

Ref: #20-2021

LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT  
REGULAR MEETING - MINUTES  
SEPTEMBER 14, 2021

1. CALL TO ORDER

Chairman Boggie called the Regular Meeting of September 14, 2021 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. Snyder  
Mr. Boggie

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

Consultants in attendance were Mr. Curtis Shenkman and Mr. Hunter Shenkman, Ms. Marshall from Baxter & Woodman (via GotoWebinar), Lisa Wynne and Jim Casto from BWS. Ms. Greyvill Kimley Horn.

B. PREVIOUS MEETING MINUTES

The minutes of the Regular Meeting of July 15, 2021 and postponed Regular Meeting of August 19, 2021 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 July 15, 2021 Regular Meeting and August 19, 2021 Regular Meeting - postponed as submitted.”

C. ADDITIONS & DELETIONS TO THE AGENDA

Delete Item 5H

Pull for discussion Item 5K

### 3. COMMENTS FROM THE PUBLIC

No comments from the public were received.

### 4. STATUS UPDATES

#### A. LOXAHATCHEE WATERSHED STATUS

Mr. Howard discuss Loxahatchee River Preservation Initiative projects submitted and ranked for funding in FY2023

#### B. LOXAHATCHEE RIVER DISTRICT DASHBOARD

Dr. Arrington reviewed the District Dashboard.

### 5. CONSENT AGENDA

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

“THAT THE GOVERNING BOARD approve the Consent Agenda of September 14, 2021 with items H and K removed.”

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

#### A. Annual Lawn /Landscape Maintenance Services (Terracon Services, Inc.) – to approve contract

“THAT THE DISTRICT GOVERNING BOARD authorize the Executive Director to execute an annual purchase order to Terracon Services, Inc. in accordance with the contract specifications and their bid dated October 4, 2019, for the annual landscape service for Fiscal Year 2022 in an amount Not-to-Exceed \$59,868.11, as well as a contingency amount of \$5,000.00.”

#### B. Audit Services Contract – to approve renewal

“THAT THE GOVERNING BOARD authorize the Executive Director and Chairman to execute the Nowlen, Holt & Miner, P.A. Engagement Letter dated August 10, 2021 for the provision of Audit Services for the fiscal year 2021.”

#### C. Bill Printing and Postage (Arista) – to approve contract

“THAT THE DISTRICT GOVERNING BOARD authorizes the Executive Director to approve a purchase order to Arista Information Systems, Inc. in the amount not-to-exceed \$85,000 for printing, postage and digital archives of the District’s sewer bills for Fiscal Year 2021-2022 according to our agreement dated December 22, 2015.”

D. Biosolids Hauling (Synagro) – to approve contract

“THAT THE DISTRICT GOVERNING BOARD authorize the Executive Director to execute an annual purchase order to Synagro South, LLC in accordance with the contract specifications and their bid dated August 6, 2018, for the offsite hauling of dewatered biosolids for Fiscal Year 2022 in an amount Not-to-Exceed \$160,650.00”

E. Biosolids Processing (Solid Waste Authority) – to approve contract

“THAT THE DISTRICT GOVERNING BOARD authorize the Executive Director to execute an annual purchase order to Solid Waste Authority of Palm Beach County for the processing and disposal of biosolids at the Biosolids Processing Facility for Fiscal Year 2022 in accordance with the Interlocal Government Agreement for Biosolids Processing in an amount Not-to-Exceed \$763,200.00.”

F. Bulk Fuel Procurement – to authorize purchase

“THAT THE DISTRICT GOVERNING BOARD authorize the Executive Director to purchase bulk diesel and unleaded fuel in quantities not to exceed Diesel No. 2 of 80,000 Gallons and Unleaded Fuel of 1,500 Gallons for an amount not to exceed \$239,650 using the District’s bulk fuel procurement procedure.”

G. Bulk Polymer (SNF Polydyne) – to approve contract

“THAT THE DISTRICT GOVERNING BOARD authorize the Executive Director to execute a purchase order to Polydyne, Inc. for the supply of cationic emulsion polymer, in accordance with a “piggy-back” of City of Homestead ITB No. 201908 for the period from October 1, 2021 through September 30, 2022, in an amount Not-to-Exceed \$73,000.00.”

I. First Billing Merchant Service – to approve revised Purchase Order for FY2021 and new Purchase Order for FY2022

“THE DISTRICT GOVERNING BOARD authorizes the Executive Director to increase the annual not-to-exceed purchase order to First Billing Services by \$5,000 to \$105,000 for FY2021”

-and-

“THE DISTRICT GOVERNING BOARD authorizes the Executive Director to approve an annual not to exceed purchase order to First Billing Services in the amount of \$110,000 per year for FY2022.”

J. Home Depot Open Purchase Order – to authorize annual purchase order

“THAT THE DISTRICT GOVERNING BOARD authorize the Executive Director to execute an annual Open Purchase Order to Home Depot at a total cost not to exceed \$60,000 for maintenance, repair, operating supplies, industrial supplies, and related products, in accordance with the District Procurement Policy.”



- L. Low Pressure General Construction Services/19-008LPSSGENCONSTR – to approve contract extension

“THAT THE DISTRICT GOVERNING BOARD authorize the Executive Director to execute an extension of contract ITB#19-008LPSSGENCONSTR with The Lazarus Group, Inc. to September 30, 2022 in an amount not to exceed \$100,000 inclusive of adjustment to unit prices in accordance with a CPI-U increase of 5.4 %”

- M. Odor Control (Evoqua) – to approve contract

“THAT THE DISTRICT GOVERNING BOARD authorize the Executive Director to execute a purchase order to Evoqua Water Technologies, Inc. for the continued supply of odor and corrosion control chemicals and services, in accordance with a “piggy-back” of Lee County contract for the period from October 1, 2020 through May 13, 2021, in an amount Not-to-Exceed \$224,000.00”.

- N. Retirement Plan – to approve revised Money Purchase Plan and Trust Adoption Agreement

“THAT THE DISTRICT GOVERNING BOARD amends item #29 of the Summary Plan Description to change the timing of Forfeitures to be as soon as reasonably practical after the date the Participant severs employment”

And

“THAT THE DISTRICT GOVERNING BOARD ratify item #32 of the Summary Plan Description to allow for terminated participants to continue in the Plan.

And

“THAT THE DISTRICT GOVERNING BOARD authorize the Executive Director to execute and file the Adoption Agreement with the recommendations above.

- O. Fixed Asset Disposal – to approve disposal

“THAT THE GOVERNING BOARD authorize the Executive Director to dispose of tangible personal property asset tag numbers 2764, 2861, 2834, asset number PE49, and the items from aggregated assets listed in the schedule above, in accordance with the District’s Disposal of Surplus Tangible Personal Property Policy.”

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

- Lift Station 163 Emergency Generator/N20042: Change Order 003

This change order was approved as a time-sensitive Change Order, and the Governing Board was notified in accordance with Procurement Policy, Section 2.10 Change Orders, Paragraph 5.

- Olympus Drive Force Main and Low Pressure Sewer Replacement: Construction Contract

“THAT THE DISTRICT GOVERNING BOARD award the Bid 20-006-OLYMPUSFMLP construction contract to Foster Marine Contractors, Inc. additional contingency in the amount of \$11,680.00.”

- 20-006-OLYMPUSFMLP/Olympus Drive Force Main and Low Pressure Sewer Replacement: Professional Engineering Services Contract

“THAT THE DISTRICT GOVERNING BOARD award the professional engineering services contract for Olympus Drive Force Main and Low Pressure Sewer Replacement to Baxter and Woodman, Inc. additional contingency in the amount of \$10,526.55.”

## 6. REGULAR AGENDA

### A. CONSENT AGENDA ITEMS PULLED FOR DISCUSSION

Consent Agenda Item 5K. Investment Advisory Services – to approve contract

Dr. Arrington explained the rationale for the proposed action and discussed potential rate of returns that could be expected given market conditions over the past three years. Mr. Boggie expressed his support for the proposed approach, but requested the Governing Board consider returning excess funds to rate payers after we have conducted the 2022 rate study.

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

“THAT THE GOVERNING BOARD authorize the Executive Director to enter into a continuing contract with Burgess Chambers & Associates, Inc. to execute their proposed investment strategy to invest surplus funds within the constraints of the District’s Investment Policy.”

### B. Busch Wildlife Sanctuary

Dr. Arrington discussed recent actions by Busch Wildlife Sanctuary that were in accordance with prior LRD Governing Board conditions for renewal of the license agreement.

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

“THAT THE DISTRICT GOVERNING BOARD authorize Board Chairman Boggie to execute a one year renewal of the LRD-BWS Restated License Agreement so that the new expiration date will be March 21, 2023, and the renewal states: ‘The authority and control exercised by the BWS Executive Committee is limited to include only those items related to the supervision of the Rocky Pines construction project (the new BWS property in Jupiter Farms), and this limit will be in effect for the full duration of the Restated License Agreement period and the extension.’”

C. Governing Board Redistricting Using 2020 Census

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

“THAT THE DISTRICT GOVERNING BOARD accept the redistricting of Governing Board Areas 1 through 5 as indicated in the attached Proposed 2021-2030 Boundary figure dated September 14, 2021.”

D. Chapter 31-1 Organization, Policies, and Procedures

Dr. Arrington reviewed the proposed revisions to LRD Rule Chapter 31-1 Organization, Policies, and Procedures. Board Members discussed various aspects of proposed revisions. Discussion of insurance benefits led to a consensus that Board Members be treated on par with regular full-time staff. In general, Board Members expressed their support of the draft revised rule.

E. Fiscal Year 2022 Budget

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

"THAT THE GOVERNING BOARD approve Resolution 2021-16 adopting the Loxahatchee River Environmental Control District's annual budget for the 2022 Fiscal Year."

7. REPORTS

The following reports stood as written.

A. NEIGHBORHOOD SEWERING

B. LEGAL COUNSEL'S REPORT

C. ENGINEER'S REPORTS

D. BUSCH WILDLIFE SANCTUARY

E. DIRECTOR'S REPORT

8. FUTURE BUSINESS

Dr. Arrington reviewed Future Business.

9. COMMENTS FROM THE BOARD

10. ADJOURNMENT

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

“That the regular meeting of September 14, 2021 adjourns at 8:05 PM.”



BOARD CHAIRMAN



BOARD SECRETARY



RECORDING SECRETARY