
- Hibiscus Ave-Construction contract award (re-bid)
- Whispering Trails Notice of Intent
- Limestone Creek Notice of Intent
- 3831 Beacon Hill Rd. Preliminary Assessment
- Little Oaks/River Oaks Preliminary Assessment

## Other:

- FY 2017 Budget
- Lab Services Contract Renewal
- Septage Hauling Contract
- Lift Station 114-Purchase of Replacement Pumps