

Ref: #16-2020

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT
REGULAR MEETING - MINUTES
JULY 16, 2020

1. CALL TO ORDER

Chairman Rockoff called the Regular Meeting of July 16, 2020 to order at 7:00 PM and explained the various methods of attending the meeting (in person, electronically or telephonically).

2. ADMINISTRATIVE MATTERS

A. ROLL CALL

The following Board Members were in attendance.

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

Staff Members in attendance were Dr. Arrington, Mr. Dean, Mr. Howard (via GotoWebinar), Ms. Fraraccio (via GotoWebinar) and Mr. Pugsley.

Consultants in attendance were Mr. Curtis Shenkman and Mr. Hunter Shenkman with Curtis Shenkman, PA. and Ms. Marshall from Baxter & Woodman (via GotoWebinar).

Ms. Wynne from Busch Wildlife Sanctuary was also in attendance.

Mr. John Duffy from the Public was in attendance (via GotoWebinar).

B. PREVIOUS MEETING MINUTES

The minutes of the Public Hearing and Regular Meeting of June 18, 2020 which was recessed and reconvened on June 22, 2020 were presented for approval and the following motion was made.

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

“THAT THE GOVERNING BOARD approve the minutes of the June 18, 2020 Public Hearing and Regular Meeting which was recessed and reconvened on June 22, 2020 as submitted.”

C. ADDITIONS & DELETIONS TO THE AGENDA

Item 6E was removed from the Regular Agenda. Item 5G was removed from the Consent Agenda to the Regular Agenda. Item 5H did not require Board action.

3. COMMENTS FROM THE PUBLIC

No comments were received at this time. See Public Comment under Item 6C.

4. STATUS UPDATES

A. LOXAHATCHEE WATERSHED STATUS

Mr. Howard reviewed the Dubois Park Bacteria Monitoring & Swimming Guidance Program.

B. LOXAHATCHEE RIVER DISTRICT DASHBOARD

Dr. Arrington reviewed the District Dashboard.

5. CONSENT AGENDA

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

"THAT THE GOVERNING BOARD approve the Consent Agenda of July 16, 2020 as revised to remove Item 5G."

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

A. Olympus Drive Notice of Intent to Assess (Resolution 2020-05)

"THAT THE GOVERNING BOARD approve Resolution 2020-05 the NOTICE OF INTENT to Assess, the Pending Lien Notice, and the Exhibits for the OLYMPUS DRIVE Assessment Area."

B. US 1 Residential Preliminary Assessment (Resolution 2020-06)

"THAT THE GOVERNING BOARD approve Resolution 2020-06 adopting the US HIGHWAY 1 RESIDENTIAL Preliminary Assessment Roll."

C. Whispering Trails Preliminary Assessment (Resolution 2020-07)

"THAT THE GOVERNING BOARD approve Resolution 2020-07 adopting the WHISPERING TRAILS Preliminary Assessment Roll."

D. Imperial Woods Preliminary Assessment (Resolution 2020-08)

"THAT THE GOVERNING BOARD approve Resolution 2020-08 adopting the IMPERIAL WOODS Preliminary Assessment Roll."

- E. Owner Furnished Equipment: LS 82 Standby Generator & ATS – to approve purchase

“THAT THE DISTRICT GOVERNING BOARD authorize the “piggy-back” of the Florida Association of Counties (FSA&AC) contract with ACF Power Systems, Inc. for 125KW Generator Package Specification # 102 with contract upgrades as detailed in ACF Power System, Inc.’s proposal dated June 18, 2020 in the amount of \$64,230.00.”

- F. Owner Furnished Equipment: LS 82 Submersible Pumps – to approve purchase

“THAT THE DISTRICT GOVERNING BOARD award the purchase of Lift Station 082 submersible pumps as detailed in Xylem Water Solutions US, Inc./Flygt Products proposal dated June 26, 2020 in the amount of \$187,338.10.”

- H. Jupiter Inlet Lighthouse Septic to Sewer Conversion – to approve engineering contract

This item was within the Executive Director’s signing authority and did not require Board action.

- I. Fixed Asset Disposal – to approve disposal

No Fixed Assets were submitted for disposal.

- J. Change Orders to Current Contracts – to approve modifications

“THAT THE GOVERNING BOARD authorize Change Order 1 to Baxter & Woodman Inc.’s contract for IQ511 Pump Station Piping Improvements in the amount of \$30,526.74.”

6. REGULAR AGENDA

A. CONSENT AGENDA ITEMS PULLED FOR DISCUSSION

Item 5G was pulled for discussion.

5G. Disposal of Surplus Tangible Personal Property Policy – to approve policy

Dr. Arrington reviewed the proposed Disposal of Surplus Tangible Personal Property Policy

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

“THAT THE DISTRICT GOVERNING BOARD ratify and approve the modified Disposal of Surplus Tangible Property Personal Policy and direct the Executive Director to implement the policy with an effective date of July 17, 2020.”

B. Rules Chapter 31-2, Agenda and Scheduling of Meetings and Workshops

Dr. Arrington discussed the proposed changes to Rules Chapter 31-2.

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

“THAT THE DISTRICT GOVERNING BOARD approve the revised Rule Chapter 31-2 as presented and with an effective date of July 17, 2020.”

C. Attorney General Opinion

Mr. Shenkman, The Board and staff discussed the supplemental documents to be submitted to the Attorney General.

MOTION: Made by Mr. Boggie, Seconded by Dr. Rostock,
Failed 0-5.

“That the Governing Board directs the Executive Director and legal counsel to begin work necessary to seek revision to the District’s Enabling Act by the Legislature to include clarification and/or expansion of our powers and authority, including:

1. to preserve and protect the natural systems in the District;
2. to lease or license any District property to any non-governmental entity;
3. to conduct environmental education to promote protection and preservation of the Loxahatchee River watershed; and
4. to conduct environmental research and restoration within the Loxahatchee River watershed.”

MOTION: Made by Dr. Rostock, Seconded by Mr. Boggie,
Passed 4-1 with Mr. Silverman voting against.

“That the Governing Board directs the Executive Director and legal counsel to begin drafting revisions to the District’s Enabling Act to include clarification of our powers and authority, including:

1. to preserve and protect the natural systems in the District;
2. to lease or license any District property to any non-governmental entity;
3. to conduct environmental education to promote protection and preservation of the Loxahatchee River watershed; and
4. to conduct environmental research and restoration within the Loxahatchee River watershed.”

Mr. Duffy commented that he would have suggested that the motion included “our implied powers” and included limitation on environmental education.

D. Busch Wildlife Sanctuary License Agreement

Chairman Rockoff led a discussion of the key items relating to the Busch Wildlife Sanctuary License Agreement negotiations. The Board directed staff to continue negotiations with Busch. Wildlife Sanctuary.

No action was taken.

F. Environmental Education Policy

Dr. Arrington reviewed the proposed changes to the Environmental Education Policy.

MOTION: Made by Mr. Boggie, Seconded by Mr. Snyder,
Passed unanimously.

“THAT THE GOVERNING BOARD approve the attached Environmental Education Policy and direct the Executive Director to implement this policy with an effective date of July 17, 2020.”

G. Budget Assumptions

Dr. Arrington reviewed the Budget Assumptions for the 2020-2021 Fiscal Year.

No action was taken.

7. REPORTS

B. LEGAL COUNSEL’S REPORT

Mr. Shenkman discussed Homeland Security Risk and suggested we have a vulnerability and security assessment.

The following reports stood as written.

A. NEIGHBORHOOD SEWERING

C. ENGINEER’S REPORTS

D. BUSCH WILDLIFE SANCTUARY

E. DIRECTOR’S REPORT

8. FUTURE BUSINESS

Dr. Arrington reviewed the Future Business report.

9. COMMENTS FROM THE BOARD

No comments were received.

10. ADJOURNMENT

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

“That the regular meeting of July 16, 2020 adjourns at 9:31 PM.”



BOARD CHAIRMAN

RECORDING SECRETARY

BOARD SECRETARY